PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 272

HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FOURTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1995–96

COMPRISING PERIOD
19 February—1 March 1996

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19 February 1996

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 272**

SIXTH VOLUME OF SESSION 1995–96

House of Commons

Monday 19 February 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Breast Cancer

1. **Mrs. Clwyd:** To ask the Secretary of State for Wales what recent assessment he has made of the mortality incidence of breast cancer in Wales relative to the rest of the United Kingdom. [14156]

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards): Mortality from breast cancer in Wales is higher than in other parts of the United Kingdom, which may be partly a reflection of the higher incidence of the disease in Wales. Overall mortality from breast cancer in Wales fell by nearly 10 per cent. between 1988 and 1994, a rate of decline slightly greater than the UK average.

Mrs. Clwyd: Why are lower targets being set in Wales than in England for a reduction in the incidence of mortality? Why are Welsh women expected to take second best? Before the Minister answers, since Scott has demonstrated that the Conservative party is in the business of giving misleading and inaccurate answers, can he tell us whether he is telling the whole truth, part of the truth or his version of the truth?

Mr. Richards: The hon. Lady has not lost her talent for being offensive. In Wales, the target is to reduce the breast cancer death rate in the screened age group—the group aged 50 to 64—by at least 25 per cent. by 2000. Ladies in Wales are not regarded as second best to ladies in England.

Revenue Support Grant

2. **Mr. Martyn Jones:** To ask the Secretary of State for Wales how many representations he has had from local authorities in Wales concerning the level of revenue support grant proposed for the new unitary authorities. [14157]

The Secretary of State for Wales (Mr. William Hague): Several. My proposals for the 1996-97 local government revenue settlement were approved by the House on 8 February.

Mr. Jones: Is the Secretary of State aware that the figures of the Chartered Institute of Public Finance and Accountancy show that the Clwyd county council area has lost roughly 400 teachers in the past three years and that, in that time, the number of pupils has increased by 700? That must mean larger class sizes. The level of revenue support grant means that the new unitary authorities in Clwyd are expected to fund teachers' pay by efficiency savings. That has to mean another cut and fewer teachers. What does the Secretary of State want to say to parents of my area, whose children will be taught in even bigger classes from April?

Mr. Hague: Central Government support for local government spending is £864 per head in Wales, which is £132 per head higher than in England. When local authorities complain about that settlement, council tax

payers and parents should ask themselves, "Is every penny spent by the council spent wisely?" and, "Are all the things that local government spends money on necessary?" It is the right settlement and a generous one. It was approved by the House by a majority of 72 votes on 8 February and the hon. Gentleman did not even vote against it.

Mr. Nigel Evans: Does my right hon. Friend agree that, if the Opposition think that the revenue support grant is insufficient, the onus is on them to say how much it ought to be and where they would get the money from?

Mr. Hague: Yes. There has been a notable silence from the Opposition Front Bench on that subject. They have been unable to say whether they think that the local government settlement should be higher, lower, a bit higher or a lot higher and they refused to say so throughout our debate on the subject two weeks ago. It is time that they came clean about their policy, instead of pretending to the voters that they would spend more but wanting to say in the House that they would not spend more at all.

Mr. Alex Carlile: When considering the representations, how will the Secretary of State deal with the shortfall of more than £500,000 in the education budget in Powys caused by the decision of 200 to 300 16-year-olds to return to school rather than go to the local further education college? Will he ensure that the money that would have followed them to the college follows them back to their schools, so that they really have a choice about where to be educated?

Mr. Hague: I do not think that it is possible to adjust budgets for local government and for the Further Education Funding Council on the basis of decisions made in each area. It is up to local authorities to manage the resources that are available to them, to use them as efficiently as possible and to serve the interests of their local residents as best as they can.

Dr. Spink: Will my right hon. Friend confirm that council tax levels in Wales are 40 per cent. lower than they are in England, which represents a very good deal for the people of Wales? Notwithstanding that fact, does he agree that education in Wales is in good heart and in good condition, which we should welcome, and that we should be congratulating teachers in Wales rather than decrying their efforts?

Mr. Hague: My hon. Friend is right that council tax levels in Wales are substantially lower than those in England. As he said, in recent years there have been marked improvements in education in Wales, as last week's report of our chief inspector of schools demonstrated. There is further work to be done, and the Government have a wide-ranging programme of initiatives to continue to raise standards in education in the coming years.

Mr. Win Griffiths: Will the Secretary of State confirm that his own parliamentary answers show that revenue support grant has been reduced as a proportion of local government spending? Will he further confirm—again from statistics issued by his office—that local education authorities have reduced their administrative costs, despite which class sizes have increased, and that, under this year's settlement, central Government support for local government will reduce, as a result of which most local authorities in Wales expect to make cuts of approximately 3 per cent. in their education budgets, let alone in any of their other budgets? Why will not the Secretary of State do something positive to provide the resources to help teachers and local authorities, who are doing a good job against all the odds—and in spite of the Government?

Mr. Hague: The figures show that, in the current year, the Government will provide 88.6 per cent. of local government total standard spending whereas in the coming year they will provide 87.8 per cent., which is a change of 0.8 per cent. If the hon. Gentleman and his colleagues object to that, it is incumbent on them to say what they think the percentage should be. I hand it to the hon. Gentleman because, in the debate 11 days ago, when the Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, North (Mr. Jones), asked him whether he would spend more on education, alone among Labour Front Benchers, he said, "Yes." We now wait to hear from him how much that amount would be.

European Currency

3. **Mr. Jon Owen Jones:** To ask the Secretary of State for Wales what assessment his Department has made of the effect a single European currency will have on the Welsh economy. [14158]

Mr. Hague: None.

Mr. Jones: That is the most astonishing answer. The Secretary of State for Wales has made no assessment whatsoever of the largest potential economic change that we can recall being predicted in recent times, which may occur no more than three years from now. The Secretary of State, with all his resources in the Welsh Office, has made no assessment. Is that because he has no interest in Wales, or is it because he wants to ensure that there is no extra room for argument on the Conservative Benches on that most vital issue?

Mr. Hague: It is because this country has a choice about a single currency, thanks to the opt-out negotiated at Maastricht by my right hon. Friend the Prime Minister. We will exercise that choice if or when the occasion arises. Any assessment of the benefits or otherwise would have to take into account the particular interests of Wales. As the United Kingdom has one currency, any decision would have to be based on the interests of the United Kingdom as a whole.

Sir Wyn Roberts: Is not it a remarkable tribute to the economic management of this country that it is one of the few that could meet the convergence criteria? Our unemployment is falling, whereas it is increasing in other countries as they try to meet those criteria. Is not it clear that Conservative Members are safe on Europe, and that uncertainty results from the readiness of Opposition Members to sign anything that comes out of Brussels?

Mr. Hague: My right hon. Friend is absolutely right. I sometimes get the impression that Opposition Members would sign any piece of paper that floated across the English channel. He is also right to say that we now face extraordinarily good economic circumstances—the best economic circumstances and prospects that we have had for a generation. Unemployment in Wales fell again last week—it did so by more than 1,000—and that record will continue as long as the Government are in office to pursue the policies that have achieved it.

Unitary Authorities

4. **Mr. Murphy:** To ask the Secretary of State for Wales when he last met representatives of Welsh local government to discuss the administration effects of the changeover to unitary authorities on 1 April. [14159]

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): Last Thursday, when I met the hon. Gentleman and representatives of his local authority.

Mr. Murphy: As we are now six weeks away from vesting day for the new unitary authorities, does the Minister agree that it is vital to ensure that—by that time, former—county council services, such as education and social services, are properly safeguarded? Will he therefore ensure that groups such as county youth orchestras and drama groups such as Gwent theatre in education are properly protected by a sound system of joint arrangements?

Mr. Jones: As the hon. Gentleman will know, decisions on local functions can be taken only by local authorities themselves in the light of local circumstances and priorities. Our reform legislation contained a unique feature—a service delivery plan that had to be published in draft form last November and that will be finalised for each of the 22 new unitary authorities in Wales. That unique step enables everyone to see what provision is being made by local authorities. I hope that as many people as possible will take the opportunity to comment on the plans.

Mr. Morgan: Will the Secretary of State discuss those issues with the civic leaders of Wales when he is guest of honour at their annual civic dinner in Cardiff next month? Will he confirm that that is the same civic dinner as he attacked on 8 February, producing an extraordinary report in the *Western Mail* on 9 February? Is it not an example of the Government's hypocrisy—or should I say duplicitousness—to attack a civil dinner in February and be its guest of honour in March? Is that not an example of dine as I say, not dine as I do?

Mr. Jones: The hon. Gentleman asked two questions. The answer to the first is that my right hon. Friend always welcomes any occasion to have meaningful discussions with local authorities. The answer to the second is no—the hon. Gentleman should read *Hansard*.

Countryside (Development)

5. **Mr. Harry Greenway:** To ask the Secretary of State for Wales what estimate he has made of the number of areas of countryside which have been developed for (a) industrial and (b) other use in each of the past five years; and if he will make a statement. [14160]

Mr. Gwilym Jones: Reliable information on the take-up of land in Wales is not available.

Mr. Greenway: Will my hon. Friend confirm that 15,000 acres have been reclaimed at 900 sites since the Welsh Development Agency was established and that work on a further 100 sites is in hand? Would it not be tragic for Wales and for the whole of Britain if the Pembroke coast was allowed to be disfigured by the oil spillage in recent days from a tanker that ought to have been double-hulled? Will he give an undertaking to the House to do all that he can to ensure that marine life is secured, that beaches are cleaned as thoroughly and as soon as possible and that birdlife is safeguarded?

Mr. Jones: The Welsh Development Agency's land reclamation programme is the largest landscape improvement programme in Europe. Since its formation in 1976, the agency has reclaimed more than 15,000 acres at 900 sites and work has started on a further 100 sites. I share my hon. Friend's concern about what has happened at Milford Haven. We all want to ensure that everything possible is done there and I am advised that all the necessary manpower and materials are available to meet present needs.

Mr. Llwyd: Why has the Welsh Office dragged its heels so terribly over the out-of-town shopping planning policy guidance? It has been enforced in England by the Department of the Environment for the past 18 months, but the Welsh Office is still playing around with it. Meanwhile, our town centres are being run down and virgin land is being used to build out-of-town shopping malls to the detriment of everyone in Wales. The Welsh Office should get its act together.

Mr. Jones: The hon. Gentleman creates a good soundbite, but once again he is not right. There has been no dragging of heels. He will know that we have a draft planning policy guidance and that we are now considering all the responses to it. The draft guidance lays out, very simply, the sequential approach to retailing in Wales. First, consideration should be given to town centres and only then should consideration be given to out-of-town locations.

Mr. Ron Davies: I am disappointed that the Secretary of State chose not to answer this question—he must have known that a question about the Sea Empress would arise. The Opposition are concerned about the potential consequences of the incident to which the hon. Member for Ealing, North (Mr. Greenway) referred. There is a unique and precious assemblage of bird, sea mammal and marine life in the area affected by the Sea Empress incident. The Pembrokeshire cliffs are a candidate for special protection area status. Skomer is a marine nature

reserve. The coast to the east of St. Anne's head is a possible European special area of conservation, as are the islands of Skokholm, Skomer and Grassholm.

Madam Speaker: Order. The hon. Gentleman must ask a question, not make a statement.

Mr. Davies: Given that the whole coast is a priceless part of our national heritage, which good fortune has so far protected, will the Minister convey to the Secretary of State the great concern of the Opposition and ensure that the official view of the Welsh Office is that there has to be the fullest possible public inquiry?

Mr. Jones: I have no need to convey that concern to my right hon. Friend the Secretary of State because the hon. Gentleman only echoes what my hon. Friend the Member for Ealing, North (Mr. Greenway) has already voiced. We all have the same anxieties about what has happened. The concern of my right hon. Friend the Secretary of State is amply demonstrated by the fact that, as soon as he heard about the incident, he changed his diary so as to be able to visit Milford Haven straight away on Friday morning to see for himself. Calling for a public inquiry at this stage is, at best, premature. The Department of Transport's marine accident investigation branch will investigate and report.

Inward Investment

7. **Mr. John Marshall:** To ask the Secretary of State for Wales if he will make a statement about inward investment levels. [14163]

Mr. Hague: Inward investment into Wales continues at high levels and I expect this trend to continue. Already this financial year, almost 8,000 new and safeguarded jobs have been promised with associated capital investment of almost £600 million.

Mr. Marshall: I thank my right hon. Friend for that answer. Does he agree that, if this country were to sign up to the social chapter or adopt a national minimum wage or a Welsh Assembly, which would make Wales an over-governed country, inward investment would dry up?

Mr. Hague: I fear that my hon. Friend is right. What attracts companies to the United Kingdom, and to Wales in particular, is good industrial relations, lower tax on companies and less regulation than in other parts of Europe. None of those would obtain if the Labour party was in power.

Mr. Llew Smith: If inward investment has been so effective under the Government, can the Secretary of State explain why, according to the Library, since the Government came to power in May 1979, we have lost 500 million days through unemployment? Will he comment on the likely effect of those lost days on the economy and on the individuals and families who have been destroyed by it in communities such as mine in Blaenau Gwent?

Mr. Hague: Over the past 18 months, unemployment in Wales has been at or around the United Kingdom average. We are the first Government since the 1920s to be able to say that. What is more, unemployment in Wales is lower than it is in Italy, France and Spain and our major international competitors across Europe. It is continuing to fall and it will continue to fall if we maintain our present policies.

Mr. Barry Porter: Does my right hon. Friend agree that one reason for that high level of inward investment is the cultural facilities offered in Wales? If so, would he take a sympathetic look at the future funding of Theatr Clwyd in Mold when the new authorities come into being?

Mr. Hague: I am happy to tell my hon. Friend that, 11 days ago, I announced that the Government would be prepared to write off the £1.3 million debts of Theatr Clwyd if local authorities would guarantee that it would continue to run as at present for the foreseeable future. I am pleased that, since then, the Arts Council of Wales has announced additional help for the theatre and I hope that its future can be secured.

Mr. Ron Davies: Will the Secretary of State join me in congratulating the Labour-controlled Merthyr borough council and the Labour-created Welsh Development Agency on their recent success in bringing the Halla investment to Merthyr Tydfil? Will he confirm that, since the last general election, total inward investment in Wales up to and including the current financial year has fallen by 40 per cent.? Does he agree that at least part of that fall is due to the Welsh Office's failure to fund the Welsh Development Agency properly, its failure to support local authority initiatives, its failure to secure available European Union investment and its failure to protect our development area status? Would the Secretary of State like to set an example to some of his less fastidious colleagues and admit to some responsibility for the consequences of his Department's policies?

Mr. Hague: I do not agree with the hon. Gentleman. Wales has done well to maintain a high level of inward investment against increased competition from the rest of the United Kingdom and other parts of Europe. I join the hon. Gentleman in congratulating the Merthyr Tydfil council and other local authorities which have helped to attract inward investment. It is a team effort, involving local authorities, the Welsh Development Agency and my colleagues and me in the Welsh Office—as did the investment by Halla Industries of Korea, with which I had three meetings when I visited Korea last September. It is a team effort involving all of those people, and it is clearly working.

Schools (Information Technology)

8. **Mrs. Anne Campbell:** To ask the Secretary of State for Wales what action he is taking to promote the use of information technology in Welsh schools. [14164]

Mr. Richards: In the current financial year, we are providing grants totalling up to £2.7 million to support the acquisition and greater use of information technology in primary and secondary schools. A further £3 million will be available in the next financial year. On top of that, I have just announced the latest stage of our £3 million initiative to equip more than 1,600 primary and special

schools in Wales with multi-media hardware and software, or portable computers and the training to go with them.

Mrs. Campbell: Has not the Welsh Office done a single-manufacturer deal to supply that information technology equipment to Welsh schools? Will that mean that schools will not have any choice about which IT equipment they purchase? Is that not another example of a Tory central Government dictatorship?

Mr. Richards: The Welsh Office steering group decided what equipment would be chosen and that group comprised representatives of Her Majesty's chief inspector's office and local education authorities. As to choice, all primary schools in Wales were asked whether they wanted a multi-media suite or a portable computer. The hon. Lady may shake her head, but if she listens she will learn something. Some 93 per cent. of schools chose the multi-media suite over the portable computer, and that is what they will receive.

Tourism

9. **Mr. Simon Coombs:** To ask the Secretary of State for Wales if he will make a statement on the contribution of section 4 grants to tourism in Wales. [14165]

Mr. Gwilym Jones: In 1994-95, the Wales tourist board approved grants of £3.6 million, which secures capital investment of £20.7 million, and that should save or maintain more than 400 jobs.

Mr. Coombs: Does my hon. Friend agree that section 4 grants in Wales represent extremely good value for money, particularly as they create jobs? Can he confirm the figure that was recently quoted to me by the Wales tourist board—that as little as £6,000 in public money is required to create a new job in the tourism industry in Wales? What does my hon. Friend think would have a greater impact on Welsh tourism: the rugby World cup or a national minimum wage?

Mr. Jones: I agree with my hon. Friend that the grants available through the Wales tourist board are a very effective use of taxpayers' money in taking forward an important segment of the Welsh economy. Tourism contributes about £1.3 billion a year to the Welsh economy. As to the latter part of my hon. Friend's question, I rush to agree with his premise that the rugby World cup will prove a great advantage to Wales—not least because of the excellent way in which the Welsh team played on Saturday. They did not deserve to lose by two points. The rugby World cup will provide very positive opportunities for Wales—unlike the job-destroying measures that the Labour party would impose.

Mr. Ainger: Does the Under-Secretary accept that the Sea Empress incident has caused great concern to the tourism industry in Pembrokeshire and that several serious questions need to be asked about large vessels' propulsion systems, steering systems and hull design and about port activities at Milford Haven, and that those serious questions can be answered only by a full public inquiry, along the same lines as the Donaldson inquiry into the Braer incident?

Mr. Jones: I appreciate the hon. Gentleman's concern but, as I said to the hon. Member for Caerphilly (Mr. Davies), it is at best premature to suggest a public inquiry. The Department of Transport's marine accident investigation branch will inquire into the incident and report.

We must concentrate on ensuring that all necessary action is taken—my right hon. Friend the Secretary of State for Transport is to make a statement about the matter later this afternoon—but it is premature to call for a public inquiry now.

Mr. Ieuan Wyn Jones: Given his tremendous enthusiasm for section 4 grants in Wales and the tremendous benefits that we all agree that they have achieved, can the Minister give the House a categoric assurance that the Government will not abolish section 4 grants?

Mr. Gwilym Jones: There is no intention of abolishing section 4 grants, but we must continue to pay attention to the amounts of money that are provided to the Wales tourist board and how they are spent. We want to ensure that they are spent more and more effectively and that Wales continues to develop its tourist industry—and not, as Opposition Members would probably want, separate Wales and make it less attractive, especially to tourists, who represent inward investment.

Welsh Assembly

10. **Lady Olga Maitland:** To ask the Secretary of State for Wales what recent representations he has received about a Welsh Assembly. [14166]

Mr. Hague: Five written representations and various others.

Lady Olga Maitland: Does my right hon. Friend agree that a Welsh Assembly would be a complete waste of public money—money that would be far better spent on health and education? Is not it significant that Labour Members are completely divided about the form that such an assembly should take and are in a shambles? Should not the idea be consigned to the dustbin?

Mr. Hague: My hon. Friend is right—it would be a waste of public money, divide the United Kingdom and diminish the influence of Wales here at Westminster. She is also right to draw attention to the difficulty that Opposition Members have on the matter. In a recent BBC programme, some members of the Labour party insisted that their assembly plan involved legislative power; others insist that it would not. The attempts of the hon. Member for Caerphilly (Mr. Davies) to clear the confusion only confused some people who had not been at the start. It is time that Labour Members sorted themselves out.

Mr. Donald Anderson: As we gradually move into an election campaign, the Secretary of State will stand on political platforms parroting the formula that the Welsh

Assembly will inevitably lead to the fragmentation of the United Kingdom. Will he stop for a moment and consider whether he is not demeaning and insulting the people of Wales, by implying that we are not as politically sophisticated as the people of Spain, Germany, Belgium and France, who have regional assemblies while remaining part of a united country?

Mr. Hague: The people of Wales are sufficiently politically sophisticated to have voted four to one against an assembly last time the proposition was put to them. The hon. Gentleman should reflect on that. A great many people in Wales believe that it would be a roomful of hot air that would serve no useful purpose. If the Labour party's plans were to be the subject of a referendum again, they would again be rejected.

Mr. Wigley: Is not it revealing that this question was asked by a Member of Parliament from the home counties and answered by one from Yorkshire, both of whom appear to know better than do the Welsh people themselves? A couple of weeks ago, when the Secretary of State appeared on the "Week In, Week Out" programme, did he not give the impression that there was not one issue on which he did not know better than 80 or 100 elected people from Wales? Does not that come over as the height of arrogance? How on earth can he justify overruling all the interests of Wales in that cavalier way?

Mr. Hague: We get a foretaste of what such an assembly would be like from the difficulties of Labour Members. When the hon. Member for Caerphilly wanted to propose a proportional voting system at a meeting in the House of Commons, the *Daily Post* reported that the Labour party in Wales ganged up on him, there was an explosion of anger and the mood of the meeting was vicious. If that is a foretaste of an assembly, the people of Wales want nothing to do with it.

Schools (Vocational Courses)

11. **Mr. Jacques Arnold:** To ask the Secretary of State for Wales what recent action he has taken to encourage schools in Wales to offer vocational courses. [14167]

Mr. Richards: Our "bright future" programme charts the way ahead. General national vocational qualifications are being introduced in a range of subjects in schools and colleges throughout Wales. By September 1996 a total of 46 schools will be participating in our development scheme for 14 to 16-year-olds.

Mr. Arnold: Is it not significant that there will be an even wider choice of GNVQ subjects in Wales than in England? Is that not extremely important, given that the requirement for skills is vital to the success of Britain as a whole and of Wales in particular in the economy of the future?

Mr. Richards: My hon. Friend is absolutely correct. The development scheme in Wales is supporting the introduction of full GNVQ, GNVQ units and GNVQ part 1, because the national curriculum requirements are different in Wales and permit schools greater flexibility in timetabling.

Mr. Hain: How can the Minister expect schools to undertake additional responsibilities when he is cutting the budget of the new Neath and Port Talbot authority by more than £7 million, which will have a savage impact on local schools, nursery provision and the rest for which West Glamorgan has a proud record? Should not the Government approach that settlement afresh and grant the new unitary authority the extra funds that it so desperately needs to maintain essential services?

Mr. Richards: Whenever a Labour Member speaks on education, the stench of hypocrisy fills the Chamber. The hon. Gentleman knows full well that local authorities and local education authorities decide their own priorities.

Duffryn Gardens

12. **Mr. Sweeney:** To ask the Secretary of State for Wales what steps he is taking to keep Duffryn gardens open to the public after 1 April. [14168]

Mr. Gwilym Jones: The lease for Duffryn house and gardens is proposed to be transferred to the residuary body for Wales for a maximum period of 12 months, to allow the new Vale of Glamorgan council to progress its plans. That will also enable the gardens to remain open to the public after 1 April this year.

Mr. Sweeney: Does my hon. Friend agree that Duffryn gardens is a unique feature not only in the Vale of Glamorgan but in the whole of Wales? Can he give an assurance that during the time when the gardens rest with the residuary body they will be properly maintained and that all co-operation will be extended to Vale of Glamorgan council to ensure that that happens until a long-term solution is found?

Mr. Jones: I rush to agree with my hon. Friend. It is a matter of the deepest regret that local government has brought Duffryn house and gardens to the verge of closure. Because of our regard for the gardens, we have acted to enable the rescue plan to go ahead. I give my hon. Friend the fullest assurance that I will do anything that I can to see that come about, including looking to the new Vale of Glamorgan council to carry forward work in the gardens.

Mr. Rogers: Twice today—first in response to a question from my hon. Friend the Member for Torfaen (Mr. Murphy) and then in response to the hon. Member for Vale of Glamorgan (Mr. Sweeney)—the Minister has adopted not just a hypocritical but a Pontius Pilate attitude in washing his hands of major institutions in Wales. Does the Minister not realise that many of the institutions to which reference was made earlier, which were run under joint arrangements, will be cut loose as a result of his local government reforms and will not be able to continue providing for the youth and other people of Wales as they have in the past?

Mr. Jones: No. The hon. Gentleman and his friends have the expertise in hypocrisy. They are the people who say one thing and do another. We are the people who have acted, because of our regard for Duffryn gardens. It is not this Government who brought about the current situation. Local government action threatened the closure of Duffryn gardens.

Male Unemployment

13. **Mr. Roy Hughes:** To ask the Secretary of State for Wales what is the figure for male unemployment in (a) Newport, Gwent and (b) Wales, at the latest available date; and if he will express the figures in percentage terms. [14170]

Mr. Gwilym Jones: As at January 1996, the respective figures were 6,161 and 86,544, or 10.9 per cent. and 11.6 per cent.

Mr. Hughes: May I remind the Minister that in the next few months the opening of the second Severn crossing will provide tremendous opportunities for the Welsh economy? To coincide with that, what new initiatives will the Welsh Office take to bring new jobs to our hard-pressed communities?

Mr. Jones: I can confirm that the second Severn crossing will be opening shortly. Had the hon. Gentleman asked me, I would also have confirmed that it is a tribute to the Government's private finance initiative, which has enabled economic capacity in Wales to expand far more quickly than with traditional financing arrangements. I should also like to confirm the hon. Gentleman's welcome for the new jobs which have been announced in his area recently. I have given the example of the merger of Sumitomo and Surface Technology Systems Ltd.—a £5 million expansion creating 100 new jobs in Newport. Where is the hon. Gentleman's welcome for that and for the way in which the Welsh economy is moving forward?

Education Standards

14. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales what measures he intends to introduce to improve education standards in primary and secondary schools in Wales. [14171]

Mr. Hague: The "bright future" initiative sets out our full programme of action to raise education standards for all pupils at school. It looks to all schools to set targets for improvement year on year. I have also published my requirements for Her Majesty's chief inspector of schools for Wales in 1996-97. They will ensure that the inspectorate continues to give close attention to the quality of teaching and standards in schools.

Mr. Williams: The Secretary of State may know that education standards in schools in my constituency are very good. They are above the Welsh average and that for England and Scotland. How will they be helped by the acute stringency in local education authorities? I have a letter from the head teacher of a comprehensive school that is about to lose between 2.4 and 4.0 teachers in the current financial year. Carmarthenshire county council will lose 57 secondary school teachers, thanks to this year's revenue support grant settlement. How will that affect education standards in my constituency and for the people of Wales?

Mr. Hague: As I have explained in answer to previous questions, I am giving more money to local authorities in the coming year. It is up to them to make sure that a proportion of that increase feeds through into education. He will also know that education standards are not just about funding. A few weeks ago, I visited a school at Merthyr which has achieved 100 per cent. improvement in examination results in one year. That is to do with the standards set by staff, discipline, clear objectives and dedicated staff—quite irrespective of funding. An enormous amount can be achieved in addition to providing proper funding for our schools.

Further Education Colleges

15. **Mr. Dafis:** To ask the Secretary of State for Wales what consideration he has given to the funding formula for the further education colleges. [14172]

Mr. Richards: It is for the Further Education Funding Council for Wales to determine, within the total provision made available to it by the House, the allocation of funds to further education institutions in Wales.

Mr. Dafis: The Welsh Office and its Ministers are responsible for ensuring that a proper range of courses is available to students in further education in all parts of Wales. Does that not mean that we must have a more realistic formula for funding colleges that serve sparsely populated areas and therefore have limited scope for recruitment? Will the Minister ensure that at the end of the year, when the funding formula is revisited, changes are made to ensure that Coleg Ceredigion and others receive an adequate level of funding?

Mr. Richards: The recurring funding methodology takes account of the courses that are available. It consists of three stages: recruitment, learning and attainment. The volume of units earned at each stage gives colleges incentives to help students to choose the most appropriate learning programme. The funding methodology is also fine-tuned to reward widening participation, plurality factors, which the hon. Gentleman mentioned, and bilingualism.

Regional Theatre

16. **Mr. Hanson:** To ask the Secretary of State for Wales when he next expects to meet the Arts Council of Wales to discuss funding of regional theatre. [14173]

Mr. Richards: I meet the Arts Council of Wales regularly as part of the annual cycle of corporate and operational planning and performance review. The next meeting is in March, to review the council's operational plan for 1996-97.

Mr. Hanson: Will the Minister accept on behalf of the people of Delyn and of Mold their great thanks for the additional contribution of £200,000 that the Arts Council has made to help keep open Theatr Clwyd this year? The money is very welcome. Will he do more to encourage neighbouring local authorities to give the theatre assistance, so that it stays open this year and in future years?

Mr. Richards: I am grateful for the hon. Gentleman's recognition of the part played by my right hon. Friend the Secretary of State and the Department in ensuring the continued success of Theatr Clwyd.

As the hon. Gentleman has said, and as my right hon. Friend has insisted, the neighbouring local authorities will, we hope, contribute to future recurrent funding of the theatre.

ATTORNEY-GENERAL

Crown Prosecution Service (Liaison)

29. **Sir Wyn Roberts:** To ask the Attorney-General what action he is taking to improve liaison between the police and the Crown Prosecution Service. [14186]

The Attorney-General (Sir Nicholas Lyell): The Crown Prosecution Service and the police are working closely together on a number of initiatives, including co-ordinated training, greater use of information technology and a scheme involving CPS lawyers giving on-the-spot legal advice in busy police stations.

Sir Wyn Roberts: In thanking my right hon. and learned Friend for that reply and expressing my satisfaction at the co-operation between the two services—contrary to the impression given by some of the media from time to time—may I ask my right hon. and learned Friend to reject the shoddy, unwarranted slur on his integrity, as did the six Queen's counsel who signed a letter to that effect published in *The Times* on Saturday? Will he reaffirm what we already know—namely, his total commitment to fairness in all matters relating to his office?

The Attorney-General: I am most grateful for what my right hon. Friend has said. I can reaffirm not only that I was careful and fair on that occasion, but that the 139 lawyers of the Crown Prosecution Service are working day in and day out in Wales to assist the 6,200 police officers in the common task of bringing alleged wrongdoers before the courts, firmly but fairly.

Mr. Skinner: Why does the Attorney-General not do the decent thing, as Ministers used to do at one time, and resign?

The Attorney-General: The decent thing, although the hon. Gentleman might not recognise it, is to give clear and careful legal advice when it is asked for. And that is what I did.

Prosecution of Juveniles

30. **Lady Olga Maitland:** To ask the Attorney-General what representations he has received from the Crown Prosecution Service regarding the prosecution of juveniles [14187]

The Solicitor-General (Sir Derek Spencer): The prosecution of youth offenders is one of a number of issues that my right hon. and learned Friend and I discuss in our regular meetings with the Director of Public Prosecutions.

Lady Olga Maitland: I thank my hon. and learned Friend for his reply. Is he aware that the Crown Prosecution youth service warmly welcomes my private Member's Bill dealing with offensive weapons—in particular, because it gives powers of arrest to police to stop and challenge teenage hooligans carrying knives? Is my hon. and learned Friend aware of a problem brought to light by the experience of the youth service—the fact that the prosecutions of a large number of 14-year-olds have to be discontinued because the CPS cannot prove that they know the difference between right and serious wrong?

Does my hon. and learned Friend further agree that it is extremely important to show our determination—

Madam Speaker: Order. That is much too long a question.

The Solicitor-General: Yes. Two judges in the divisional court, in the case of C, held that the presumption was no longer part of our law. In the House of Lords, five judges held that it was. So far as I am aware, there has been no call for the two judges in the divisional court to resign. As a result of that decision in re C, the Government are looking very closely at the position to see whether any reform of the law is necessary. The Crown Prosecution Service is drafting guidance, to be issued to investigators and prosecutors, to help them to obtain and present whatever evidence is necessary in court to show that such young people know the difference between right and wrong.

Public Interest Immunity Certificates

31. **Mr. Hain:** To ask the Attorney-General what plans he has to reform the procedure in respect of public interest immunity certificates. [14188]

The Attorney-General: The recommendations in the Scott report with respect to public interest immunity will receive careful and detailed consideration. Sir Richard Scott has made it clear that there was no conspiracy and no cover-up. He casts not the slightest doubt on my integrity. The advice that I gave was fully in accordance with the law as it then stood.

Mr. Hain: The issue is the Attorney-General's competence. Does he accept the verdict of section G of the Scott report that he was personally at fault in the advice that he gave in relation to public interest immunity certificates? As the first Law Officer of the Crown and the Government's chief legal adviser, how can the Attorney-General possibly stay in office after Scott's savage condemnation of his incompetence and the subsequent public collapse in confidence in his role? Surely the only course—

Madam Speaker: Order. That is much too long. The hon. Gentleman has already put a question.

The Attorney-General: The hon. Gentleman is continuing what seems to be the Labour party policy of distortion on that issue. My integrity is unquestioned. I took the most careful legal advice. My view of the law is endorsed by a succession of legal decisions, by the express views of a number of top Queen's counsel and today by the view—expressed in trenchant terms—of Lord Lloyd of Berwick, a current Law Lord.

The one instance in which the report says that I was personally at fault rests on Sir Richard Scott's different view of the law, with which all those others respectfully disagree. I took specific steps to ensure, through my right hon. Friend the Deputy Prime Minister's special public interest immunity certificate, that the judge was alerted to the need for special care. He was. After proper argument, all necessary documents were disclosed. There was a completely fair trial, as three defence counsel have publicly confirmed.

Sir Ivan Lawrence: Is my right hon. and learned Friend aware of the immense anger that many of us feel at the bogus and ill-informed attacks by the Opposition? Is he aware that the allegations against him are no worse than when a High Court judge's decision is reversed on a point of law by the Court of Appeal, which decision may itself in due course be reversed by the House of Lords?

Is my right hon. and learned Friend aware that our anger is the greater because we know that he took the best advice in the Temple before he gave his advice, and that that advice has been upheld not only by the best lawyers in the Temple but by the best lawyers in the Court of Appeal? Those lawyers say that in those matters of law the Attorney-General was right and Sir Richard Scott was plainly wrong.

The Attorney-General: I am indeed so aware, and the House will join me in anticipating that the right hon. and learned Member for Aberavon (Mr. Morris), who may be about to ask me a question, will make it his very first task to withdraw the statement that he made in 1992, when he accused Ministers of being prepared to connive at the sacrifice of accused men. The Scott report has made it clear that that was wholly unfounded.

Mr. John Morris: Whatever else there is in the Scott report about conniving—which I accept—should not the Attorney-General accept the guilty verdicts that Scott returned upon him: that he had a major responsibility for the inadequacy of the prosecutor's instructions, and that he was personally at fault in not ensuring that the Deputy Prime Minister's reservations were conveyed? Mr. Moses asserted that his attitude was no different from that of other Ministers.

Is it not bizarre that the Attorney-General had still, many months later, not read the documents on which he had advised Ministers, and that the Deputy Prime Minister's letter about a difficult matter was unread for a period of three to seven weeks? Is that not a finding of breathtaking incompetence? Where does the buck stop? Should not the Attorney-General go?

The Attorney-General: The letter was not unread, and that point—contrary to the inquiry's own procedures—was never put to me. I remind the House that, after I had been alerted by my right hon. Friend the Deputy Prime Minister, I took specific steps to ensure—through my right hon. Friend's specially drafted public interest immunity certificate, which was recognised by everyone in court—that the judge should look at every document.

The case could not have been more fairly prosecuted by prosecuting counsel. He invited the judge to look at every document. The judge did so, and he decided, in accordance with the law as understood at the time, what documents should and should not be made available. The trial then started the following week and, as three defence counsel themselves have said, was completely fair.

Sir Peter Hordern: In regard to the public interest immunity certificates, is it not the case that defence counsel appearing for Matrix Churchill not only made no criticism of my right hon. and learned Friend, but wrote to *The Times* commending him and the way in which the certificates had been handled? If that is the case, what justification have the Opposition for making such a fuss?

The Attorney-General: My right hon. Friend is absolutely right. The House and the country should know that the trial was conducted with scrupulous fairness. I welcome the Scott report, because those who read it carefully will see that for themselves.

Mr. Alex Carlile: Will the Attorney-General—who advises Ministers on legal matters—explain to the House now what he understands to be the meaning of the doctrine of ministerial responsibility for departmental actions? If it does not apply to him now, when does it apply, and why?

The Attorney-General: The hon. and learned Gentleman should read the report carefully. I repeat for his benefit that I had two involvements in the matter. The first was to advise on the law. I did so carefully and conscientiously, not only in accordance with the top legal advice that I obtained, but in a way which, since the report's publication on Thursday, has been endorsed by the great majority of senior members of the Bar—who understand these matters—as well as the higher judiciary, as the hon. and learned Gentleman will have read today.

On the question of communicating the views of my right hon. Friend the Deputy Prime Minister, I have made it clear that I did so in a specially designed certificate which brought all relevant matters to the court. All relevant documents were before the court when the trial began, and there was a completely fair trial. In those circumstances, I submit that no one could have acted more fairly.

Mr. Peter Bottomley: May I ask my right hon. and learned Friend whether judges created each part of the disclosure system for such documents? Can he say whether he is minded to propose to the House that the system should now be frozen on a statutory basis, or that we should continue to rely on judges to develop the process?

The Attorney-General: My hon. Friend is quite right. This is judge-made law. It has been very carefully considered by Sir Richard Scott, and the Government have made it clear that they will look at his recommendations for the future with great care. That is just what we shall do.

Scott Report

32. **Mr. Winnick:** To ask the Attorney-General if he will make a statement on references in the Scott report to his official role. [14189]

The Attorney-General: As will be clear, I welcome the Scott report, which conclusively shows that there was no conspiracy to send innocent men to gaol. My role was to advise Ministers on the law of public interest immunity. I did so carefully, and strictly in accordance with the accepted view of the law as it then stood. Following my right hon. Friend the Deputy Prime Minister's request and the drafting of his special public interest immunity certificate, I took the exceptional course of calling in the prosecution team, who assured me that the prosecution was fair.

Mr. Winnick: Does the Attorney-General realise that he has not managed to persuade public opinion since the Scott report was published, and that he has not even managed to persuade some of his own Back Benchers, who rightly take the view that out of honour he should resign? Has the Attorney-General not made the comparison between the way in which he pathetically clings to office and the way in which, five years ago this month, members of the armed forces reacted, as one would expect them to do, to Saddam's criminal aggression? They made no excuses. They acted honourably. It is a pity that the Attorney-General does not do the same.

The Attorney-General: I do not accept what the hon. Gentleman has said. I acted carefully and properly throughout. If there has been any distortion, it is in the material of which I have received a copy today and which, regrettably—indeed, lamentably—is being sent around by the hon. Gentleman's party.

Higher Education

3.32 pm

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): With permission, Madam Speaker, I should like to make a statement on higher education.

Just over 30 years ago, the Robbins committee set out a vision for expanding higher education in Great Britain. Since then, higher education has been transformed beyond the expectations even of Robbins. It no longer caters just for a privileged elite but provides opportunities for a significant proportion of our young people. In Robbins' day, just one young person in 17 went on to higher education. Now, the figure is approaching one in three.

Higher education no longer exists to educate just young people—predominantly young men—prior to their outset on a career for life, and there are as many female students as there are male students, and more mature than young entrants. In total, there are more than 1 million full-time students in the United Kingdom—five times as many as in Robbins' day. In addition, half a million people study part-time.

Much of this growth has taken place since 1988, as a result of independence for polytechnics and colleges, abolishing the binary line, and introducing more competitive funding. Thanks to those policies, higher education now provides more highly qualified people than ever before for the labour market.

The number of newly qualified graduates gaining first degrees each year in the United Kingdom has doubled since 1979, and more than a third of those are science, maths and engineering graduates. Our graduation rate is now one of the highest in Europe, second only to Denmark in the European Union, and the UK produces more science graduates relative to the young work force than any other Organisation for Economic Co-operation and Development country. By the year 2001, the number of graduates in the work force is likely to be well over 3 million—twice as high as in 1981. It is not just academic qualifications to which higher education leads. More than 15 per cent. of those who have followed undergraduate courses leave with professional qualifications.

Impressive though those achievements are, future success requires universities and colleges to continue to develop, while preserving their best traditions. After such fast growth, it is time to take stock and to consider the future of higher education. That is why, just over a year ago, I launched a review of higher education with my right hon. Friends the Secretaries of State for Scotland and for Wales and my right hon. and learned Friend the Secretary of Sate for Northern Ireland. We asked consumers as well as producers for their views.

Their responses paid tribute to higher education's continuing role in advancing understanding and learning, and in developing the powers of the mind. But they also emphasised the growing importance of higher education in securing our future competitiveness and economic growth. The global markets in which the UK has to compete have been transformed by an information revolution and other technological advances. Our economic success will increasingly depend on higher levels of knowledge, understanding and skills. Higher education has a vital role to play. It can supply both young and mature people with those higher levels of skills and understanding, and the ability to adapt to changing knowledge.

Today's graduates face a world different from their predecessors'. They must be prepared for changes in the nature of work and the greater demands it makes. Increasingly, they will need to switch career more than once in their lifetime. We must ensure that they are equipped with the skills and flexibility needed by the labour market of the 21st century, both through initial education and through updating and upskilling throughout their lives. Higher education must be in the best shape possible to meet those needs.

As the pace of change quickens, there will be a greater premium on the capacity to innovate. The universities' contribution to the research base underpins the UK's ability to harness scientific and technological advances. It will become ever more important in enhancing wealth creation and our quality of life. Higher education can also help to drive local and regional regeneration through services to employers.

As the world around is changing, so too is higher education itself. Changes in institutional structures, modes of study and information technology are opening up opportunities to a broader range of students, both at home and abroad. Links with other parts of education and training are becoming more important, and boundaries are blurring. Higher education no longer needs to take place only inside a university or college. New technology enables more students to study in the workplace or from home.

Our consultations have made clear the extent of changes in both higher education itself and the context in which it operates. A huge and exciting agenda faces all of us with an interest in higher education. The scale of that agenda exceeds anything facing higher education since the early 1960s.

Thirty-five years ago—almost to the day—the then Prime Minister proposed the appointment of the Robbins committee to review higher education in Britain and advise on its development. The Robbins report provided a landmark for higher education policy that has stood the test of time well. But it is time to take a fresh and comprehensive look at the challenges facing higher education as we approach the 21st century.

So, with the agreement of the Prime Minister, my right hon. Friends the Secretaries of State for Scotland and for Wales and my right hon. and learned Friend the Secretary of State for Northern Ireland and I intend to appoint a committee of inquiry into higher education. *[Interruption.]* In carrying out its task, the committee will make appropriate arrangements to take account of the distinctive features of higher education in different parts of the UK. *[Interruption.]* I am delighted that Sir Ron Dearing has agreed to chair the committee.

We propose to invite the committee to make recommendations on how the shape, structure, size and funding of higher education, including support for students, should develop to meet the needs of the UK over the next 20 years. We shall supply the committee with the preparatory work that has already been undertaken in the education Departments as part of my review.

We shall consult widely on the committee's precise terms of reference and composition. I shall place a copy of the draft terms of reference and the consultation letter

[Mrs. Gillian Shephard]

in the Library. In due course, I shall make a further announcement on the committee's remit and membership in the light of the consultations. I expect the committee to start work after Easter, and to report by the summer of 1997. *[Interruption.]*

Mr. David Blunkett (Sheffield, Brightside): Madam Speaker—*[Interruption.]*

Hon. Members: Get on with it.

Mr. Blunkett: I am getting on with it, thank you. Hon. Members must not act like a rabble.

May I take the unusual step of welcoming the statement, and commending the Secretary of State for her approach to the national inquiry? The public are heartily sick and tired of the knockabout politics that characterises so much of our public debate. It is in marked contrast to the antics of last week, therefore, that the Secretary of State has been prepared to offer a bipartisan national approach to the important long-term question of the part that further and higher education can play in the economic and social future of the United Kingdom. It is in that spirit that I welcome the inquiry.

Will the Secretary of State confirm her willingness to continue her approach to seeking solutions that will build agreement, in the same way as the Robbins committee built agreement and facilitated a way forward more than 30 years ago? I welcome the appointment of Sir Ron Dearing. Will she confirm that the approach that she adopted in developing the terms of reference with me will be carried forward into developing the membership of the inquiry? Will she lay to rest the belief that the inquiry will be a short-term fix? Will she rather confirm that it will be a long-term look at the needs of the United Kingdom for the next two decades?

Does the Secretary of State agree that we now have an opportunity to build on the four key principles of Robbins by adding to them—in this European Year of Lifelong Learning—commitments to lifelong learning for everyone, to the value of further and higher education to the economic and social well-being of each individual and to the nation as a whole, and to placing quality, equity and access at the very forefront of our deliberations?

Does the Secretary of State agree that we have a choice as a nation as to whether we are a low-wage, low-tech, low-added-value economy, or whether we build on the knowledge base that is possible in the decades ahead to produce a high-tech, high-wage, high-added-value Britain that can compete at the cutting edge of the global economy?

Will the Secretary of State confirm that the way in which we proceed with the inquiry in terms of Britain's future needs in the global economy will determine whether our people have jobs that are built on the knowledge base and innovation that higher education offers the United Kingdom of the future, or whether we merely fill existing jobs? Does she agree that we must use higher education to foster enterprise and innovation, so that higher education itself can help to create employment, rather than simply fill the job market?

Will the Secretary of State confirm that the humanities, arts and social sciences—as well as technology and science—will have a key role in the new economy of the future not only in offering opportunities to individuals, but in opening up opportunities world wide for our industry and commerce? Does she agree that equity and access for all capable of benefiting from it require actions to alleviate student poverty and parental worry and that, in seeking a way forward, no one should be precluded from entering higher education because of their income or background? Does she agree that, while the future is the responsibility of all of us—the Labour party is ready and willing to take up that challenge—the responsibility for the current crisis rests with the actions of the Government?

Will the Secretary of State acknowledge that, in addressing the problems and the challenges of the future, it is necessary to face up to the responsibilities of the present? Will she therefore ask her right hon. and learned Friend the Chancellor of the Exchequer to think again about the substantial cuts facing further and higher education, the £550 million that will be removed from the universities' budget in 1998-99, the two-thirds cut in capital spending for further education in the next three years, and the virtual collapse of the Student Loans Company and the loans system?

Will the Secretary of State provide a firm foundation on which Sir Ron Dearing can build? Will she ensure that, when looking to the decades ahead, we do not have to pick up the pieces that exist at the moment? We must agree with the way in which we provide probably the most important aspect of economic and social life for future generations. There must be a genuine consensus on opening up further and higher education, so that every young person—and every mature adult who wishes to seek it—has the opportunity to develop their talents and to flourish for the future.

Mrs. Shephard: I welcome the hon. Member's comments about the committee of inquiry. The future of higher education should be above party interests, as the interests of the nation are tightly interwoven with it. As I said in my statement, the membership of the committee of inquiry and its terms of reference will be the subject of consultation—which we expect to be completed by Easter.

The hon. Gentleman mentioned the four key principles that were outlined by Robbins. In the course of our higher education review, it has become clear that there is a need to rebalance the aims and to look at the links between higher education and other sectors of the education service—particularly further education. We must look at the whole context and at the quality of what the system is producing—quality is essential.

The products of our higher education system and the system itself are subject to strong competition from other countries. That is why competitiveness and the contribution that higher education can make to our competitiveness will be important elements in the work of the committee of inquiry.

The hon. Gentleman referred to the so-called current crisis. I cannot accept that any sector that receives £7 billion of funding—21 per cent. of the total funding of the education system—is in crisis. We spend more per student in higher education than any other country in the western industrialised world. There has been no collapse of student loans, but the committee of inquiry will examine the context of what is being spent overall and the way the system is funded. It will also examine a number of the broader issues that were outlined by the hon. Gentleman.

Mr. Peter Brooke (City of London and Westminster, South): I welcome my right hon. Friend's statement. I hope that Dearing becomes as notable a landmark in our history as Robbins. I hope that the review, while looking forward 20 years, will also examine two problems of the current era: at the bottom, the problems that recruiting pressures have in potentially distorting the market; and, at the top, the funding problems, not so much for buildings—which the private finance initiative resolves—as for equipment that is absolutely critical.

Mrs. Shephard: The committee of inquiry will be considering all aspects of the higher education system, of course, including the way in which the funding methodology adopted by the Higher Education Funding Council affects recruiting methods, and the balance—this is extremely important—between research and teaching in different establishments. As far as equipment is concerned, I am sure that my right hon. Friend will be aware of the fund that has been set up between the Office of Science and Technology, the Higher Education Funding Council and the Department to help higher education institutions to cope with the needs of replacement of equipment and infrastructure in the current climate.

Mr. Don Foster (Bath): I too welcome the establishment of this inquiry, but does not the Secretary of State agree that some issues need urgent attention and cannot wait for the outcome of the inquiry? In particular, will she be prepared to find ways to reverse the damaging cuts to the capital budgets in further and higher education?

May I also welcome the appointment of Sir Ron Dearing to head the inquiry? Does the Secretary of State not agree, however, that, since the Government have so often had to turn to Sir Ron Dearing in recent years to clear up the mess that they have created, he might be justified in stealing Oliver Hardy's line and saying, "That's another fine mess you've got me into"?

Mrs. Shephard: May I set the hon. Gentleman's mind at rest straight away—Sir Ron Dearing is delighted to undertake this task, and is very well qualified because he chaired the Council for National Academic Awards and the Universities Funding Council in England.

I must say something of the same to the hon. Gentleman as I said to the hon. Member for Sheffield, Brightside (Mr. Blunkett). We are spending £7 billion of taxpayers' money on the higher education sector. The recurrent spending of universities was maintained in the recent public expenditure survey round.

There have been reductions in capital but, with the Committee of Vice-Chancellors and Principals, we are setting up a small expert group to help universities make the best they can of the opportunities afforded by the private finance initiative. Many are doing well in that respect already. I have already mentioned the equipment fund set up by the OST, the Higher Education Funding Council and so forth.

Mr. Robert Jackson (Wantage): I am sure that the appointment of Sir Ron Dearing to head the review will give it a weight that will exceed the weight of the previous review on the same subject, which has just been completed in my right hon. Friend's Department. Will she recognise, meanwhile, that the financial problems of the universities have been building up for some time, and have reached a critical point after the public expenditure settlement of last November?

Does my right hon. Friend also accept that many Conservative Members would not regard unit spending on the continent as a model for which we should be aiming? Does she recognise that universities have a duty to maintain their standards, that they are independent of the Government, and that they have a right as well as a duty to take appropriate steps to secure the resources they need to underpin the quality of their courses?

Mrs. Shephard: It is always a delight to hear from my hon. Friend on this subject, about which he knows such a great deal. Only part 1 of our higher education review was completed in the Department. The second part, which would have been putting out the findings of part 1 to consultation, will obviously be remitted to the committee of inquiry for it to take forward the questions that resulted from that analysis.

My hon. Friend's other questions underline why it is essential to have the committee of inquiry. It is necessary to consider the balance between research and teaching, and, before one looks at funding and the way in which that is carried out, to study the future size, shape and function of the higher education sector as we approach the 21st century.

Mrs. Anne Campbell (Cambridge): Will the Secretary of State also consider the shambles that has been created by the research assessment exercise, with football transfer fees being paid to lure productive lecturers into other institutions? Will she consider the effect of that on the institutions themselves and on the expectations of some of the students who join them?

Mrs. Shephard: I do not accept the hon. Lady's assessment of the research assessment exercise as a shambles. There is the exercise of brisk competition. There should be a thorough and profound examination of the relationship between funding mechanisms and their effect on research and teaching as components of the activities of higher education institutions. I imagine that the hon. Lady would agree with that.

Dr. Keith Hampson (Leeds, North-West): Does my right hon. Friend accept that the two periods of greatest expansion of opportunity for higher education have occurred since the war and under Conservative Governments: under the Macmillan Government, and then as a result of the reforms that this Government have introduced? Does she agree that the huge doubling of numbers has created acute financial pressures on higher education? Will she consider instructing Sir Ron Dearing immediately to produce an interim report specifically to examine funding, and in particular the financing of students, at a time when universities and Opposition Members are floating notions of graduate taxes, which some of us do not believe to be the most suitable way forward? Funding is the real issue, rather than the structure and shape of the system, at a time when we need some consolidation.

Mrs. Shephard: The very welcome expansion in higher education that my hon. Friend describes has, in

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a way, caused the current emphasis on funding. That is why I think that future size should be one of the first considerations of Sir Ron Dearing and his committee. When my hon. Friend has had a chance to examine the terms of reference, he will find that that necessary emphasis is clearly laid out.

We have reached a time of rapid and welcome expansion—most rapid expansion has occurred under Conservative Governments—and it is time to consider whether we now need consolidation, more expansion, or more emphasis on quality. We need to consider where we are going with higher education, and that will be the committee of inquiry's main purpose. Obviously we are consulting on the terms of reference, but it will be for the committee of inquiry to establish where it wishes to begin.

Mr. Jeff Rooker (Birmingham, Perry Barr): I welcome the Secretary of State's statement, which is long overdue, and the fact that it has been supported by hon. Members on both sides of the House. Does the right hon. Lady think that it is occasionally worth reiterating that higher education is not and has never been free, that it must be paid for, at some point, by someone? I suggest to her—or, through her, to Sir Ron Dearing—that one of the biggest problems in coming to grips with the difficulties and the opportunities of higher education is that, by and large, the overwhelming majority of hon. Members think that higher education is still like it was when they were students.

There is a good case for making it compulsory for hon. Members to attend a seminar, run by Sir Ron, that would give them the facts and figures. Hon. Members do not believe what has happened in higher education in recent years. Unless they accept what has happened, I must emphasise that we shall never reach a solution that will benefit our constituents of all ages. There is no hope for any change or progress for all our constituents without that acceptance.

Mrs. Shephard: I am most intrigued by the hon. Gentleman's suggestion. It is obvious that education must be paid for, which is why I keep reiterating the figure of £7 billion—21 per cent. of the total education budget. That is worth thinking about for a moment, because that money directly benefits 1.5 million people, the broader economy and research, as compared with the 6 million schoolchildren who benefit from the remainder of the budget. Yes, education must be paid for.

I agree with the hon. Gentleman that, on higher education issues more than any other, hon. Members' views are coloured by their own generation's experiences. Because the House encompasses hon. Members of many different generations, the generational baggage they bring varies. However, I do not think that I would go as far as the hon. Gentleman and insist on all hon. Members attending a higher education establishment for a refresher course.

It is very difficult to obtain dispassionate views on the state of higher education, and that will be one of the committee of inquiry's starting points.

Mr. Nigel Forman (Carshalton and Wallington): Is my right hon. Friend aware that this is a timely and appropriate moment for her to take stock of the big questions, which must include both the finance and the future role of post-compulsory education? I deliberately say "post-compulsory" education, because the old adjective "higher" is no longer the most appropriate word to use. In that context, will my right hon. Friend do everything she can to ensure that Sir Ron Dearing has access to the widest possible range of advice and input, as that will benefit the result of his findings?

Mrs. Shephard: I agree that we need to ensure that the best possible range of information and advice is given to the committee of inquiry. As I said, we shall consult on its membership, but, knowing Sir Ron Dearing's ways of working, I think that the expertise made available to the committee will go far beyond its immediate members.

Mr. Alan Howarth (Stratford-on-Avon): I add my welcome to the right hon. Lady's decision to establish the inquiry. I particularly welcome her appointment of Sir Ron Dearing—there is no one wiser or better fitted to undertake the task. I am pleased that the right hon. Lady is asking Sir Ron Dearing to include in his purview further as well as higher education.

Whatever the outcome of the inquiry and the debate on the most appropriate use of the £7 billion of expenditure on higher education, according to the present pattern and plans—under which I understand there is to be a 5.1 per cent. squeeze on unit funding by 1996-97 and a 9.4 per cent. squeeze on overall higher education funding by 1998-99—we are liable to witness some damaging effects on the academic system. Those effects will include unfilled academic posts, libraries and laboratories that are not brought up to date, academic staff who are so overstretched by teaching and administration that they are unable to pursue scholarship, and impoverished students. Will the right hon. Lady do all she can in government to ensure that the squeeze on the academic system is at least relaxed, until we have been given Sir Ron's recommendations and have had time to consider them?

Mrs. Shephard: I have already made it clear that we are working closely with the sector to help it to take advantage of private finance initiatives in respect of capital. We are closely in touch—full stop—with those in the sector on all aspects of their budget and general working. Universities have been efficient in absorbing efficiency savings that we have demanded of them, on which I congratulate them. There is clearly a division between the immediate, with which we are closer in touch, and the bigger and broader questions, on which we hope we shall receive their full co-operation—I have no reason to believe otherwise. The hon. Gentleman, who, after all, was closely involved in abolishing the binary line, will understand that it must be right to look at the issues of consolidation, continued expansion and demand-led expansion, while at the same time considering how they might be financed.

Several hon. Members *rose—*

Madam Speaker: I cannot give a commitment to the House, but I want to try to call every hon. Member who wants to speak, as this is an important statement. There is another statement to follow and hon. Members could help me enormously by making their questions and answers brisk.

Sir David Madel (South-West Bedfordshire): Will the inquiry have a close look at the relationship between industry and universities, and will it also look at training methods for university lecturers and teachers?

Mrs. Shephard: Yes, Madam Speaker.

Madam Speaker: Thank you. That is very helpful.

Mr. Harry Barnes (North-East Derbyshire): It is not the Government's normal approach to set up such inquiries, or, where there are inquiries, to adhere to their recommendations. It is even more unusual for those on our Front Bench to agree. Would it not therefore have been appropriate to have the draft terms of reference, so that we could all see whether the right action was being taken?

Can we be assured that those of us who may have different views on education from those that are normally expressed by the Government have opportunities to present our views on continued education, lifetime education and access to higher education for people with abilities but without formal qualifications?

Mrs. Shephard: The terms of reference have been placed in the Libraries of the two Houses. They will, as I have made clear, be subject to consultation, and the hon. Gentleman's concerns will be part of that.

Mr. Bernard Jenkin (Colchester, North): As the Member who represents the university of Essex, I emphasise the view expressed by hon. Members on both sides of the House that finance is the crunch issue of Sir Ron Dearing's inquiry. Can my right hon. Friend confirm that we want universities to remain non-state, private institutions, and not become entirely beholden to the taxpayer and to the Government?

Mrs. Shephard: I entirely agree that one of the great strengths of our system is the essential independence—both financial and academic—of our higher education institutions. Many of them have done marvellous work in diversifying and in responding to the needs of employers, industry and enterprise, and to the challenge posed by competition overseas. All those questions will be considered by the committee of inquiry, which I am sure will want to consider best practice.

Mr. D. N. Campbell-Savours (Workington): May I remind the Secretary of State that it is some nine months, if I might modestly say so, since I published and launched the document "The Case for the University of the Lakes", which was the product of four and a half years' work? Will the inquiry draw upon the application of developments in information technology, and especially the use of an electronic library linked to a multi-campus university, which is essentially the concept behind the university of the Lakes?

Mrs. Shephard: Yes.

Dr. Ian Twinn (Edmonton): I join in the all-party support for my right hon. Friend's statement. Does she agree that the success of the Conservative expansion of higher education has been due to the magnificent response of universities and their staff, and the positive way in which they have adapted to the challenge of expansion? Will she ensure that quality of staff and students is maintained by considering the way in which universities are funded, so that they get continuity, not Treasury stop-start funding?

Mrs. Shephard: That is an important matter. I pay tribute to the way in which the whole sector has taken advantage of the greater independence given to it by the Government—not to mention the increased funding—and turned itself into a sector of flourishing and diverse institutions. One thing that concerns me is career structure for academic staff, and I hope that the committee of inquiry will consider that.

Mr. Andrew F. Bennett (Denton and Reddish): When does the Secretary of State hope that the inquiry will be completed? Does she realise that, in the interim, she must do far more to raise the morale of today's students and academics than offer them an inquiry?

Mrs. Shephard: I have already described the work that we are doing to cope with the current situation, with the Committee of Vice-Chancellors and Principals and others. I expect the inquiry to report in early summer 1997.

Mr. David Lidington (Aylesbury): Will my right hon. Friend invite Sir Ron to consider whether all courses now offered reach the standards that one would expect of a university course, and consider the approaches to university teaching that, in its experience, produce the best results and the highest quality?

Mrs. Shephard: I hope that the assurance of quality will be at the heart of the work of the committee of inquiry.

Mr. Max Madden (Bradford, West): As the Dearing inquiry will not report for a long time, will the Secretary of State urgently look into the hardship that is being caused to students with disabilities, including blind students, who now have to pay VAT on the information technology that they require for their studies? That seems to be an unfair imposition on students who used to be exempt from VAT on such purchases. I hope that the Secretary of State can intervene quickly, to ensure that that hardship is not allowed to continue.

Mrs. Shephard: I know that the hon. Gentleman takes a close interest in such matters, and, if he will send me details of those cases, we shall look at them urgently.

Mr. David Shaw (Dover): Will my right hon. Friend assure the House that the inquiry will focus very much on the way in which education can improve the United Kingdom's competitive position in the world? In that regard, will she also say whether the inquiry will properly consider the way in which distance learning techniques—using the information super-highway and the Internet—may be enhanced so that people may undertake higher education in their own homes?

Mrs. Shephard: We felt it necessary to establish the committee of inquiry partly because of those changes in emphasis and in circumstances. If my hon. Friend looks

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closely at the terms of reference, which have been placed in the Library, he will see that both those aims are laid out very clearly.

Mr. William O'Brien (Normanton): Before Sir Ron Dearing reports to the House, will the Secretary of State examine the education situation in the Wakefield area in my constituency, and the distribution of part of the £7 billion to further and higher education in that area? My constituents wish to extend their education, but they are unable to do so because of the current economic situation. That fact is borne out by the training and enterprise council, which has revealed that only 25 per cent. of local people are properly trained or receive adequate levels of training and education.

Mrs. Shephard: Obviously, people have a wide range of opportunities—although I cannot speak in detail about the hon. Gentleman's constituency—offered through training and enterprise councils, further education, linked courses with higher education and so on. I wish that I were able to comment in detail on the cases that are worrying the hon. Gentleman. If he will provide those details, I shall try to help. However, I hope that his constituents are taking advantage of existing mechanisms, such as career development loans and non-mandatory grants. I shall be glad to hear from him about the matter.

Mr. Harry Greenway (Ealing, North): Does my right hon. Friend agree that having one in three people in higher education is a superb achievement? However, does she not also agree that too many universities have too many courses which do not lead graduates into work? One of the great problems of higher education throughout history is that courses are not market led—despite the best efforts of the inspectorate, of which my right hon. Friend was a distinguished member, to ensure that courses would lead students into work. Does she believe that the Dearing committee should consider that issue?

Mrs. Shephard: The expansion of higher education—which has meant that nearly one in three people are now in higher education, compared with one in eight in 1979-80—is a major achievement. Some 15 per cent. of university courses now lead to vocational qualifications. It is important that young people leaving higher education should be employable, although they may require further vocational training in order to get a job.

It is absolutely clear that young people must do well in education and attain high-quality qualifications. Their education must equip them to express themselves well, to be members of teams, to be thoroughly literate and numerate—in short, to be employable. The question of employability and the contribution that higher education makes to the broader economy will be at the heart of the terms of reference of the committee of inquiry.

Mr. Bryan Davies (Oldham, Central and Royton): Although the committee will not report until summer next year, does the Secretary of State acknowledge that that in no way absolves her from her responsibility of ensuring that the immediate needs of higher education are fully met? This year's budgetary settlement—in contrast to the position last year—must recognise that fact.

Does the Secretary of State acknowledge that, although the siren voices on her side of the House and perhaps from parts of the education sector are saying that consolidation must be the lodestar for the committee, Labour Members and others in many parts of the country will be emphasising Robbins' initial principle: higher education courses should be available to all those who are qualified to undertake them and who are able to benefit from them? As that number will inevitably increase as our schools produce more qualified students, we will expect the committee to consider expanding higher education.

Mrs. Shephard: The Robbins initial conclusion was that higher education should principally concern itself with instruction in employment skills, and that only after that should it promote the general powers of the mind, the advancement of learning and the transmission of a common culture and common standards in citizenship.

I have explained the ways in which we keep in close touch with the sector about matters immediately of the moment, but I repeat that, when considering expansion, consolidation or future role, one must set all those in the context of what the needs of the economy will be, the future of the country, and the contribution that higher education can make to meeting those needs. It is a broader issue, which affects the issues that immediately confront us this year, and that will be the focus of the committee of inquiry.

Mr. John Marshall (Hendon, South): Will Sir Ron Dearing consider the success of Buckingham university in managing to grant degrees after only two years of study—degrees that are internationally recognised as very satisfactory? Will the Dearing committee also consider the different staff-student ratios that apply in the old polytechnics and the long-standing universities? Does not the success of the polytechnics suggest that there may be slack in staff-student ratios at universities?

Mrs. Shephard: I expect the committee of inquiry to consider length of courses and good practice throughout all institutions.

Oil Tanker (Milford Haven)

4.17 pm

The Secretary of State for Transport (Sir George Young): With permission, I wish to make a statement about the continuing operation to salvage the oil tanker Sea Empress.

At 8 pm on Thursday 15 February 1996, the Sea Empress ran aground at the entrance to Milford Haven on her passage inward to port. She began to spill oil shortly afterwards. The vessel, built in 1993, is Liberian flagged and managed by a British company. At the time of the incident, she was carrying about 131,000 tonnes of light crude oil. As a result of the initial grounding, about 2,000 tonnes of crude oil were spilt. That formed an oil slick, causing pollution along a stretch of coastline near the entrance to and in Milford Haven.

The Marine Pollution Control Unit, part of the Coastguard Agency in the Department of Transport, quickly implemented the agreed national contingency plan for oil spill response. A joint response centre was established with Dyfed county council and other interested parties, including environmental groups. The shipowner quickly reached agreement with a salvage company to undertake the necessary salvage operations.

The immediate problem was that the vessel had listed and was too deep in the water to be brought into the shelter of Milford Haven for the removal of the crude oil remaining on board. Therefore, attention was concentrated on stabilising the vessel as a prelude to salvage and on preventing a further escape of oil.

My right hon. Friend the Secretary of State for Wales and I visited the site on Friday, and my noble Friend the Minister for Aviation and Shipping inspected salvage and recovery operations by helicopter on Saturday 17 February. On Saturday evening, in worsening weather, the vessel broke loose from salvage tugs and grounded outside the main channel into the haven.

The current position is that the Sea Empress continues to be held by two tugs in the entrance to Milford Haven. Salvors are back on board undertaking preparatory work to allow for a transfer of oil to a smaller tanker. Throughout this morning, oil leaked from the vessel, much more slowly than yesterday, but at low water she appeared to touch bottom and a quantity of oil escaped from the starboard side tanks as the sea level dropped. The oil was quickly sprayed with dispersant by MPCU aircraft. Undoubtedly, most of the Sea Empress's cargo is still on board. The prevention of further pollution depends crucially on the success of the salvage operations.

Beach-cleaning operations are continuing at three main sites and more than 150 people are involved. Within the Haven, two booms have been rigged to protect sensitive sites and more will be put out today if conditions permit. Three small specialist craft are recovering oil from the sea surface in the Haven.

During the incident, oil was sprayed with dispersant from aircraft under conditions agreed with the Ministry of Agriculture, Fisheries and Food.

It is too soon to assess the likely impact of the pollution caused by the incident, but the House will appreciate the great environmental sensitivity of the area. The coastline falls within the Pembrokeshire coast national park, reflecting its great natural beauty. The area is of importance to wildlife, particularly birds. Accordingly, the local authorities, the Countryside Council for Wales and other environmental and welfare interests such as the Royal Society for the Prevention of Cruelty to Animals and the Royal Society for the Protection of Birds are playing their full part at the joint response centre. Every action is being taken to help protect those areas and the wildlife from contamination.

There is a system in place under international treaty to provide compensation in such incidents—first, from the shipowner's insurer and secondly, if that is not sufficient, from the international oil pollution compensation fund. The independent marine accident investigation branch, which will report directly to me, has initiated an investigation into the causes of the accident and will provide a full report. As usual, that report will be published. At this stage, it would be unwise to speculate on the outcome of the investigation.

The Government's policy is first and foremost to seek to prevent incidents of this type through improvements in vessel safety. In that context, we are implementing the vast majority of the recommendations of Lord Donaldson's report "Safer Ships, Cleaner Seas". However, carriage by sea will always have some element of risk. Where an incident does occur, we are determined to react swiftly, thus effectively to reduce the pollution or damage caused.

In this instance, despite severe weather, the practised implementation of our national contingency plan should ensure that the situation will be brought under control. The House will recognise that the weather will remain the crucial factor in making progress. The immediate priority is to anchor the ship in position, so that we do not have to continue to rely on tugs alone. When the weather abates, we shall start to lighten the vessel, so that she can be moved to a less-exposed anchorage. The operation will take time and needs to be done carefully and safely. Every effort will be made to prevent any further release of oil.

I am sure that the House will join me in recognising the extremely hard work put in by all who have helped to mitigate the effects of this regrettable incident. Work will continue to be done to stabilise the vessel, minimise further release of oil and deal with oil that has come ashore. The House will recognise the hazardous nature of that work in an exposed location, and it will wish to pay particular tribute to those who have returned to the ship as part of the salvage operation. We wish them every success in a satisfactory conclusion to a distressing incident.

Ms Clare Short (Birmingham, Ladywood): I join the Secretary of State and the rest of the House in sending our best wishes to the salvage team working on the Sea Empress, with our hopes that it manages to transfer enough oil from the vessel to allow her to be refloated and moved without a major accident or large-scale oil leak, which would do terrible damage to the beauty of the Pembrokeshire coastline and the wildlife in the surrounding sea.

Does the Secretary of State agree that it is most disappointing—following the 1993 Braer disaster, the fine work undertaken by Lord Donaldson's inquiry and the acceptance of most of his recommendations—that we should continue to suffer the danger of major spillages from oil tankers in areas of great natural beauty?

[Ms Clare Short]

Will the right hon. Gentleman confirm that—as *Lloyd's List International* claimed on Saturday 17 February—the Sea Empress is the 12th tanker to have grounded in United Kingdom waters since early 1993? Is the right hon. Gentleman aware of suspicions in the industry that masters have failed to disclose a number of other incidents in which damage was avoided?

Will the Secretary of State confirm that there is increasing concern that Milford Haven has become accident prone, that this is the second reported incident in the estuary in the past four months and that—again according to *Lloyd's List International*—there are fears that other close shaves at Milford Haven have been covered up? In those circumstances, does not the right hon. Gentleman think that the port authority's inquiry into Milford Haven should be extended, to establish whether commercial considerations are outweighing safety and environmental considerations?

Does the Secretary of State accept that there are four possible causes of the Sea Empress disaster—pilot error, engine or steering problems, and crew error? Given that the Sea Empress is only three years old and was involved in an incident in Sullom Voe in 1994, is the Minister aware that many suspect that the problem with that vessel and other cheap designs lies in the lack of engine power and back-up for the steering system? May I suggest that it is essential that those matters are properly and independently investigated? Will he give urgent consideration to excluding all ships without adequate design protection against spillages—either double hulling or mid-deck design—from all environmentally sensitive waters?

Given the importance of the issue, will the Secretary of State reconsider his decision today? An internal inquiry by his own marine accident investigation branch is inadequate, given the serious questions that have been raised. Will he instead recall Lord Donaldson and ask him to review the problems that remain following the implementation of the previous report?

Last but not least, will the Secretary of State admit that, as the Merchant Navy officers union said, the Government have allowed increasing amounts of

"sub-standard flag of convenience shipping to take trade from Britain while presiding over the demise of the British fleet."?

Will he immediately set up a commission—and chair it himself—with the remit to rebuild a strong British fleet with high standards of safety and respect for the protection of the environment?

Sir George Young: I am grateful for the comments that the hon. Lady made at the beginning of her remarks, and I endorse them. The Donaldson report made 103 recommendations. The Government accepted 86 and 13 are under further consideration. Half of those that we accepted have been implemented, so we have made good progress in taking forward the wide-ranging report that Lord Donaldson initiated. The hon. Lady suggested that unreported incidents have taken place, and I shall make inquires to see whether there is substance in that suggestion. As for her speculation as to the causes of the incident, it makes sense to await the outcome of the MAIB investigation. Although the MAIB reports to me, it is independent and its credibility and integrity are widely recognised in the marine world.

I was interested to read what Lord Donaldson said about double hulls and their merits in paragraph 23.14 of his report:

"We have some doubts on the merits of double hulls and consider that there is scope for discussion. We accept the line that IMO has taken in promoting double hulled tankers or equivalents but believe that there is a need for further research."

One needs to be cautious about the suggestions in the press that it would make sense to exclude single-hulled vessels from the United Kingdom.

In regard to the hon. Lady's other suggestions, the priority of the House is to initiate an authoritative, speedy inquiry to find out what went wrong and then to take action on that. Some of the alternative suggestions, such as public inquiries, would inevitably take longer and might deny us the information that we need urgently if we are to get to the bottom of the matter.

Mr. Paul Tyler (North Cornwall): I am sure that all hon. Members will join the Secretary of State in paying tribute to the speed, professionalism and efficiency of the emergency services, and we wish them well. As the Secretary of State clearly appreciates, oil tankers tend to operate in coastal waters that are peculiarly environmentally vulnerable and ecologically sensitive. Is it not time, therefore, for the right hon. Gentleman to consider what steps the United Kingdom can take to make progress on the issues on which he has just spoken?

It is some time since the Donaldson report examined the case for double hulls. Is there not a case for a British initiative on the issue, to prevent the use of vessels that are clearly not up to the required standards in our very vulnerable waters?

Sir George Young: As I am sure the hon. Gentleman knows, there is on-going work within the International Maritime Organisation on double hulls. The present position is that single-hulled ships have progressively to be phased out, the date varying according to particular countries, and double-hulled ships or those of equivalent safety introduced. That is the right way forward. Although at the end of the day the United Kingdom will retain the right to take unilateral action, I am sure that the House will agree that, where possible, it makes sense to make progress on an international basis, given the nature of the shipping trade.

Mr. Nick Ainger (Pembroke): I, too, should like to send my best wishes to my constituents, many of whom are involved in the clean-up and the salvage operation. I have been closely involved since late on Thursday night, when the vessel first went aground.

I am grateful that the Secretary of State took the trouble to come down and look at the operation, but I must tell him that an MAIB investigation is far too restrictive. This is the second time in four months that a large crude carrier has run aground at the entrance to Milford Haven. The indications are that there were steering and—possibly—propulsion problems connected with both incidents. Both were modern vessels; had they been motor cars they would not even have qualified for MOTs yet.

I believe that there is something wrong with the minimum standards that have been set; only a public inquiry can deal with such wider issues. We also need to sort out, once and for all, the issues of double-hull and

mid-deck design. I appreciate what Lord Donaldson said, but the point is that he did not argue in favour of single hulls.

The Secretary of State did not tell us that the IMO has recommended that it will be 25 to 30 years before all the single hulls have been phased out. That means that we will be about 80 before the last single hulls disappear. If the Secretary of State is willing to accept that, I am not.

I believe that there are sufficient grounds for a public inquiry, to examine some of the issues specifically related to Milford Haven. Everyone accepts that it is probably the most environmentally sensitive area in the United Kingdom, and professionals working at Milford Haven, or who have retired from it, have flagged up serious problems.

The right hon. Gentleman must ask the port authority how on earth a modern port can function without radar cover at its entrance. That cover has been out of action for about six months, which shows that something is seriously wrong with the whole operation at Milford Haven. I urge the Secretary of State to hold a public inquiry.

Sir George Young: If the hon. Gentleman's last point was a contributory factor to the incident, I would expect the MAIB to reflect on that while compiling its report. I am grateful for what the hon. Gentleman is reported as saying in *The Guardian* today—he said that he had no criticism to make of the salvage efforts. He speaks with feeling about a matter of deep concern to his constituency.

The MAIB inquiry will look at allegations about power and steering. I hope that the report on the earlier incident will be available shortly, when it will be published.

The hon. Gentleman pressed me again to hold a public inquiry. The MAIB is usually entrusted with the investigation of sea accidents, however serious. There has been no formal public inquiry into a major shipping accident since the formation of the MAIB in 1989. Indeed, there has been no formal public inquiry into an air accident since 1973. My view is that MAIB and air accident investigation branch procedures have so far commanded wide public acceptance.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): My constituents in north Pembrokeshire are worried about the environmental impact of this incident. I support the points made by the hon. Member for Pembroke (Mr. Ainger).

It is inevitable that this crisis will also concentrate people's minds on the proposals to burn orimulsion at Pembroke power station. Is the Secretary of State aware of the great concern in the area about the effects of burning orimulsion? Does not this incident revive fears about the transportation of orimulsion into the Haven, especially as that will involve significantly increased quantities?

While pursuing the question of the public inquiry, will the right hon. Gentleman press his colleagues in the Department of Trade and Industry to hold a public inquiry into the application to burn orimulsion, which is currently under consideration?

Sir George Young: The plans for an orimulsion jetty are being considered by a number of regulators, including the Department, and no decisions have yet been reached. There are a range of objections to the proposals, including concerns about new dangers to navigation in the Haven.

Mr. Alan W. Williams (Carmarthen): I represent an adjacent constituency, that of Carmarthen, and I well remember, when Milford Haven was developed, the serious concern throughout Dyfed that it was at the heart of the Pembrokeshire coast national park. Regular assurances were given that the highest standards would be imposed and maintained, and that was the case in the 1960s and 1970s. Can the Secretary of State explain to me and to the people of Wales why incidents now happen regularly? We have heard today about the incident four months ago and about the Braer incident in the Shetlands. Why is there now such a high accident rate in oil transportation?

Sir George Young: The objective of the two inquiries, into the earlier incident involving the Borga and into the Sea Empress, is to find out why there are incidents and to take appropriate action. My Department's priority is to prevent such incidents taking place, and that is why we set up the MAIB inquiries, which are published, and take urgent action to implement them.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): If the Secretary of State wishes to demonstrate good will, he should take some vigorous action on those ships, which are now plying British waters, that are not suitable. However good the MAIB investigation of the Sea Empress accident is, if the Secretary of State will not take immediate action against sub-standard, non-British ships carrying oil in British waters, that is a dereliction of his duty and everyone's time is being wasted. It is vital that the evidence on double hulls, given to the Select Committee, is studied by the Secretary of State now and that he follows up the evidence and the conclusions of Lord Donaldson as quickly as possible.

Sir George Young: As I am sure the hon. Lady knows, the Government take tough action against sub-standard vessels. We published lists of vessels that had been detained following Lord Donaldson's report. Safety at sea is a matter that I take very seriously. I am anxious to make progress as fast as possible on the Donaldson report and related recommendations.

Mr. Paul Flynn (Newport, West): Does not the Secretary of State realise the sense of horror and outrage felt by everyone, at the risk that we permit that billion-dollar industry—the richest, most profitable industry in the world—to run? We allow that industry to cut costs with ramshackle vessels at the expense of the British environment and wildlife. For too long, we have been permissive with the entire maritime industry. Why do we not follow what happened in America after the Exxon Valdez disaster? Action was taken to ensure that the polluter pays more, and that discourages vessels that are sub-standard from visiting America. Is not that the way forward? New standards must be introduced and they must be imposed first on areas such as Milford Haven, which are in special peril.

Sir George Young: It is the case that the polluter pays. The shipping industry pays the premiums for the insurance policies that are validated to pay for the damage caused.

[Sir George Young]

With regard to the quality of vessels, the Sea Empress was built in 1993 and it is important not to prejudge the outcome of the MAIB report. I read the Donaldson report again at the weekend, and Lord Donaldson pointed out that 80 per cent. of accidents are due to human error.

Mr. Tony Banks (Newham, North-West): I found the Secretary of State's reply very complacent, and his attitude to the accident is thoroughly unsatisfactory, especially in view of what we should have learnt from the Braer incident. The accident involved a ramshackle ship, crewed by Russians and flagged out to Liberia, and we have to rely on a Chinese tug to assist us. What is going on in this country's maritime industry?

The area around Milford Haven is one of the most important sites of scientific interest in the entire world. We should not allow anything other than reinforced, double-hulled ships to go near that area. To allow an oil company to cut corners is absolutely appalling and the Government must take full measures to ensure that the polluter pays for every single expense that is incurred by those who are trying to clear up after the tragedy. Was the captain of the ship tested after it grounded? Will the RSPB and the RSPCA be given financial support for their clear-up? How many birds have been affected? Will the Secretary of State take some direct action instead of being stunningly complacent?

Sir George Young: According to the last figure that I saw, six birds have been killed, but, of course, we must do all that we can to minimise any damage. The insurance company acting for the Sea Empress will compensate for the costs borne by the Government, local authorities or others involved in the clearing-up operation. As for double hulls, the hon. Gentleman will have heard what I said in response to two earlier questions.

As for complacency, I hope that the hon. Gentleman will accept that after the Braer incident, we set up the Donaldson inquiry. The subsequent report made 103 recommendations, 86 of which were accepted. Half were implemented, and the rest are being pursued. I hope that the fact that my Department gave the House a statement outlining the action that we were taking, and the responses that I have outlined, will convince the hon. Gentleman that we are not complacent. We take the matter seriously, and we are determined to learn the lessons and then implement the recommendations.

Mr. Graham Allen (Nottingham, North): One of the lessons that the Secretary of State may wish to learn is that the arrangements are policed by the Coastguard and Marine Safety Agencies. Will he now undertake not to cut further the numbers in those agencies, so that the arrangements are patrolled and enforced effectively? Will he also undertake to ensure that the penalties for those who damage the environment—a maximum fine of £250,000, but no minimum—are enforced ruthlessly? At present, many shipowners are bearing the penalties as a cost of doing business. The right hon. Gentleman needs to get tough, so that we do not see any more such incidents.

Sir George Young: Safety is and will remain paramount in my Department. Efficiency savings in the two marine agencies and, indeed, in the MAIB, have not and will not be made at the expense of safety.

Scott Report

4.41 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): On a point of order, Madam Speaker. As one who was a member of the Select Committee on Trade and Industry at the time of the Iraqi supergun affair, I have written to you to seek your guidance on what I consider to be important issues for the House, arising from the Scott report and the evidence given to the inquiry. Are you in a position to give me that guidance?

Madam Speaker: No, I am not. I received the hon. Gentleman's letter about an hour before I arrived in the Chair, so I am not in a position to reply. I shall, however, let the hon. Gentleman have a written reply as soon as I can. I am aware of the points that he has made in his letter. If he wishes to draw my attention to a possible breach of privilege, he must make specific complaints in writing, and I shall consider whether to give precedence to his complaints in the usual manner. However, I ask him to await the response to his letter, which I shall see that he receives as soon as possible.

Orders of the Day

Northern Ireland (Emergency Provisions) Bill

As amended (in the Standing Committee), considered.

New clause 5

VIDEO RECORDING

'.—(1) The Secretary of State shall—

(a) make a code of practice in connection with the silent video recording of interviews to which this section applies; and

(b) make an order requiring the silent video recording of interviews to which this section applies in accordance with the code as it has effect for the time being.

(2) This section applies to interviews held by police officers of persons detained under section 14(1)(a) or (b) of the Prevention of Terrorism (Temporary Provisions) Act 1989 (arrest and detention of suspected persons).

(3) In this section "police officer" means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.'.—*[Sir John Wheeler.]*

Brought up, and read the First time.

4.42 pm

The Minister of State, Northern Ireland Office (Sir John Wheeler): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: Government new clause 6—*Codes of practice: supplementary.*

Government amendments Nos. 21 and 22.

Sir John Wheeler: The new clauses and amendments give effect to the announcement, made by my right hon. and learned Friend the Secretary of State in the House on 9 January, that he would introduce a system for the silent video recording of all interviews taking place in holding centres, and also, for consultation, a code of practice for the purpose.

The case for introducing either video or audio recording of interviews with terrorist suspects in Northern Ireland has been mooted for some time. The Royal Ulster Constabulary has advised against the idea, because it fears that suspects would be unwilling to assist the police if they knew that their co-operation was being recorded. It had been hoped that a statutory provision could be introduced that would prevent disclosure of the tapes either by or to those who might have sinister motives for acquiring them; however, after extensive discussions with the police and the office of the Director of Public Prosecutions, it became clear that it would not be possible to devise a satisfactory safeguard of that kind. For that reason, it was agreed that it would not be possible to introduce audio recording of interviews, but that silent video recording could be introduced without any statutory safeguards and with the RUC's agreement. My right hon. and learned Friend the Secretary of State announced his intention to do so on Second Reading.

Audio recording would provide the same protection as silent video recording. A further benefit would be that it would quickly resolve problems relating to admissibility of evidence. There are many problems, however. First, there are the concerns of the RUC. As Mr. Rowe said in his most recent review of the Northern Ireland (Emergency Provisions) Act 1991:

"the RUC objection to taping is that the suspect will not say anything, and will be worried that his organisation will learn what he has said".

The main problem, however, is one of disclosure. There are significant problems in devising a satisfactory scheme that will protect the release or disclosure of tapes. For example, the accused's lawyers would have the right to listen to the whole tape, and, once a copy had passed out of police hands, it would be impossible to ensure that it did not fall into the wrong hands and put lives at risk. Editing a tape is not the answer, for reasons that were given in detail in Lord Colville's 1990 report. I will spare the House the detail of that report, as the facts are on record.

I echo the sentiments of my right hon. and learned Friend the Secretary of State when I say that the Government hope to see the end of holding centres soon. I wish that I could be sure that that would happen, in the current circumstances. The Government look forward to a time when all suspects will be interviewed under the normal criminal procedures. I say that despite the Provisional IRA's announcement of 9 February—although I acknowledge that, in the light of the announcement and the events that have followed, that time may not come quite as soon as we might have hoped.

Mr. Kevin McNamara (Kingston upon Hull, North): Will the right hon. Gentleman confirm that anyone arrested in this country will be interviewed in the normal course of events?

Sir John Wheeler: Yes, I can confirm that, but the hon. Gentleman and, I think, the House will know that—unfortunately—very different circumstances now prevail in Northern Ireland. Following the ending of the Provisional IRA's ceasefire, people's lives are once more seriously at risk.

The holding centre regime has features that are stricter than the corresponding regime under the Police and Criminal Evidence Act 1984—a point that the hon. Gentleman may also wish to acknowledge. For the time being, however, in the prevailing circumstances in Northern Ireland, those features—including the additional measures—are very necessary. The move to introduce silent video recording will add to the range of safeguards that already exist in holding centres, and will increase public confidence in the regime.

Let me now touch on the recent judgment of the European Court of Human Rights in the Murray case. Murray was arrested on 7 January 1990, and taken to a police holding centre. The police denied him access to his legal adviser for the first 48 hours of his detention, under powers in the Northern Ireland (Emergency Provisions) Act 1987. He remained silent both before and after seeing his solicitor; he also declined to give evidence at his trial.

In Murray's case, the European Court of Human Rights held that the European convention had been violated because Murray had been denied access to a solicitor at a point when inferences might have been drawn from his silence. The Government find that a disappointing conclusion, especially as the Court concluded, as we had argued strongly, that the proceedings against Murray were not unfair.

[Sir John Wheeler]

We are studying the Court's judgment in detail. Its full implications will take some time to assess. We need to consider carefully what changes in the law or practice may be necessary to ensure compliance with the convention. The House will also understand that we wish to avoid any change, especially in the present circumstances in Northern Ireland, that would risk impairing the operational effectiveness of the police in dealing with terrorism. We shall consider quickly what is the best way forward. That is obviously a matter of significance in the context of the present Bill. We aim to announce our conclusions as soon as possible and will try to do so when the Bill is in another place. I must make it clear to the House that it is a complex matter, which has a wide-ranging application within the United Kingdom.

I should draw the attention of the House to a point of broader significance on the Court's decision: that the Court rejected any suggestion that the law on the right to silence had by itself prejudiced Murray's right under the convention. It endorsed the view of the European Commission of Human Rights, in its earlier decision, that the legislation on silence constituted

"a formalised system which aims at allowing common-sense implications to play a formal part in the assessment of evidence".

It concluded that the drawing of inferences had neither infringed the presumption of innocence nor shifted the burden of proof from prosecution to defence.

The view of the Court and of the Commission, that the law on inferences from silence is a matter of common sense, is exactly right. The law does not harm the innocent. It is right in principle and it is an important weapon in the army of measures to deal with serious crime. The Court's confirmation that the legislation on the right of silence had not breached the convention is welcome. The Court decided, as the Government had argued, that there should be no award of compensation, and reduced costs against the Government from the £57,000 that the applicant had claimed to £15,000, recognising that only one part of the claim had succeeded.

I commend to the House these new clauses, which will provide for the introduction of silent video recording. Any further adjustments necessary to the law on the treatment of persons in police custody under terrorism provisions as a result of further deliberation on the matters that I have described will be taken forward in another place.

Mr. Tony Worthington (Clydebank and Milngavie): I shall deal briefly with the Murray case, to which the Minister referred, although, as the Minister knows, it is mentioned in one of our amendments.

We welcome the fact that the Government are considering urgently what measures might be necessary to bring the law and practice into line with the requirements of the convention as set down by the European Court. I understand from that that they recognise that the European Court has said that there is a disparity between our present law and the practices of the European Court, and that there needs to be some movement on that matter. I shall come back to that later.

We welcome the move, although it is too small, to silent video recording at holding centres. We believe that it is a valuable situation, in which human rights protection and effective prosecution can go together. They are not in conflict. As the Minister knows, the Standing Advisory Commission on Human Rights—his appointed body—in Northern Ireland has pressed for silent video recording since 1984, because there it is of huge value where the suspect is unable to deny the validity of a statement that has been recorded.

In Committee, reference was made to the Ballymurphy case, which I think provided the most powerful case for audio recording. Of that case, Mr. Justice Kerr, who, as hon. Members will be aware, has been appointed with the noble Lord Lloyd to head the review into the workings of the anti-terrorist legislation, said:

"The trial started in August 1993 and did not end until December 1994."

He said that a huge amount of time on that case was taken up with what are referred to as voir dire proceedings, and that, if audio recording had been available, the trial

"could have been completed comfortably within a few weeks instead of the sixteen months that it occupied."

If that case had not been in court, and if he had been available, Mr. Justice Kerr could have heard it and many other cases in that period. That is the opinion not only of Mr. Justice Kerr but of many other members of the judiciary. It is the opinion not just of SACHR but of John Rowe, the Government's reviewer of the legislation, who in February 1995, with regard to audio recording—not silent video recording—said:

"That is the very least that should be provided. If there is a video recording as well, so much the better."

That comes from a man who is the essence of caution. As my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) said earlier, all that we ask is that the Northern Irish experience is brought into line with what occurs in England and Wales.

It is our belief that Sir Louis Blom-Cooper and others have examined very carefully disclosability, which is at the essence of the Royal Ulster Constabulary's concern. There are, obviously, security risks, but we must face the fact that, by definition, police stations are secure establishments. Their whole raison d'être is to be secure. The main threat to the security of police stations is always through human beings rather than machinery. If we were to proceed on the assumption that police stations are not secure, where would we go with regard to any prosecution of the law? Sir Louis Blom-Cooper came forward with what he described as

"a closely prescribed procedure for the disclosure of tape recording only to those detainees who are charged with terrorist offences and who at trial challenge the admissibility of a statement."

The suspect who has been recorded can decide the extent to which the interview is made more generally available. Clearly, if the suspect is concerned about the risk to himself, he will not take a step that makes that video or audio recording more generally available.

I have a number of questions for the Minister about the new clauses. My first, simple question is whether it is his intention that all the holding centres should, as quickly as possible, install silent video recording. Secondly, what time scale is the Minister setting for the installation of silent video recording? My third question, which I raised in Committee, has not been taken account of in the drafting of the new clause; perhaps the Minister can help. Would it be possible for the new clause to be worded in such a way, if the holding centres unfortunately continue, as to allow the easy extension from silent video recording

to audio recording and full video recording without the need for primary legislation? As I read the new clause, it is strictly limited to silent video recording and it would not be possible to change that without primary legislation.

5 pm

My next questions concern the Minister's thoughts on the technical issues involved. Again, we referred to those issues in Committee. Silent video recording has its limits; how useful it is depends on how it is used. If a video camera is installed in the ceiling and simply looks down on the police officer and the suspect, it will reveal, for example—I put it gently—that the people do not get too close to each other. It will not reveal very much about body language and it will reveal little about gestures. It will not allow lip-reading, as ground-level cameras would. How useful the device is will very much depend on the technical issues.

As the Minister knows, closed circuit television recording of interviews exists, but it has proved not to be valuable as it seems not to be taken note of by the police officers who watch the interviews taking place. How useful the extension to silent video recording will be very much depends on the way in which the technical issues about the deployment of video cameras are dealt with. I invite the Minister to reply to those points.

Mr. Ken Maginnis (Fermanagh and South Tyrone): What a wonderful world it would be if everything was perfect. Unfortunately, the past few hours have shown us that we live in a far from perfect world. We live in a world where we are bound, at times, to travel along a route that we know, in our heart of hearts, is full of pitfalls. However, if we fail to travel along that route, we run the risk of being labelled dogs of war. That is what we have experienced in Northern Ireland and throughout the kingdom over the past 17 months.

The Prime Minister and others were persuaded of a certain hypothesis—a hypothesis that IRA-Sinn Fein wished to move from a mode of violence to a mode of democracy. If the Prime Minister and the Government had not explored that hypothesis, there would have been cries that there on the Government Benches were the dogs of war.

When we consider the Bill, we must bear in mind the reality and the lessons of the past 18 months. The facts are that IRA-Sinn Fein is an organisation that is well tutored in every aspect of guerilla warfare and in every aspect of terrorism. To introduce the video recording of interviews with terrorists at this time is to lessen the benefit that those interviews will have in terms of the police bringing people to justice and garnering high-grade intelligence which is necessary to protect our society.

I assure the House that the IRA is not composed of hawks and doves. It is not composed of those who wish to pursue a course of violence and those who are against such a course. It is composed of those who carry out ruthless killings and those who are efficient as members of a propaganda corps in confusing international opinion and, I am sad to say, opinion at home about the extent and brutality of the horrors.

Unfortunately, there are elements within the press and media who have believed for years that Gerry Adams will lead the IRA out of violence and into the democratic mode. That is not so. The same people have persuaded the Government, through their advisers, that it will be a good thing to have video recordings in the holding centres. That will not be a good thing.

The House needs to understand how terrorists behave when they are taken into the holding centres. They are not innocent people who are brought in off the streets for no good reason. The people who are brought to the holding centres are, by and large, those who are involved in terrorism. It is not always possible to get the evidence of that involvement so that they can be brought through the courts and convicted. However, I know of few people in recent times—I am talking about the past decade—who have been brought into holding centres who have been totally innocent of involvement in terrorist activity.

When those people come into the holding centres, they are already conditioned about how they should behave when questioned by detectives. They indulge in the most bizarre activities. Those activities may be anything from concentrating on the cracks in the wall, counting them and double-checking again, again and again, to stripping off their clothes entirely and lying naked on the floor of the room in which they are being questioned. That is done to distract and embarrass those who have the responsibility for finding out what is happening among the terrorist gangs who have roamed not only Northern Ireland but Great Britain over the past 25 years.

If we now introduce video cameras, they will be used in exactly the same way to embarrass and distract the officers who are responsible for ensuring that the people who threaten our society are removed from the streets.

In the past 10 months, the Chief Constable of the RUC has decided that the Northern Ireland (Emergency Provisions) Act 1991 should not be used in the arrest and holding of suspected terrorists and has required policemen to use the Police and Criminal Evidence (Northern Ireland) Order 1989. That has left us with a huge gap in the intelligence that is available to the police and, to a large extent, is responsible for the fact that there have now been two explosions and other attempted explosions for which no one has been made accountable.

Two years ago, the level of intelligence was so high that we could have introduced internment—I would have had no qualms about that—to take out those who command and control the IRA throughout the whole of this kingdom. We can no longer do that, as there is a gap in the intelligence. We have been naive in believing that the terrorists were somehow sincere in their desire to move towards the democratic process.

Mr. Seamus Mallon (Newry and Armagh): The hon. Gentleman referred at one stage to video recording, the subject of the new clause. How will the video recording of interviews embarrass those who carry out the interviews if they have acted according to all regulations and procedures?

Mr. Maginnis: The hon. Gentleman must not be as familiar as I thought with the part of the kingdom from which I come. As soon as such video recordings are made available, every sharp lawyer in the country will want to see them to discover not so much the attitude of the policeman who is behaving properly, but the terrorist suspect who has been brought in for questioning. Therein lies the meat of the matter.

Mr. Mallon *rose—*

Mr. Maginnis: The hon. Gentleman asked me a question, and I shall explain my reply. I would not wish him to leave here in ignorance. When a suspect is taken in for questioning, he will be conditioned, as I have explained—

Mr. David Trimble (Upper Bann): He or she.

Mr. Maginnis: He or she will have been conditioned in the past to adopt a certain pose or mode of behaviour. The hon. Member for Clydebank and Milngavie (Mr. Worthington) said that a camera could be mounted in the ceiling. If a camera were to be mounted there, I imagine that a suspect would be told to look at it in a fixed manner without speaking. Any evidence that he has given in response to police questions will be deemed to be an offence against the IRA code, and if he is released, he will be punished for so doing. If he is brought to court and acquitted, he will also be punished for so doing.

5.15 pm

The camera may motivate a person who is peripherally involved—let us leave the hardest of the hard men for the time being. A person who is peripherally involved and is brought in for questioning may, in the interests of his own future or that of his family, wish to co-operate with the police. But he will be prevented from doing so because he knows that his every move will be recorded and that the recording can be asked for. If he is never brought before court and is released from custody, he could be forced to make allegations of ill-treatment. Cases will then be brought against the authorities, and the recording will be sought to see whether he infringed the IRA code. That is the danger of introducing video recordings.

Such a move would be the thin end of the wedge. The next question—as was articulated by the hon. Member for Clydebank and Milngavie—would be, "How quickly can we move to have audio recordings added to video recordings?"

Rev. Ian Paisley (North Antrim): When accusations are made about what went on in an interview room, there is no real way for a police officer to refute them. If such recordings were available, would not they give the police an opportunity to say, "That man was never attacked or struck, and he did not have his head banged on the wall"? That argument has been put to me forcefully by police officers, who have said that they would rather have an opportunity to refute such allegations.

Mr. Maginnis: I hear what the hon. Gentleman says, but he is harking back to a time some years ago, before the introduction of the regular medical checks that are available to suspects when they arrive at the police station and after every session of interview. A suspect could remove his clothes, rush blindly at the wall and injure himself. If that occurred, any interviewing officer should immediately bring the interviewing session to a close and should ensure that the matter is properly recorded not only by himself, but by those who were observing the— *[Interruption.]*

Mr. Mallon: The video?

Mr. Maginnis: Those who were observing the closed circuit television—not the video, I assure the hon. Gentleman. The officer would have an opportunity to call in a doctor immediately to ensure that a proper record of the self-inflicted injury was made. We could deal with the point raised by the hon. Member for North Antrim (Rev. Ian Paisley) in that way.

The difficulty for Special Branch is that it must do more than try to bring terrorists to justice. It must also try to build up a picture of the overall activity and involvement of individuals in terrorism to a level that gives us high-grade intelligence, and we will sacrifice that if we introduce video recordings.

Rev. Ian Paisley: I refer to the man who may strip off his clothes and bang his head against a wall while being interrogated. In such a case, the interviewing officer should stop the questioning, go to those looking on and say what has happened. When such a case is revealed to the public, the argument always is that the police made the final decision. Surely if one had it on video that the man stripped off his clothes and banged his head against the wall, one would have concrete evidence that it had nothing to do with the police. We are all aware that every time these things happen, the police are the scapegoat and people say, "That is just another policeman packing up his felon."

Mr. Maginnis: I hear what the hon. Member for North Antrim says. The policemen whom I know have never been afraid to put themselves between the terrorists—and all the machinations of the terrorists—and the good of society. It should be left to the discretion of our police service. I know that the greater number of police would wish for the ability to glean high-grade intelligence rather than seek their own security. The argument exists, which is why we are having this debate today and why it has taken the Government so long to capitulate on the question of video recordings.

This issue relates to the long-term good of society. Today we have seen our very efficient police service virtually neutered in the collection and collation of intelligence, because this is not a nice thing to do. Well, what the terrorists have done to society for the past 25 years is not very nice; and what they have done over the past few weeks is not very nice.

Gerry Adams is telling us that he is "holding out his hand to John Major" and that he would like to be friendly. However, at the same time, he is telling us that he will not condemn the acts of terrorism that have occurred, and he is asking gullible people not to deliver the terrorists to the due process of law. With that sort of influence pervading part of our society, why on earth should we put restrictions on ourselves in relation to the video recording amendment?

Rev. William McCrea (Mid-Ulster): We are dealing with a serious matter. We are considering the Northern Ireland (Emergency Provisions) Bill at a time when the IRA has resumed its onslaught on the mainland. We have had a continuing threat to the people of Northern Ireland—the members of the security forces, the elected Members of this House and society in general. As was suggested in Committee, it would be folly to dismantle this legislation—it ought not to have been considered—when there is such a terrorist threat to the whole of the United Kingdom. I believe that we have been proved right: the United Kingdom and Northern Ireland need the legislation that we are debating at the moment.

The solemn responsibility of Her Majesty's Government—indeed, their primary duty—is to defend the citizens of the United Kingdom. This legislation is not a threat to innocent, decent and law-abiding citizens. However, in the circumstances in which we find ourselves, we ought to have legislation that is a threat to those who endeavour to make our community a slaughterhouse—as we have seen in recent days on the mainland.

On behalf of my colleagues, I express our sympathy to the innocent people who have lost their lives since the renewal of the IRA's campaign of murder and destruction. We should also think of those who are in hospital because, while they may still be alive, they will carry the scars of these dastardly deeds upon their bodies for the rest of their days. We should not forget the families of those who are left with the scars—no one but those who have been through such an ordeal will understand how they feel.

We are not dealing with mindless villains; we are dealing with cold-blooded terrorists. We are in an emergency situation—this is emergency legislation. I think that every hon. Member would have been delighted if the Minister had been able to say with hand on heart that the United Kingdom and every part of it is at peace—that there is no more war, slaughter, threat or danger to the citizens of the United Kingdom. Unfortunately and sadly, that is not reality.

The amendment relates to video recording. I understand some of the points that were raised by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). However, it is important that we do nothing that will damage gaining the high-grade intelligence that has been mentioned, because it is vital. It is essential that the best intelligence is gathered against this organisation, which is inflicting a reign of terror on our people.

The Government have considered a number of views over the years that the legislation has been on the statute book. The Government believe that now is the time to step forward regarding video recording. My colleagues and I do not want to put any impediment in the path of the Royal Ulster Constabulary and the security forces in bringing to justice those who have carried out these dastardly crimes, because they deserve to face justice and prison. In fact, I believe that those who are guilty of murder deserve more—I believe in capital punishment, and I believe that they deserve death. However, we are not debating that issue at the moment, so my comments must be restricted to the amendment.

Having listened to the matters that were debated in Committee and having listened to the debate today, we feel that it is necessary to protect the Royal Ulster Constabulary and the members of the security forces against false charges. Unfortunately, it is not easy to gain high-level intelligence if impediments are put in the path of the security forces. However, knowing the border area as the hon. Member for Fermanagh and South Tyrone does, it hurts the community whenever known criminals and murderers are taken to court and they get off on a technicality. It grieves the loved ones and the families of those who have been bereaved. Therefore, it is important that we do not give an inch. We must provide the necessary means so that terrorists cannot get out of court, continue their dastardly deeds and terrorise the community.

The new clause aids the security forces and protects them against false charge. I genuinely believe that, after banging his head against a wall, the terrorist has only to claim in court how he got the injury. A doctor examines his head, sees the split and writes down what he sees. The doctor cannot ask, "How exactly did it happen?" And, therefore, the character and integrity of a member of the Royal Ulster Constabulary is taken from him when he goes to court. He is lambasted for causing the known terrorist that injury.

5.30 pm

Mr. Maginnis: Is not the hon. Member exaggerating? Let us consider the number of people who have been involved in terrorism, the number who have been questioned and the number who have been involved in the questioning. Say a terrorist injures himself and a policeman takes the steps open to him immediately. One does not split one's head open unless one is hit. If one hits someone hard enough to open his head, more often than not one injures oneself. There are ways around that, without placing constraints on the police, which will inhibit the collection of high-grade intelligence. I would rather one guilty man walked away from court every now and again than the police being perpetually inhibited in the collection of information and intelligence.

Rev. William McCrea: Surely the hon. Gentleman has to be very careful in going down that road. Why should we allow one guilty terrorist to walk out of court? What if that terrorist happened to murder the hon. Gentleman's loved ones after he walked out? How would he regard the fact that he had been able to get out? The measure is a protection for members of the security forces. We should not give terrorists any corner to crawl out of any judgment. If they are guilty, they should be found guilty. They should not be able to grasp at some straw and claim that they were unjustly treated in police custody.

Rev. Ian Paisley: I am sure my hon. Friend has heard what has been said. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) said that, if the person doing the interrogating attacked and injured the suspect, evidence could be found on the attacker. Surely, the man carrying out the interview could throw the prisoner against the wall and split his head. How does the hon. Gentleman answer that accusation? I do not know where he has been living, but I have been studying the court cases. Such charges are trotted out in nearly every case that comes to court. It is said that the Royal Ulster Constabulary is at it again—beating people up in Castlereagh.

Madam Deputy Speaker (Dame Janet Fookes): Order. I am sorry to interrupt the hon. Gentleman, but interventions should by their nature be short. He should contribute later rather than lengthen his intervention now.

Rev. Ian Paisley: I apologise, Madam Deputy Speaker. I got carried away.

Rev. William McCrea: I would rather my hon. Friend got carried away than the terrorist got carried away in his act of terrorism. Unfortunately, a great tragedy is happening in the United Kingdom. Terrorists are killing our people. We are talking about serious matters. In my

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opinion, we are talking about the protection of the Royal Ulster Constabulary against false charge. If that means that we have to wear the videoing of such proceedings, it is important. The people of Northern Ireland want to ensure that the guilty are found guilty and that they do not get out of going to court.

Mr. Mallon: I thank the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), first, for giving way to me and, secondly, for the clarity of his exposition of what may or may not happen in interrogation centres. As I listened to the stories about people taking off their clothes, banging their heads against the wall and cameras coming down from the ceiling, I thought of a remarkable short story by Franz Kafka, called "The Trial", and I began to wonder whether we had got to the stage of surreality and literally lost sight of the new clause.

The new clause is simple. There is one difficulty about it—it is couched in terms of a code of practice. I am not in total ignorance of this type of legislation. Of course, I am not so learned and experienced as the hon. Member for Fermanagh and South Tyrone in these matters. I do not have his sources of intelligence or information, thanks be to heaven, but I have certain experiences. I have lived 60 years of my life in south Armagh and I am not altogether naive about what happens.

When I see the term codes of practice in relation to any emergency legislation, I say to myself, "That is the long finger"—the euphemism for never doing something or for doing it so much later that the needs and requirements may well have overtaken it long ago. How often I have stood here, in debate after debate on new clauses about the making of codes of practice? How often, in Committee, both on the emergency provisions Acts and on the prevention of terrorism Acts, I have seen new clauses of this kind. In reality, making a code of practice is a euphemism for never doing anything.

That is the reality and the surreality of the type of debate that we are having. We must add to that the situation that we are in, both politically and in terms of everyone's safety. We are talking about people throwing off their clothes and hitting their heads against a wall with a camera either above or below them. That puts the new clause into some perspective.

I have spoken in Committee in favour of audio and video recording not once but five times, I believe, for very simple reasons—not least the reason given by the hon. Member for North Antrim (Rev. Ian Paisley). When one considers the hundreds of thousands of pounds that have been paid out in claims for injuries alleged to have occurred in interrogation centres, it would make good sense in financial terms alone to ensure that there is a record against which allegations can be judged.

One has also to consider the percentage of allegations settled out of court and not even tested in court. I am talking not about small amounts of money, but about hundreds of thousands of pounds. I do not know the exact figure. So far as I can remember, I believe that we are talking about well over £1 million, £2 million or perhaps even more. That is a substantial amount of money. However, that is not the main point.

Like the hon. Member for North Antrim, I believe that video recording is a protection for the members of the police service who carry out the interviews. It is a protection and a record which can prevent allegations of that kind from being made and, if interrogating officers have acted irregularly, a way in which they can be dealt with properly.

Mr. Maginnis *rose—*

Mr. Mallon: I will show the hon. Member the same courtesy as he showed me.

Mr. Maginnis: The hon. Gentleman has to some extent revealed his hand. He talked about the officer who has behaved improperly, but at the same time poured scorn on the idea that a person being questioned might strip off his clothes—that he might have repeatedly resorted to that tactic—and lie down on the floor or seek to injure himself against the wall of the room in which he is being questioned. The hon. Gentleman cannot have it both ways. He cannot get away with the implication that the police behave improperly while terrorists, who are involved in the most ghastly crimes, behave properly.

Mr. Mallon: I can assure the hon. Gentleman that I do not want to have it both ways. If we had audio and video recordings and someone stripped off his or her clothes, took a mad dash at the wall, hit his or her head against it and fell to the floor, that would be on record and could not be used to make a false allegation. Similarly, if an interrogating officer did not work according to proper procedures, that would also be on record. In my view, that would protect both the person being interrogated and the interrogator.

I am not making a case, as the hon. Member for Fermanagh and South Tyrone implied, against those who carry out the interrogations. However, a decision of the European Court of Human Rights stated that such incidents occurred and Lord Bennett's report, which was commissioned by the House, clearly stated that that happened. Have we or have we not a duty to protect both the interrogating officer and the person being interrogated, and to add to the evidence and material that can be brought to court? I believe that we have.

The greater the security problems that we face—such as the horrendous attacks that have occurred in recent days because of the political uncertainty—the more we must seek to retain the integrity of the process of law and public confidence in justice. New clause 5 is one way to do that.

Mr. Roger Stott (Wigan): In the light of the speech made by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who seemed to be very worried about the existence of the videos and what might flow from them, perhaps my hon. Friend the Member for Newry and Armagh (Mr. Mallon) can reassure me. As I understand it, video recordings of suspects' interrogations would be treated like any other information that is gathered by the Royal Ulster Constabulary and they would be secure.

The hon. Member for Fermanagh and South Tyrone seems to think that the videos would be shown at the local cinema or on the Bravo channel of Sky television. Who else would have access to videos made in Castlereagh apart from the RUC? I agree with my hon. Friend the Member for Newry and Armagh and also—I suspect for the first time ever—with the hon. Member for

North Antrim (Rev. Ian Paisley) that this is a very sensible provision. I am sure that the video recordings will not be readily available to the general public.

Mr. Mallon: My hon. Friend gives me the onerous task of attempting to define the position taken by the hon. Member for Fermanagh and South Tyrone. I will give the hon. Gentleman a further opportunity to clarify his position if he would like to do so.

5.45 pm

Mr. Maginnis: I am grateful to the hon. Gentleman. Perhaps he is slightly embarrassed, as all hon. Members should be embarrassed, by the glibness of the hon. Member for Wigan (Mr. Stott) in referring to the Bravo channel. His experience of Northern Ireland should have led him to understand how lawyers for accused persons have the right of access to available information. I assume that that is at least a possibility. If it is not a possibility, I am sure that the Minister will greatly reassure me by telling me that that information will never be available to lawyers in court and will therefore not enter the public domain in that way. The carelessness and glibness of the hon. Member for Wigan is out of place when one considers the extent to which terrorism pervades our society.

Mr. Mallon: I shall simply say that I hope that the position has been clarified for my hon. Friend the Member for Wigan (Mr. Stott). When he makes that assessment, perhaps he will clarify it for me and for the rest of the House. I have no doubt that the Minister will give the hon. Member for Fermanagh and South Tyrone every assurance that he seeks because we are talking about a code of practice and it probably will never become a reality. There is almost a bounden duty to give such reassurances, and I have no doubt that the Minister will fall into line. I shall be awaiting those assurances with great interest. I see that the Minister is nodding already.

The hon. Member for Fermanagh and South Tyrone is right about one thing: we are in a very difficult, dangerous and tense period. There is no question or doubt about that. No one can underestimate the difficulties that we all face. However, we must all hang on to one thing: the integrity of the law, not only in its enforcement but in its ability to defend the individual. Ultimately, that is the only barrier between the type of anarchy that the terrorist groups want to create and the type of society that we wish to create. That is the acid test, and we should never forget it in this debate.

This debate is very difficult from my perspective; it is not easy and it will not be easy. There will be gloating. There will be those who tell us, almost with a great sense of self-justification, "Didn't we tell you so?" What did they tell us—that it is wrong to try to work for peace? Is anyone telling me that it is wrong to try to work for a system of justice that will protect society and the individual? It is not as if the new clause is remarkably radical—the hon. Member for North Antrim and I agree about some of it—but it goes to the core of the entire debate, and it concerns more than the video recording of interrogations or the audio recording of investigations. It deals with the key question: how do an informed Government deal with terrorism and at the same time protect the highest standards of law? That is what the whole debate is about, and not the peripheral matters that we have been discussing.

In conclusion, it is seldom that the hon. Member for North Antrim gets carried away, but by coincidence I was watching a video recently and I saw him being carried away quite literally and not just metaphorically.

Mr. Robert McCartney (North Down): I shall endeavour to be mercifully brief.

The debate is essentially about two issues. First, how far are people to be protected, in a democratic society, by the laws that are necessary in an emergency? Secondly, in those circumstances, how far are the rights of the individual to be catered for? There is no doubt that if the protection, as a Government may regard it, of society at all costs is to be the only criterion, one could easily end up in a police state. On the other hand, if the protection of individual rights is to be ensured, regardless of the needs of society as a whole, we end up with anarchy. In a democratic society, the Government must strive, in dealing with an emergency such as that which we face, to achieve what Horace described as the golden mean—the balance between the competing interests. The use of video is an attempt by the Government to find, in microcosm, a balance.

The ordinary rules of law for the protection of an individual in this society have been created to cater for normal circumstances: the right to silence, the right to have representation, the right to have a case heard properly and the right to be assisted by a legal representative when one may, through ignorance or inexperience, be unable to protect one's own rights. They were all created in circumstances in which many of the accused were illiterate or overwhelmed by the dignity, and sometimes the pomposity, of the legal process. They were frightened and needed to be protected. That is one end of the balance.

The other end of the balance is frequently seen in Northern Ireland. We are faced with an organised, highly intelligent, well-trained, violent and criminal conspiracy. The people involved are not bumpkins who do not know what is going on. They have been briefed in the latest anti-interrogation techniques, some of which my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) has mentioned. There are well-established techniques for frustrating interrogations and inquiries which would be straightforward in a normal society. In such circumstances, the normal rules for an ordinary society have to be modified in some degree if society is to be protected.

At the same time, emergency legislation and abnormal circumstances provide opportunities for various sorts of malpractice by over-zealous police officers and by people who are privy to information, which although it is not evidence acceptable in court nevertheless shows in the strongest possible terms that the people being interrogated are guilty of the most hideous crimes. Eye witnesses may have made statements that the person being interrogated is the perpetrator of a murder but have also said that in no circumstances will they give such evidence in court because of the need to protect not only their lives but those of their families and children.

Such circumstances offer to an over-zealous police officer an enormous temptation to secure an admission or confession. However, a well-trained police officer knows that if he oversteps the bounds, he defeats the object that he seeks. It is for that reason that I endorse the midway

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point—the balanced judgment—of the Government in this particular case. They suggest that there should be a silent video recording. That would undoubtedly provide evidence that there had been no overwhelming, oppressive behaviour and no resorting, if not to physical violence, to degrading conduct or behaviour towards the accused. That is a balance in favour of the accused.

At the same time, I oppose the suggestion that such video recordings should be accompanied by audio recordings of statements. From my experience, I believe that that would cause a diminution in the quality and range of the admissions, confessions or statements that are likely to be made by the accused.

We must face the real word. Many of the people who are picked up and interrogated by the police, and who agree to participate in a dialogue with them, are minor figures. However they can give evidence that may be helpful in tracing those who have been involved in shooting, murder or other serious crime.

When people who make such statements go back to custody in the cells, they are debriefed by the senior IRA or terrorist commander in the prison. Often they then decide to go back on their confessions and suggest that they have been obtained by improper or violent means. Recorded video evidence would be of great assistance in refuting that. At least then a person who made such a statement could still suggest that the statement was not his own. If, however, it is audio recorded and he is heard to make it, he may well fear that it will be treated as evidence given by him in circumstances where he was not terrorised or subjected to inhuman or degrading treatment but where he volunteered the evidence because he was a peripheral figure who was frightened and possibly even did not know the degree to which he had been involved in a violent terrorist crime.

I believe that if audio evidence were admitted, it would be a serious brake on or obstacle to the police in obtaining information vital in the war against terrorism. I therefore endorse the view that the Government have taken a balanced and proper step in suggesting that silent video recording be used, but drawing the line at that point. It represents a balance between protecting the individual—which we should all seek to do in a democratic society—and not affording such protection to the individual in all circumstances as would cause this country to descend into uncontrolled anarchy.

6 pm

Rev. Ian Paisley: I put it on record in the House that people on both sides of the divide make complaints against the Royal Ulster Constabulary. I should not like hon. Members to think that only the nationalists and the republicans make complaints against the police—Unionists also make similar complaints.

I hold surgeries throughout the country and I hear many complaints against the RUC. I refer people to the complaints board and I assist them in putting their complaints before it. On many occasions, the police are wrong in their attitudes and in their actions against my constituents who happen to be Unionists—and they are found to be wrong. Let the House not think that all the Unionists are silent and that they are quite happy, because they are not. Hon. Members should know that people on both sides are not happy about the actions of some police officers.

Mr. Peter Robinson (Belfast, East): Will my hon. Friend confirm that one of the cases of great injustice in Northern Ireland—that of the Ulster Defence Regiment Four—has its roots in what occurred at Castlereagh holding centre?

Rev. Ian Paisley: That is an absolute fact, which cannot be denied. I worry a great deal about the statement made by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who said that the police should not be inhibited in performing their duties. Is a police officer inhibited if he knows that his actions in an interview chamber are being recorded by silent video? I do not believe that he is.

I agree fully with the hon. and learned Member for North Down (Mr. McCartney): we must strike a balance. I do not support the introduction of audio videos. I understand that all sorts of matters are raised and all sorts of people are named during interviews. It would be unfair to place on record the names of people who were not in the interview chamber and do not have the right of reply. I am totally opposed to that concept.

I know people who have been dragged before the police at Castlereagh and the first question they are asked is, "Do you attend Mr. Paisley's church?" I could detain the House for three or four hours repeating the things that are said in interviews. I have no right of reply to such comments, and it would be totally unfair if those remarks were to go on the record.

It is reasonable to comply with the Government's suggestion today. We are striking a balance and the House should realise that, in so doing, it is not indicting the RUC entirely. I have always defended the RUC as a police force and a police service. I have also defended the Ulster Special Constabulary in this place. My first speech in its defence in the House caused the blood pressure of some hon. Members who sit on the Opposition Benches to rise.

Individuals must be kept under control and no police officer is entitled to behave in a less than proper manner. That is all that I am saying. I am sorry that the hon. Member for Wigan (Mr. Stott) tried to give me the kiss of death in this debate. As I sit between my two hon. Friends the Members for Mid-Ulster (Rev. William McCrea) and for Belfast, East (Mr. Robinson), I shall survive that and live a little longer.

I believe that the House is striking a balance tonight. In my day, I have picked up many newspapers and read how so and so was abused, kicked and compelled to make a statement while in Castlereagh. People were told that, if they did not make a statement, they would be the worse for it. We must strike a balance and do what is right—which is what we are doing tonight. We have a right to protect police officers and to protect the innocent until proven guilty. In doing that tonight, we are advancing the cause rather than putting it back.

Mr. McNamara: When we last discussed renewing the legislation, I initiated a debate in this place on the Ulster Defence Regiment Four. We had a very interesting debate on that occasion, but that would not have been necessary if there had been, first, a video recording and, secondly,

an audio recording of the interrogations. The essence of the defence and the successful appeal in that case was that statements had been altered. The electro-static document analysis test was applied and it showed that the defendants had not made statements that they were alleged to have made. On that basis, three of the four defendants were eventually acquitted. That case would not have come before the courts if there had been audio recordings of the interrogations. Therefore, I have always argued in favour of such recordings.

It seems to me that hon. Members are making a false distinction between physical violence inflicted upon the person being interrogated and the power of psychological violence and verbal threats. People may be told, "We will give your name to so and so. Your children will not be safe. We know where you work and what you do. We can pass on information about you." As the hon. Member for North Antrim (Rev. Ian Paisley) remarked, such things are said to people during interrogation—whether they are from the nationalist or the loyalist side; the threats are the same.

By passing new clause 5 today—and I welcome it—we are eliminating only one sort of threat. Over time, we have sought to protect people in interrogation centres bit by bit. Before the Bennett inquiry, people from both communities made accusations about the treatment that they received at Castlereagh and at Gough. It was said that there was not one word of truth in those complaints; they could not possibly be true. However, the Bennett inquiry took place and new protections were suddenly introduced.

Television screens were installed. However, interrogations could not be videotaped because that would cast aspersions on those who were watching the screens. Nothing could occur if someone was watching a video screen—even though that person was not independent. We again heard tales from both communities of coats being hung over cameras in the rooms and allegations about what occurred when supervisors were not watching a particular screen or were concentrating on a different interrogation. As a result, we have advanced to the position of introducing silent videos. I believe that the time will come when the position in Northern Ireland will be the same as in the United Kingdom.

I hope that we capture the people who are responsible for the crimes that have taken place in London recently. If we get them and they are interrogated in the United Kingdom, their every word will be audio recorded. Suddenly, I am asked to believe that there is a world of difference between a terrorist who explodes a bomb in London and a person accused of a similar crime in Ireland. I do not accept that. What a person does is as bad in Ireland as in England, and people should be treated similarly.

Recording protects members of the Royal Ulster Constabulary and members of the police forces in this country. One of the easiest defences that a person accused of a terrorist offence has is to say that he was abused and that a confession was produced from him by threats, verbal or otherwise—and he will seek to defend his position before his operational commanders and so on on that basis.

Some people argue, "But we want, not to convict people, but to obtain high-grade intelligence from them." Many people from both communities have been picked up, interrogated and released without charge because the security forces had been on fishing expeditions. That is a dangerous thing to do because it alienates generations, especially of young men, in both communities, from the concept of supporting the police and the rule of law.

Although I welcome the small, tentative step that has been taken, until we have full audio recording, sadly, the police in Northern Ireland will always be subject to questioning from both communities as to the nature and content of interrogations.

Dr. Joe Hendron (Belfast, West): I know that the House will accept that holding centres such as Castlereagh or Gough barracks in Armagh would be unnecessary if there were no paramilitary organisations.

I am probably the only Member of the House—with the possible exception of the Secretary of State—who has been in Castlereagh many times over the years, although not recently. Since 1970, I have probably written hundreds of medical reports on people who have been to Castlereagh.

Like all hon. Members, I support all measures taken within reason and within the law to get rid of terrorism, of the IRA and of loyalist paramilitaries.

I accept most of the arguments of the hon. Member for North Antrim (Rev. Ian Paisley) about protection for individuals, and definitely those about protection for the police.

I shall discuss Castlereagh because it is the main holding centre in the north of Ireland. It is a fact that the vast majority of young people who have been brought there for questioning have not been charged. I do not say that therefore they should not have been brought in. In the early years of holding centres such as Castlereagh, many people received injuries that, to use the words of the Bennett report, were "not self-inflicted".

I recall that report clearly because there had been great frustration for someone such as myself. As a medical practitioner, I went into Castlereagh and was in no doubt that some people had received injuries—people who were guilty of horrific crimes, whom one hoped would be found guilty. I believe that, as some hon. Members have said, many had received injuries, so their confessions or statements did not stand up in a court of law.

One case stands out from the many hundreds of reports that I wrote over the years—the Fullerton case, which occurred before the official IRA called a ceasefire. It was an odd case. I do not say that the person who was injured was a member of the official IRA, but he was linked to that tradition; he was not a "provo". The "provos" had said that they had committed the crime, and with such things, what they say is usually fairly accurate, yet that man was accused of that crime. As I said, he was not a "provo"; he was an official. He got a terrible beating.

The case went to court and the judge accepted that, unquestionably, the man had received a terrible beating. There were policemen A, B, C and D. Who was innocent? Who was guilty? As the judge said, we shall never know the truth. Policemen, who do a good job and whose work is difficult, are no different from people in various professions—one tends to support another.

6.15 pm

One thing must not happen in Castlereagh and similar places—the forces of law and order must not act as

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recruiting sergeants for the Provisional IRA, the Ulster Defence Association, the Ulster Volunteer Force or similar organisations. I do not imply that any of those police officers have done that, but it has happened. I have often seen young people who definitely were not IRA—young people in west Belfast—who had been injured. One may call it ill-treatment or whatever one likes. Such measures are counter-productive.

The new clause is about protection for police officers and for those who are interviewed. Above all, it is intended to ensure that interrogation methods do not drive young people into the arms of the paramilitaries. God only knows that there are enough people in communities such as the Falls road and Shankill road in my constituency who will try to influence young people and drive them into the arms of the godfathers.

Proper video and audio recording would be the answer. It would protect the average policeman in Castlereagh and the person questioned.

Sir John Wheeler: The debate has ping-ponged across the Chamber as hon. Members have exposed the Government's dilemma in their attempt to reach, as the hon. and learned Member for North Down (Mr. McCartney) said, the midway point—to do what is right in the interests of justice and in the interests of recognising the reality of the present position in Northern Ireland.

I am grateful to the hon. and learned Member for North Down for his intervention. The House would do well to listen to his wisdom and experience, and to that of the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). I fully understand the hon. Gentleman's arguments and why he makes them, and I pay a warm tribute to his steadfast stance in support of the security forces in Northern Ireland. He was right to make the arguments he did, to reflect on the recent security developments, and to probe the provision. If I had believed that the Royal Ulster Constabulary would be damaged by what the Government propose tonight, I should not have moved the new clause; I give the hon. Gentleman that sincere assurance.

Introducing the debate, the hon. Member for Clydebank and Milngavie (Mr. Worthington) cited all the various vehicles that pray in aid an improvement in arrangements in the holding centres. Mr. Justice Kerr was once again exhibited for what he said in the case of Crown *v.* McLoughlin, Beck and Garland on 3 March 1995. It may help the House if I give the whole of Mr. Justice Kerr's view:

"I feel constrained to say that the task of resolving the conflict would have been immeasurably easier, even at the prosaic level of reducing considerably the number of witnesses who require to be called, if audio equipment had been installed to record the exchanges at interview."

But he went on to say:

"I hasten to acknowledge that there may be strong practical arguments of which I am not fully aware and on which I am not in a position to make a sound judgment which militate against the introduction of audio equipment in a case such as this."

That is the crux of the matter.

I entirely agree with Mr. Justice Kerr, as do other speakers in this debate, about the merit of the desirability of both video and audio recording. It is a question of judgment, and of taking into account all the other factors. The hon. Member for Clydebank and Milngavie cited the Standing Advisory Commission on Human Rights, the learned John Rowe and the experience in England and Wales. All that is correct, but the balance that must be struck came out in debate—and the House should acknowledge the Government's dilemma in ensuring that justice is done, and that holding centres have the right facilities.

Against the arguments of the hon. Member for Fermanagh and South Tyrone was the advice of the hon. Member for North Antrim (Rev. Ian Paisley), who said that such recordings would be a way of protecting the police. He was absolutely right. The hon. Gentleman went on to say that complaints are made about the way that the police conduct matters, and he was right about that. However, we boast in Northern Ireland the most stringent scrutiny of the Royal Ulster Constabulary through the independent complaints mechanism.

The Government recently announced a review of that mechanism, to test whether it is meeting our objective of bringing confidence into the way that the RUC works. I hope that the hon. Gentleman will be reassured.

Mr. Mallon: The Minister makes an important point about the police complaints procedure. In how many instances has a police officer been found guilty of a transgression? The House would be interested to have the Minister's guidance.

Sir John Wheeler: Proceedings in Standing Committee were sustained by a natural quest for statistical information. Hon. Members who were privileged to serve on that Committee will know that I endeavoured on every conceivable occasion to give such information. Later, I will return to the hon. Gentleman's point, when I hope that the information I provide will assist him.

The questions of the hon. Member for Clydebank and Milngavie were echoed by the hon. Member for Newry and Armagh (Mr. Mallon), who is concerned about the code of practice. The Government have established a joint working group with the Royal Ulster Constabulary, and work has begun on the code of practice, technical aspects and setting up the scheme.

As the hon. Member for Clydebank and Milngavie suggested, the siting of the camera or cameras and how or what they may record is a complicated issue, but I give him the assurance that a study will be made. The scheme would apply to all interviews in holding centres, and thus to all holding centres available for that exercise. It is not possible to say when the scheme will come into effect, because that will depend on how much work must be done on the technical aspects and on agreeing the code.

I acknowledge that, in the circumstances of the Murray case, there was a disparity between the operation of the Police and Criminal Evidence (Northern Ireland) Order 1989 and the European convention on human rights. The deferral of access to a solicitor is not itself in breach of the convention, and we are looking at what must be done to avoid such a disparity recurring. I know that the hon. Gentleman will welcome that assurance.

The hon. Member for Fermanagh and South Tyrone, in a wise and helpful speech, set out the case for not doing as the Government propose, but the police are in the

vanguard of the fight against terrorism. They have a variety of powers at their disposal under emergency legislation and ordinary criminal law. I have no reason to believe that the emergency legislation is not being fully used by the police to deal with the present violence.

The hon. Member for Newry and Armagh cynically pondered whether the code of practice would come into being, but I assure him that it will. My right hon. and learned Friend the Secretary of State, who is in his place, will be under a duty to make a code of practice and an order that will introduce the silent video recording in the way that the House has discussed. I hope that that assurance will give the hon. Gentleman the comfort he seeks.

The hon. Gentleman asked about the number of compensation cases. One hundred and fifty-two cases resulted in payment in respect of persons in a holding centre. In only eight cases was unreasonable force one of the grounds on which payment was made—the remaining cases related to faulty procedure. The total payment was £34,600 in respect of unreasonable force, and the total payment in all other cases was just over £237,000.

Why not go to full audio recording? The case for it was made by the hon. Members for Kingston upon Hull, North (Mr. McNamara) and for Belfast, West (Dr. Hendron). The Government, and the House this afternoon, must balance the genuine effort to protect the rights of interviewers and interviewees, and to increase the efficiency of the courts, against not rendering impossible the acquisition of information from interviews in holding centres.

The hon. Member for Kingston upon Hull, North perhaps disparaged the collection of intelligence. On this evening of all evenings, in light of what has occurred in London during the past few days and last night, any intelligence acquired as a result of a holding centre interview that preserved the life of one citizen would have been well worth it. The Government have an absolute duty to balance the interests of the preservation of life, and the safety and security of the citizens of this country, against the conduct of the police and of interviews.

Mr. McNamara: The Minister has made an outrageous statement. Nobody is denying the right of the police to interview people and to gain information from them, provided that it is done properly and within the law, a record is made of it, and that record is available to both sides. However, the Minister endorsed the right to go on fishing expeditions.

To use what happened last night or last week in London as an excuse for what the Minister is doing is absolutely disgusting, because no one in Britain will undergo the procedures that apply in Northern Ireland. The Minister should listen very carefully to the hon. Member for Belfast, West (Dr. Hendron), who knows from experience that those expeditions have been a prime recruiting ground for extremists from both communities.

6.30 pm

Sir John Wheeler: I do not think that the hon. Gentleman and I are too far apart. I did not endorse the concept of fishing expeditions. My point about the work of the holding centres is that if, in the course of an interview, intelligence information is collected which prevents outrage, the House should rejoice. The hon. Member for Kingston upon Hull, North is correct to say that those centres should operate within the rule of law and against the criteria of codes of practice. No one in the debate, least of all myself, would suggest otherwise.

Mr. Mallon: The Minister has kindly given us the figures relating to compensation. Will he clarify whether the settlements in relation to cases that were found in the European Court of Human Rights and any compensation paid in the case of the UDR Four were included in those figures? Before he finishes, will the Minister tell us how many police officers have been brought to court and found guilty under the procedure of the Police Complaints Commission? The House has the right to that information, because the Minister has made an important point in that regard.

Mr. McNamara: On a point of order, Mr. Deputy Speaker. I was just drawing the attention of the PPS to the Dispatch Box.

Sir John Wheeler: The hon. Member for Newry and Armagh is seeking detailed information. I cannot provide him with that information as I stand at the Dispatch Box. It is not lodged in my mind, but I shall write to him with the information, and, of course, a copy of the letter will be placed in the Library so that Members may have access to it.

The case for the Government's position is a midway point, as the hon. and learned Member for North Down said. It is a balance. It seeks to preserve the rights of an individual being interviewed, but it seeks to balance that with the reality in Northern Ireland as it sadly is today. It seeks to protect the Royal Ulster Constabulary, as the hon. Members for North Antrim and for Mid-Ulster (Rev. William McCrea) said so cogently. It is a fine line. The Government maintain that, in the present circumstances, the House should be invited to agree with the Government's position.

Mr. Mallon: I again thank the Minister for giving way, and beg the indulgence of the House for pressing the matter, but he raises a crucial point when he says that individuals in interrogation centres can be protected by the police complaints procedure. Will the Minister confirm that, since that legislation was introduced, not one police officer has been brought to court and convicted in terms of what may or may not have happened within the interrogation centres? Will he compare the figures with those for England and Wales, give some reason for that disparity and explain how that protection is operating in the way he says it is?

Sir John Wheeler: It could be said that, if there were no prosecutions of members of the Royal Ulster Constabulary, that is a tribute to them for following the procedures in the holding centres with such integrity and conviction. If I can give the hon. Gentleman any further information on that, I shall do so.

I conclude by referring to the remarks of the hon. Member for Mid-Ulster about the loss of life, the injuries and the outrages that have occurred in London. My right hon. and learned Friend the Secretary of State for Northern Ireland will address the House later, but it is right in this early part of the debate to acknowledge what the hon. Gentleman said, and to tell the House that the

[Sir John Wheeler]

cruelty and outrages that have occurred have nothing to do with democracy, peace or resolving the conflicts of Northern Ireland. I am grateful to him for bringing his observation to the notice of the House.

Rev. Ian Paisley: I thank the Minister for giving way, as I know that he was concluding his speech. A question was raised about to whom the tapes would be available. Will he address that?

Sir John Wheeler: The hon. Gentleman makes a good point when he asks to whom the tapes would be available. Herein lies the difficulty that the Government and the Royal Ulster Constabulary may encounter. It is conceivable that the tapes would find their way into the hands of those who would then make a judgment about the life of the person who was being interviewed. I know that some Members share the Government's concern and understand the possible consequences of that.

That is why the Government believe that silent video recording meets the interests of the moment and is as far as we can reasonably and honestly go in all the circumstances; and why, for the moment, we cannot go down the further road, as has been pressed by others, to include audio recording. Those are the reasons why I urge the House to support the Government new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 6

CODES OF PRACTICE: SUPPLEMENTARY

'.—(1) This section applies to a code of practice under section 52 or *(video recording).*

(2) When the Secretary of State proposes to issue a code of practice he shall prepare and publish a draft of the code, shall consider any representations made to him about the draft and may modify the draft accordingly.

(3) The Secretary of State shall lay before both Houses of Parliament a draft of any code of practice prepared by him; and when he has laid the draft of the code before both Houses he may by order bring the code into operation.

(4) An order bringing a code of practice into operation may contain such transitional provisions or savings as appear to the Secretary of State to be necessary or expedient.

(5) The Secretary of State may from time to time revise the whole or any part of a code of practice issued by him and issue the code as revised; and subsections (2) to (4) shall apply (with appropriate modifications) to such a revised code as they apply to the first issue of a code.

(6) A failure on the part of a police officer to comply with any provision of a code shall not of itself render him liable to any criminal or civil proceedings.

(7) In all criminal and civil proceedings any code shall be admissible in evidence; and if any provision of a code appears to the court or tribunal conducting the proceedings to be relevant to any question arising in the proceedings it shall be taken into account in determining that question.

(8) In this section—

"criminal proceedings" includes proceedings in Northern Ireland before a court-martial constituted under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957 or a disciplinary court constituted under section 50 of the 1957 Act and proceedings in Northern Ireland before the Courts-Martial Appeal Court;

"police officer" means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve.'.—*[Sir John Wheeler.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 1

EXTENSION OF ACT BEYOND 24TH AUGUST 1998

' (1) Where, notwithstanding the provisions of section 60(10) of this Act, the Secretary of State is satisfied that in the interests of security in Northern Ireland this Act should continue in force after 24th August 1998, he may make an Order specifying that the Act shall continue in force after that date for a further period of no more than twelve months.

(2) Before exercising his power under subsection (1) above, the Secretary of State shall make an assessment of the desirability of making such an Order, having regard to the evidence available to him of the threat to security in the United Kingdom and of the prospects for achieving a peaceful settlement to the conflict in Northern Ireland.'.—*[Mr. Wilshire.]*

Brought up, and read the First time.

Mr. David Wilshire (Spelthorne): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss the following amendments: No. 1, in clause 58, page 37, line 30, after '60(3)', insert

'or section (extension of Act beyond 24th August 1998)'.

No. 2, in clause 60, page 39, line 28, at beginning insert

'Subject to subsection (1) of section (extension of Act beyond 24th August 1998),'.

No. 3, in page 39, line 29, leave out '1998' and insert '1999'.

Mr. Wilshire: While speaking to new clause 1, I shall also speak to amendments Nos. 1, 2 and 3, which stand in my name. Amendments Nos. 1 and 2 are consequential to the new clause and amendment No. 3 provides an alternative way of achieving the same as new clause 1.

Perhaps it would make sense to begin by explaining what I am seeking to achieve. I want to find a positive response to a changed security position. I am also seeking to show the world that neither the House nor the British people will ever be bombed into submission. We can achieve that either by giving the Secretary of State powers to extend the duration of the Bill, or by extending it for one year ourselves. The new clause was prompted, it is fair to say, by the outrage at Canary wharf. Since then, there have been two further bombs, rendering the new clause doubly justified. Indeed, were I tabling it today, it would not be as mild as it is.

It is important to understand that the Bill left Committee before the Canary wharf atrocity. The decisions that we took in Committee, and the debates that we held there, followed 17 months of peace. I want to make it crystal clear that it will be no part of my case to suggest that what people said in Committee, or how they voted, had any bearing on my speech tonight. I mean no criticism of anyone; that sort of tactic will play no part in my argument.

In Committee, I said that I viewed the Bill as a holding measure. On Second Reading and throughout the Committee stage, we had been given assurances that it was a holding measure pending the outcome of a comprehensive review, but Canary wharf has turned the Bill from a holding measure into a Bill for real. Since the Bill left Committee, there has been a fundamental change in the security situation in the United Kingdom. It would be irresponsible if the House did not, by means of a new clause such as this, consider what has happened since the Bill left Committee, and respond to the change in circumstances.

First, I believe that we should remind ourselves of how the original Act which the Bill will extend came about. It was a response to a campaign of terror, and in the face of that campaign the House was in no doubt that the original Bill was necessary. Unfortunately, I judge it necessary again today. That, at any rate, is the message sent to us by Sinn Fein-IRA. Over the past day or so, it is they who have said that the ceasefire is over—not I, and not this House. Sinn Fein-IRA have proclaimed that the peace process is dead, and that this Bill is now for real, not just a holding measure.

I contend that the powers are, regrettably, once again needed for as long as those evil men continue to use murder and mayhem in an attempt to destroy the freedom of the people of Northern Ireland, to destroy democracy, and to deny the consent of the people of the Province in determining their future through a democratic process. I know of no one in a free and democratic society who relishes taking powers of this sort, but in the light of the past few days, I believe that a firm response by the House is absolutely necessary. There are people who despise democracy and who would deny others their freedom. In so doing, they forfeit any claim that they might otherwise have to being treated like reasonable human beings. Those people are evil and ruthless, and they have not the slightest intention of working within the rule of law, once they work out the fact that that rule of law will not deliver to them what they believe is right.

Two weeks ago, when 17 of us finished debating the Bill in Committee, the people of Northern Ireland had been enjoying 17 months of a partial ceasefire. We were moving—some would say slowly, others would say at a reasonable pace—towards all-party talks. We were moving towards elections—perhaps even towards a referendum. We were moving very slowly towards decommissioning of some sort. In Committee, we were adding to the long list of changes that have been made to help to restore normality to Northern Ireland. Two weeks later, the ceasefire that we had almost taken for granted in Committee has been consigned to history. We face not just a one-off terrorist incident but a campaign of terror.

6.45 pm

After the Canary wharf bomb, I could see that it made sense to wait and see; but after three bombs I no longer think that adequate. We have to respond. It is Sinn Fein-IRA who have pulled the plug on the ceasefire and ended the peace process as we knew it two weeks ago. The challenge facing us tonight is to decide how to respond and what changes we need to make to the Bill.

Before deciding whether the new clause constitutes the right response, we ought to put the renewed bombing in its true context, to see whether it justifies a change of the sort that I am proposing. The ceasefire was only partial in any case. It was only the bombing on the mainland and the sectarian killings in the Province that had stopped. Murder, torture, intimidation and extortion all continued while we discussed the Bill in Committee. I draw the attention of the House to a written answer that I received from the Minister of State on 14 February this year. In it, he confirmed that between 1 September 1994 and 7 February 1996, there were 12 murders in the Province ascribed to one or other of the terrorist organisations, and 287 people were injured in punishment beatings.

Another relevant part of the context is the fact that the resumption of the bombings on the mainland was not, I believe, a spontaneous reaction to the Mitchell report or to the proposed elections. From my reading of Irish history I would say that Sinn Fein-IRA never act out of frustration. They only ever act because they have planned a way of achieving their objectives. What they do is calculated; what they have started in London these past few days was clearly decided some months ago.

Despite the protestations of people such as Adams and McGuinness, and although they may not have known the place and the time, I cannot accept that they were not parties to the change of policy some months ago. Sinn Fein-IRA never, in my view, had any intention of allowing the majority in Northern Ireland to choose to remain in the United Kingdom. The resumption of the terrorist campaign in London signals to me the fact that they have now accepted that even all-party talks would not have delivered what they wanted: a united socialist republic on the island of Ireland.

The resumption of the terror campaign in Great Britain makes it clear that we have now to respond to the challenge of the IRA. It has spelt out for us that it is not interested in compromise. It is not willing to make concessions or to sign up to the consent of the majority in Northern Ireland. The resumption of bombing in London spells out what Adams and others have always hinted—that Sinn Fein-IRA hold democratic debate and democratic agreement in total and utter contempt. That makes the Bill for real, not a holding measure, and it makes the new clause essential.

I shall now deal with the details of my new clause and the amendments. New clause 1 would allow the Secretary of State to extend the application of the Bill for a further period if he judged that necessary in the security circumstances. Amendment No. 1 would require the Secretary of State to obtain the approval of both Houses for an extension. Amendment No. 3, alternatively, would extend the Bill for one year by action of the House rather than the Secretary of State.

I shall listen very carefully to the response to the debate by my right hon. and learned Friend the Secretary of State. I hope that he will accept that a firm and urgent response is now vital. I hope that he can tell us that steps will be taken to protect the innocent and to catch those evil terrorists. If my right hon. and learned Friend wishes to persuade me against the course that I am advocating, I ask him to tell the House what the Government intend to do as an alternative to new clause 1.

I wish to ask my right hon. and learned Friend a series of specific questions. His answers, I believe, will decide what happens to the new clause. First, will the Government press ahead with the peace process despite what Sinn Fein-IRA say? Sinn Fein-IRA's actions make

[Mr. Wilshire]

the peace process more urgent and important than it was before. Can my right hon. and learned Friend confirm that he still accepts that all-party talks—between parties that subscribe wholly and exclusively to democratic means—are the only way to bring a permanent and lasting peace to the Province? Will he, if necessary, work for that with the other parties even if Sinn Fein-IRA refuse to do so?

Secondly, will the Government continue to urge the loyalist terrorists to show restraint? If my right hon. and learned Friend does that, and I believe that he must, does he accept that firm action against those terrorists who have resumed their campaign is one way to encourage others to show that restraint?

Thirdly, will the Government demand similar resolute action from the Dublin Government? Will my right hon. and learned. Friend insist that the Dublin Government redouble their efforts to search out terrorists? I hear from the rumour mill that the Canary wharf bombers started out from the Republic. Will we insist that the Dublin Government redouble their efforts to find the arms and explosives that are undoubtedly hidden south of the border? Will we press the Dublin Government even harder to hand over wanted people without delay and without equivocation?

Mr. Maginnis: Will the hon. Gentleman take into account in his questions to the Government that, after sitting in the Dublin Forum for Peace and Reconciliation for about a year, all the nationalist parties in Ireland produced a report that acknowledged the right of consent of the people of Northern Ireland and that the only party dissenting from that was Sinn Fein-IRA? Rather than placing the onus on the Dublin Government, will the hon. Gentleman place the onus—as a matter of honour—on each individual nationalist party in Ireland not only to repudiate the violence of the IRA, but to work actively to purge the activities of the IRA from our midst?

Mr. Mallon: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), by implication, to suggest that my party and the other parties that were involved in the forum which spent 18 months trying to achieve what he suggests was not achieved—no one regrets that more than I do, because nobody put more effort in—

Mr. Deputy Speaker: Order. As the hon. Gentleman knows, hon. Members are responsible for their speeches.

Mr. Wilshire: I heard the comments of the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). We must try to avoid apportioning blame. It is perfectly reasonable for the House to say what it hopes that the Dublin Government will do.

If by some chance this debate should finish at a reasonable hour, the hon. Member for Newry and Armagh (Mr. Mallon) and I are supposed to be meeting with members of the Dail before the night is out. That will be an admirable opportunity to reaffirm—as I believe to be the case—that all the democratic parties of whatever persuasion in the island of Ireland are opposed to terrorism and in favour of all-party talks. I have no doubt about that, but we may have the chance tonight to confirm that.

Mr. Max Madden (Bradford, West): The hon. Gentleman has asked whether the Government intend to proceed with all-party talks. Is he suggesting that, if those talks proceed, Sinn Fein should be invited to participate unconditionally in any talks?

Mr. Wilshire: No, I am not. I am suggesting that the parties in Northern Ireland that are committed exclusively to democratic solutions should set up the means to have all-party talks and then we can review the situation vis-à-vis those who will not denounce violence.

Mr. Mallon: I thank the hon. Gentleman for giving way, and I thank you, Mr. Deputy Speaker, for your earlier direction to me.

Does the hon. Member for Spelthorne (Mr. Wilshire) agree, as someone who has some experience of visiting Ireland, that all the parties that are party to the forum have—without any ambiguity—condemned violence this week, last week and for the first 25 years and that there should be no doubt in the mind of the hon. Member for Fermanagh and South Tyrone that that is the case? He has a duty to the House to amend or withdraw the implication of what he said.

Mr. Wilshire: The last thing that I wish to do is to get involved in an argument between two other people. I have not attended a meeting of the forum and I have not read the transcripts, so it would be quite unfair of me to try to adjudicate on what may have happened there.

Rev. Ian Paisley: I am sure that the hon. Gentleman knows that Sinn Fein was a member of the forum. How can the hon. Member for Newry and Armagh (Mr. Mallon) say that all members of the forum repudiate violence? Gerry Adams has blood fresh on his hands and he refuses to call what happened an outrage. He may be sorry because one of his IRA colleagues has died. We all regret any deaths, but I must say that I would rather a terrorist died than an innocent victim.

Mr. Wilshire: I suspect that the House would rather move on from that issue, so I will not accept any more interventions on that subject. Perhaps we can make progress.

The fourth question that I hope that my right hon. and learned Friend the Secretary of State will answer is whether the Government will ask the Government of the United States to withdraw Gerry Adams' visa. Will they be asking the United States Government to take steps to end Sinn Fein-IRA fund raising, and to ban the export of money back to the island of Ireland for the time being? The fêting of Adams as a man of peace must stop. The blood of the victims of recent bombs is on his hands, and there can be no place for him in a process such as this until he condemns what has happened.

My last question is: what new steps will the police and security services be taking to protect the public in the United Kingdom, and to arrest members of Sinn Fein-IRA who have been perpetrating these outrages? Some will say that all that we are now suggesting has been tried before and has not worked, but I believe that the present circumstances are very different. The people of Northern Ireland have had 17 months in which to learn what a normal existence is like; in particular, young people have learnt, for the first time in their lives, what it is like to live in a normal society. If we take firm enough measures,

that will give us a chance to isolate the men of violence from the ordinary, decent people of Northern Ireland—people from both communities.

New clause 1 aims to do three things. It aims to spell out the fact that bombs will never succeed in the United Kingdom, to serve notice that resolute action is needed and must be taken and to offer the Government one way in which to respond to that need. I agree that there are other ways, and I am prepared to consider them. If they are forthcoming, so be it; if they are not, I commend the new clause to the House.

7 pm

Mr. Worthington: I thank the hon. Member for Spelthorne (Mr. Wilshire) for tabling his new clause in such general terms, thus enabling Labour Members to record our horror at last night's events at the Aldwych and to convey our sympathy and support to victims and their families. We must pledge all our help to those who are recovering from the maiming inflicted by people who regard any member of the human race who is passing through the centre of London as a legitimate target. We also thank the emergency services for the work that they have done in harrowing circumstances.

The Governments of both the United Kingdom and the Republic of Ireland must proceed with determination on a united path to a political settlement by peaceful and democratic means. Overwhelmingly, that is what the people of both north and south want. Last week, my hon. Friend the Member for Redcar (Ms Mowlam) and I went to the Republic to meet the Taoiseach and the Foreign Minister, Mr. Spring, and the leaders of the other parties in both Government and Opposition. We were able to thank them for the strength of their condemnation of these appalling acts, and for the warmth of their support for the people of Britain in the face of such atrocities. We were made aware of the huge determination there, as here, to achieve the peace that can and must prevail.

Rev. Ian Paisley: Did the hon. Gentleman meet Mr. Reynolds, who is on record in the Dail as having said that our Prime Minister goaded the IRA to bomb London? Was that the message that the hon. Gentleman received when he visited the Republic?

Mr. Worthington: As I said, we met the Taoiseach, the Foreign Minister and the leaders of the parties. At present, of course, that does not include Mr. Reynolds, but he is on our visiting list: we should like to talk to him, and to anyone who can help the peace process.

I understand why the hon. Member for Spelthorne tabled the new clause, but we consider it unnecessary. I hope that the hon. Gentleman will not mind my saying that he did not say much about what was in it. In fact, it merely gives the Secretary of State power to extend the Act—if it becomes an Act—by a year in 1998. Whatever happens in 1998, the position will not be the same as it is today, whatever Government are in power: we can say that with complete confidence. What is significantly different is that—following our encouragement—the Lloyd review has been set up to examine all aspects of anti-terrorism legislation. The flaw in the argument advanced by the hon. Member for Spelthorne is that nothing that has happened in Great Britain over the past fortnight or so is affected by the Bill.

Mr. Maginnis: I would not like the hon. Gentleman to misunderstand the significance of the legislation, or to mislead the House inadvertently. A degree of co-operation is necessary between all police services in the United Kingdom, and between the United Kingdom and the Garda Siochona, the police service in the Irish Republic. The EPA is essential to the RUC's job of collating intelligence, and thus has an effect on the rest of the United Kingdom. That was well proven in the case of the Heysham bomb, which was intercepted just before the ceasefire.

Mr. Worthington: I could not have inadvertently misled the House, because the hon. Gentleman did not give me time to do so. What I said was that the legislation did not apply to citizens of the United Kingdom. We recognise that the PTA and the EPA are linked, however, and we encouraged the establishment of the Lloyd review to introduce anti-terrorism law applying to the whole United Kingdom. I believe that members of the hon. Gentleman's party would welcome that endeavour, and I think that he will acknowledge that I have not inadvertently misled the House.

Mr. Maginnis: I said that I hoped that the hon. Gentleman would not do so.

Mr. Worthington: I think that, if the hon. Gentleman could, he would go on to say that I did not do so. The new clause is inappropriate because the Lloyd review will consider the EPA and the PTA, and whatever Government are in power will have to take on the arguments advanced by that review.

I do not think that the Government consider the present anti-terrorism legislation ideal; the Opposition certainly do not. It contains flaws. The Government have presented this measure as a two-year sticking plaster. We hope that the wound will heal in two years, but we also hope that the Government will not wish to extend such legislation for more than two years: both Government and Opposition recognise the flaws in it.

Mr. Mallon: I shall be brief, as I do not wish to prolong the debate or pre-empt the Bill's Third Reading. I support the position of my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) on the legislation. I have made my position very clear. I do not want to see it in place for one minute longer than is necessary, and neither, I am quite sure, does any hon. Member. It is important that we do not allow—I certainly cannot allow it—something to stand on the record which by implication suggests that the constitutional parties—if I may use that term—that attended the forum have not denounced and rejected utterly and without any equivocation violence of any kind. That has been done, and if anyone has any doubt about that, that person is not looking at the reality of the situation.

Reference was made to the report of the Forum for Pace and Reconciliation. The only point that I want to make about it is that there is a nationalist consensus on the island of Ireland. We can call it a pan-nationalist front or a nationalist consensus. We can put whatever name we want on it, but there was one, there is one and there will be one, and it is based on three things: first, that violence has no place whatever in our country, in our society or in solving any difficulties that we have on the island of Ireland. I stand by that nationalist consensus.

[Mr. Mallon]

Secondly, if people have the right to self-determination, as the Government stated in the framework document, they also have the right to decide how they exercise that self-determination, and the people of Ireland have exercised that right to self-determination. The exercise of it must not be done by violent means. I stand by that nationalist consensus. The third element, to which reference was made, is the principle of consent. That principle is held by all the parties, with the exception of Sinn Fein, on the island of Ireland. It was built into the Sunningdale agreement in 1973. It was in the Anglo-Irish Agreement and underpinned it in 1985. It underpins the joint framework document. It underpins the joint declaration. It is there by a very distinct implication in section 20(e) of the Mitchell report. There can be no doubt in anybody's mind that there is a nationalist consensus. It is based on those three things and none other.

To the hon. Member for Spelthorne, who presented his case with great clarity, and to the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis), who made the innuendo about the constitutional parties on the island of Ireland, I make this one point. Would hon. Members prefer that there was not a nationalist consensus based on those three principles, which are non-negotiable, cannot be deviated from and will not be diluted?

Mr. Robert McCartney: Does the hon. Gentleman agree that the pan-nationalist front or the nationalist consensus, if that is the appropriate term, all had one thing in common: they were dedicated to a united Ireland, but not all of them were dedicated to a united Ireland by consent or by non-violent means, because that consensus, that pan-nationalist front, included Sinn Fein associated with the IRA, which did not and has not subscribed to the rest of the constitutional and nationalist view that consent and non-violence were part of that consensus?

Mr. Mallon: I am rather confused by the hon. and learned Gentleman's point. I have identified the three principles on which nationalist consent or a pan-nationalist front—whatever one likes to call it—is based. They are not negotiable. They will not be diluted. They will not be changed, for whatever reason, because they are the very basis of democracy.

Can the hon. and learned Gentleman imagine a set of circumstances in which the Irish Government—whatever party or parties formed it—the Social Democratic and Labour party, all the other parties, excluding Sinn Fein, in the island of Ireland, and the Government of the United States of America would ever resile from the three principles: that one can achieve one's objectives only by peaceful means; that one has the right to determine how to exercise one's right to self-determination; and the right to consent, because the opposite of consent is coercion? Yes, I am in favour of a united Ireland. Yes, I am entitled to the right to work for and create a united Ireland through peaceful, democratic and political means. I demand that right, because it is a democratic right, but no one has any right in the name of the Irish people or Irish unity to use violence at any time, in any place and in any way.

7.15 pm

Mr. Maginnis: I admire with respect the passion with which the hon. Gentleman makes his point. I feel, however, that, in his reference to me, he is tilting at a windmill, because I did not suggest in any way that he was ambivalent about violence. I asked whether the parties that sat in the forum and assented to its report would, as well as repudiating violence, work actively to expurgate the anarchists whom we know as the IRA. That was the question that I asked him, and I hope that it cast no aspersions on his integrity, as it was never my intention to do so.

Mr. Mallon *rose—*

Mr. Deputy Speaker: Order. I have deliberately been tolerant in allowing a wide-ranging debate, which has covered much more than the new clause before us. I appreciate the seriousness of the debate, but I hope that we can now come to the framework of the new clause.

Mr. Mallon: I thank you, Mr. Deputy Speaker, for that ruling. I shall reply later to the hon. Member for Fermanagh and South Tyrone, as it would be unfair to other hon. Members if we did not continue the debate on the new clause.

Rev. William McCrea: We are dealing with a serious matter, and I am sure that right hon. and hon. Members have exercised their minds, bearing in mind the serious nature of the problem, the great tragedies that have been experienced on the mainland and the threats that are currently being carried out in Northern Ireland.

The hon. Member for Spelthorne (Mr. Wilshire) is right that since the Bill was considered in Committee there has been a change in the circumstances. He sought to bring to the House a reason why the period should be extended further than two years because of the fundamental changes that have occurred. I believe that there has been a fundamental change and that we have heard a clear declaration from the IRA murderers. Sinn Fein's message has been clear: the ceasefire is over, the peace process is over and the carnage is now a reality on the mainland and on the streets of London.

The hon. Gentleman asked whether the Government would press ahead with the peace process. Whenever we look at the reality of the situation, we must ask ourselves whether in reality we had a peace process. In Committee, we were told a number of times by the hon. Member for Newry and Armagh (Mr. Mallon) about the complete change in circumstances. During the ceasefire there were 597 attacks on the police; 60 churches and chapels were attacked; 44 Orange halls and six Gaelic Athletic Association halls were attacked. There have been 10 killings, all republican, and 176 republican punishment beatings. That happened during the time that we were told was peace and normality. I assure the House that that is not the peace that United Kingdom citizens have a right to expect, and they ought to be protected. We should ensure that the emergency is met by emergency measures that will bring to an end the onslaught of terror and murder.

The hon. Member for Spelthorne asked about the peace process. I do not believe that, in reality, we had a peace process. One of the republican papers said 18 months ago that as the armed struggle was a tactic, so the peace process would be a tactic. The IRA, the activists and the army council, and Sinn Fein are one and the same. They realised that at that moment in the campaign it was

advantageous for them to stop the armed struggle because, through their contacts with Government sources, they were promised certain concessions. A dangerous promise was made by those in authority because one never makes concessions to terrorists and murderers. We now see the reality of the murderers and the murder gangs as they pay the people of the United Kingdom for all the concessions.

The terrorists hold democracy in contempt, as the hon. Member for Spelthorne said. There is an attempt to distinguish between the IRA and Sinn Fein, but it is a disgraceful attempt because there is no distinction. People say that Sinn Fein can negotiate while the IRA can bomb. That is not a democratic process.

I listened to the forum report given by the hon. Member for Newry and Armagh, who said that there was a nationalist consensus. That is an interesting phrase. I have here a position paper which came out after the ceasefire; it was given to the activists by the IRA, so it is actually an IRA document. It is interesting that the document talks about the consensus. It refers to a briefing paper of April, before the ceasefire, which deals with

"Strategic Objectives and events to that date in more detail than this paper."

It continues:

"However a brief summary is helpful. Our goals have not changed. A United 32 County Democratic Socialist Republic. The main Strategic Objectives to move us towards that goal can be summarised thus

(a) The strongest possible political consensus between the Dublin government, S.F. and the SDLP.

(b) A common position on practical measures moving us towards our goal."

It then goes on to state:

"The strategic objectives"—

Mr. Deputy Speaker: Order. I hesitate to intervene, but it is a while since the hon. Gentleman mentioned the new clause. It would be helpful if he would get back to the new clause that we are supposed to be debating.

Rev. William McCrea: I thank you for your ruling, Mr. Deputy Speaker. However, I am dealing with the new clause because I am suggesting why there should be an extension to the legislation. If we propose an extension, we must give reasons, as the hon. Member for Spelthorne did. He was permitted to ask the Government certain questions. I am giving important reasons why we are asking the House to extend the legislation.

Lives are involved. That is an important issue, as is the strategic position of the IRA, because the legislation deals with terrorists and what they seek to do. An interesting statement by them is:

"Republicans are not prepared to wait around for the Brits to change, but as always we are prepared to force their hand."

That is exactly what has been happening over the past few days. The terrorists want to force the hand of the British people. That is stated in the document that was released way back in 1994 after the ceasefire.

We are dealing with a deliberate and calculated terror campaign. Some people have the idea that the present situation has just evolved or has been decided on at the last moment. My colleagues and I believe that when Gerry Adams and Martin McGuinness made their statements, they knew full well that the bomb attack would take place in London. They are part of the cold-blooded group of people who use the face of respectability that has been given to them, whether by the President of the United States receiving a murderer, Gerry Adams, into his presence, or by their reception in other parts of the world. The people of Northern Ireland believe that we need extended legislation because the emergency is of great importance. Failure to approve the legislation would send the people of Northern Ireland as lambs to the slaughter.

The hon. Member for Spelthorne asked whether the Government would continue to urge loyalist terrorists to show restraint. I wholeheartedly agree that there must be no action by loyalists which would provide an excuse for murderous attacks on innocent, law-abiding people. They must not, by their words or deeds, give an excuse for action by the terrorists of the Provisional IRA.

The hon. Gentleman also asked whether the Government would demand resolute action by the Dublin Government in terms of searching out terrorists and handing over wanted people without delay or equivocation. My hon. Friend the Member for North Antrim (Rev. Ian Paisley) mentioned some of the speeches made by, for example, Albert Reynolds, who created the conditions for Sinn Fein to ignore the call for decommissioning in December 1994 when he said:

"If all the weapons were decommissioned before a settlement was found . . . that would be a recipe for disaster."

How could it be a recipe for disaster that the weapons should be handed over? No respectable politician will sit around a table with murderous thugs and try to reach some accommodation. As the hon. Member for Foyle (Mr. Hume) said in 1992:

"There can be no guns on the table, under the table or outside the door."

As a result of what has happened since we debated the Bill in Committee, the legislation needs to be extended. My hon. Friends wholeheartedly agree that it is important to listen to what the Minister says. In the light of that, we shall listen carefully to the reaction from the hon. Member for Spelthorne and we shall react accordingly.

Sir John Wheeler: I take up at once the point made by the hon. Member for Mid-Ulster (Rev. William McCrea) about secret undertakings. I make it clear to him and to the House that no secret undertakings were made by the Government in an attempt to win the prize of the Provisional IRA ceasefire. The British and Irish Governments are absolutely agreed on that. There are no secret undertakings: I make that clear to the hon. Gentleman.

In a robust speech, my hon. Friend the Member for Spelthorne (Mr. Wilshire) gave his reasons for wanting to extend the measure beyond the life currently proposed for it. I agree that the levels of violence in Northern Ireland during what the Provisional IRA called the military ceasefire have been great. I shall not weary the House by reciting the statistics in support of that opinion, as the hon. Member for Mid-Ulster was good enough to provide a clear illustration of the seriousness of the situation.

Since the Provisional IRA renounced its ceasefire some 10 days ago, the heart of London has been blasted by two major atrocities. Thanks to the police, a third was avoided when a bomb in a telephone kiosk in Shaftesbury avenue was defused. The House will agree that the police and the emergency services have responded with professionalism

[Sir John Wheeler]

and courage to the events of the past 10 days—during the horror of docklands, in particular—and will continue to do so as the need arises. The House has roundly and absolutely condemned those outrages, which are not a part of the peace process. They illustrate only too well what Adams said outside Belfast city hall last year:

"They haven't gone away you know."

7.30 pm

I can assure my hon. Friend the Member for Spelthorne and other hon. Members that once the Provisional IRA ceasefire ended, the RUC was put on full alert, and all immediate steps were taken to increase the police presence on the streets and to ensure that police patrols were appropriately protected by flak jackets and were carrying the appropriate armaments. Equally, the RUC will be supported by the Army as necessary. All the measures taken during the ceasefire to lower security and ease the lives of the people of Northern Ireland will be reversed to protect the people as necessary.

My hon. Friend the Member for Spelthorne asked whether the search for peace would continue. I can give him a straight answer—yes, the search for a political settlement in Northern Ireland must go on. There is no question about that. What is in question is the role of Sinn Fein and the genuineness of its commitment to the peace process. I can assure him that the Government and the Government of the Republic will continue to work to secure a lasting peace in Northern Ireland. That is very important.

My hon. Friend the Member for Spelthorne asked whether the Government would be doing all that they could, through all the opportunities and contacts available to them, to persuade loyalist terrorists not to respond. Again, I can give a clear and positive answer. The Government are doing all that they can to prevent the awful slide into sectarian violence that none of us wishes to see recur in Northern Ireland.

My hon. Friend asked whether the Government of the Republic will be encouraged to do all that they can to assist in the prevention of terrorist crime. I can assure him that the moment the Provisional IRA announced the ending of the ceasefire, the Government and security forces of the Republic responded immediately to assist the RUC without any hesitation. I am pursuing contacts with the Government of the Republic to ensure that all appropriate measures necessary to protect the lives of people in Northern Ireland and the island of Ireland are taken.

My hon. Friend the Member for Spelthorne asked whether Adams would again be granted a visa for the United States. As he must know, that is a matter for the United States Government. I believe that the renewal of any visa is under consideration in Washington, and I expect that the United States Administration will wish to take into account the renewal of violence. President Clinton has already condemned the bomb outrages in London and has expressed in robust terms his personal sadness at the betrayal of the hopes that he saw in Belfast when he visited in December. Department of Justice guidelines are in place to ensure that any money raised by fund raising in the United States can be used only for political purposes. Those guidelines have been in place since the summer of 1995.

The Government are reviewing very strenuously all the measures that they take to defeat terrorism, and are looking at intelligence and the way in which the police and other services are organised to respond to the threat. I can assure my hon. Friend the Member for Spelthorne that the police will be seeking those responsible for the crimes. They want to make arrests and bring people before the courts of law, and I can assure him that every endeavour will be made by the services of the Crown and supported by the Government towards that end.

The proposals of my hon. Friend the Member for Spelthorne to extend the life of the measure are well understood, but I ask him—and the hon. Member for Mid-Ulster, who spoke in support of the new clause—to reflect on what I have said. I invite my hon. Friend to withdraw the new clause, and I give him and the hon. Member for Mid-Ulster—ever a reasonable man, in my experience—the firm undertaking that their proposal will be considered by the Government when the Bill reaches another place, in the light of developments between now and then. On that basis, I hope that my hon. Friend will seek the leave of the House to withdraw the new clause.

Mr. Wilshire: I am grateful to the hon. Member for Clydebank and Milngavie (Mr. Worthington) for the gentle way in which he disagreed with me. I appreciate that he spared me some of the grief and pain that he could have inflicted, had he wished to, and I understand his points.

I disagreed with only one thing that the hon. Member for Newry and Armagh (Mr. Mallon) said. He described his three points as forming a nationalist consensus, but I hope that he understands when I say that they do not: they form a democratic consensus. One does not have to be a nationalist or a Unionist to believe in what he said, and it goes without saying that I respect his right to use peaceful means to work for whatever he believes is in the best interests of his constituents.

The hon. Member for Mid-Ulster (Rev. William McCrea) will not be surprised to hear that I agree with what he said. I thank my right hon. Friend the Minister for clearly responding to all my questions. I hope that when the country at large hears what he has to say, people will be reassured that the Government are taking swift and resolute action in the face of a dangerous security situation. I also very much welcome the assurance that the need to extend the measure will be considered in another place.

I understand the criticisms of my new clause and the amendments: a humble Back Bencher faces grave difficulties in trying to draft new clauses, as we do not command the panoply of the civil service and we do not share in the Short money that Opposition Front Benchers have to help them get things right. Despite the shortcomings of my drafting, however, I suspect that the Government, the Opposition and the House clearly got the message that I was trying to deliver. The new clause is not needed to prove that not only this House but the British people will never be bombed into surrender and that we shall do whatever is necessary to uphold democracy and defend the innocent.

In that context, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 2

CODES OF PRACTICE: EXERCISE OF POWERS BY HER MAJESTY'S FORCES

' .—(1) The Secretary of State may make codes of practice in connection with the exercise by members of Her Majesty's forces of any of their powers under Part II of this Act.

(2) Subsections (2) to (5) and (7) of section 52 above shall apply to a code under this section as they apply to a code under that section.

(3) A failure on the part of a member of Her Majesty's forces to comply with any provision of a code under this section shall not of itself render him liable to any criminal proceedings other than—

(a) proceedings under any provisions of the Army Act 1955 or the Air Force Act 1955, other than section 70; and

(b) proceedings under any provision of the Naval Discipline Act 1957, other than section 42.

(4) In this section "criminal proceedings" has the same meaning as in section 52 above.'.—*[Mr. Dowd.]*

Brought up, and read the First time.

Mr. Jim Dowd (Lewisham, West): I beg to move, That the clause be read a Second time.

Members of the Committee gave the Bill detailed consideration. This evening, the Opposition have tabled only two amendments; we approached Report with some circumspection, because we have closely examined many of the provisions in the Bill. I echo the comments of the hon. Member for Spelthorne (Mr. Wilshire) and other hon. Members apropos the debate on the previous clause. The Committee concluded its deliberations on Tuesday 6 February; the outrage at docklands took place on Friday 9 February; a device was discovered last week; and there was an horrific incident last night.

Last night, a No. 171 bus—which had left Catford, in my constituency—was destroyed at the Aldwych. At 10.38 pm last night I was sitting in my office at the back of the house, some six miles from the Aldwych, and I heard the explosion quite clearly. It is a strange experience, which I am sure that many hon. Members from Northern Ireland will know from personal experience. There is no sound on earth quite like it—I could immediately identify what it was, and a few moments later my worst fears were confirmed on the television. Every civilised person must have been deeply shocked and saddened by the recent events, and nowhere have those feelings been more widespread and profound than in Ireland, particularly in Northern Ireland.

The new clause is straightforward, so I shall not take up too much time discussing it. It seeks to place members of the armed forces and police officers exercising comparable powers in a similar position. As the hon. Member for Spelthorne and other hon. Members said earlier, when we were considering that issue in Committee, we hoped that the involvement of the Army in support of the Royal Ulster Constabulary would be a diminishing responsibility and, in the fulness of time, would cease altogether.

Sadly, events have taken a turn for the worse—to put it mildly—and additional troops have been ordered to Northern Ireland in readiness, but let us hope that they are not needed. Now that they are there, it underlines the point that I have tried to make with the new clause. Soldiers are not police officers—we accept that and we established it on numerous occasions in Committee—and it would be unreasonable to expect the same standards of training and knowledge, particularly in the detailed points of law and responsibility, which police officers have. None the less, in Northern Ireland, soldiers and members of the armed forces are acting in support of the civil power. In those circumstances, the distinction between troops and police officers becomes somewhat blurred.

Clause 52, to which the new clause alludes, refers only to police powers and the ability of the Secretary of State to devise codes of conduct for the police. When we were drafting the new clause, we were careful not to do anything to displace military discipline, which must always be the overriding consideration for members of the armed forces. Since the 1991 Act, there have been significant changes to the part of the Bill to which the new clause refers. Clause 52 as it stands refers only to the provisions of the Prevention of Terrorism (Temporary Provisions) Act 1989. Our new clause seeks to restore the position that existed under the 1991 Act.

Section 61 of the 1991 Act gave the Secretary of State the discretion to make codes of practice in connection with the exercise by the police of their powers under part II of the Northern Ireland (Emergency Provisions) Act 1991 and the seizure and retention of property under the same Act. That discretion was subsequently removed from the Act. Section 62 also gave the Secretary of State the discretion to make codes of practice in connection with the exercise by members of Her Majesty's forces of any of the powers under part II of the 1991 Act. That is the provision that we are seeking to restore.

The tragic turn of events since the Committee completed its deliberations on the Bill is adequate justification for the caution that we would encourage in these circumstances. I accept that some hon. Members who served on the Committee will say that in other areas we were criticising the Government for not going far enough and for being too unadventurous on some of the proposals that they were suggesting, but we are now urging them to restore a provision that was in the 1991 Act.

We believe that codes of practice—notwithstanding the serious reservations of the hon. Member for Newry and Armagh (Mr. Mallon)—serve a dual purpose: they provide a framework within which public servants discharge their duties, and they provide a degree of public reassurance that duties are being carried out in a fair and even-handed fashion. Recommendation 66 on page 59 of the 1995 review by Rowe urged that such a code should be drafted and put into effect as soon as possible. Although the 1991 Act had that provision, it was not utilised. We should like that provision to be restored, and that is what the new clause does.

Throughout the Committee, there was a general feeling that every hon. Member was hoping for the best, but preparing for the worst. Sadly, the worst seems to have come to pass, but we hope that that is not permanent and that progress can still be made. In the light of recent events, the new clause is both relevant and modest. I hope that the Minister of State, Northern Ireland Office, the right hon. Member for Westminster, North (Sir J. Wheeler), will be able to offer a reassurance that the Government will move in that direction.

7.45 pm

Ms Judith Church (Dagenham): In supporting the new clause and my hon. Friend the Member for Lewisham, West (Mr. Dowd)—who spoke in a reasoned way about

[Ms Judith Church]

it—I confess that I came to the Committee on this Bill relatively inexperienced and uninformed on many of the issues affecting Northern Ireland today and in the past. I have learned much from my hon. Friends and from Government Members, but I am only too well aware of that which I still have to learn.

Although the situation has changed tragically and significantly since the Committee met—as my hon. Friend the Member for Lewisham, West and other hon. Members have said tonight—we must ensure that our efforts today contribute to the continuing search for peace. Beyond the immediate carnage of the IRA's atrocities, the long-term casualty will be trust—trust between the communities, and trust between the communities and the authorities. We must not allow the fledgling understanding that was beginning to develop to be extinguished by the bombers and by their atrocities.

Part of that process will be in reaffirming the rights of the citizens of Northern Ireland, and I believe that new clause 2 will play a significant role in that task. Citizens must have faith in the balance of justice if they are to trust the authorities. There must be confidence in the channels of redress if fear and sectarian polarisation are not to worsen. However, in the recent context of the troop dispatch—a necessary measure in the light of events—the Bill, as it stands, is flawed by the omission of a code of practice.

If the Government omit that code of practice, which was present in the 1991 Act, they will be taking a retrograde step for the people of Northern Ireland. I cannot believe, having listened carefully to the Minister's words in Committee, that the Government intend that that should happen. If the Bill is passed unamended, the citizens of Northern Ireland will have even fewer rights than they had before the ceasefire. I do not think that there is any reason for the change.

As in Committee, I shall listen carefully to the Minister of State's explanation and hope that he will understand the points that we are raising on this important issue. It is not as if the incorporation of the code of practice is an insidious move—the Government supported it in 1991—nor will it give succour to the terrorists, to the criminals, or place unnecessary restrictions on the armed forces.

All the clause would do is give the ordinary people of the Province confidence that their rights are secure and will be secured. That confidence is even more precious today than when we met in Committee. The measure is not an optional extra, but a necessity. Only when the people of Northern Ireland have a more secure and unified outlook can we all have true hope for the future.

I trust that the Minister can provide a more enlightened view, despite the difficult new circumstances in which we and the people of Northern Ireland find ourselves.

Sir John Wheeler: I am grateful to the hon. Member for Lewisham, West (Mr. Dowd) for the reasoned way in which he introduced the new clause. I share the sentiments underlying the speech of the hon. Member for Dagenham (Ms Church) and am grateful to her for them.

The proposed new clause would re-enact a provision that is contained in the present emergency provisions Act, but which has not been included in the Bill. It would give my right hon. and learned Friend the Secretary of State discretionary power to make codes of practice in connection with the exercise by the Army of its EPA powers of arrest, search, entry and seizure—in other words, the Army's part II powers. On Lord Colville's recommendation in 1990, provision was included in the Act for codes of practice covering the police and the Army's powers under the Act. No such codes of practice covering the part II powers were drawn up. Work had begun and some progress had been made, although Lord Colville had acknowledged that the compilation of a code that would govern the conduct of the armed forces as well as that of the police would not be easy. Therein lies some of the Government's difficulty.

Part II of the EPA contained the following powers: to arrest, enter and search premises and vehicles, to search persons, to seize property found on persons or premises and to stop, search and question persons. The ceasefires of August and October 1994 resulted in those powers being used much less frequently. As a result, the decision was taken not to re-enact that provision in respect of either the police or the Army.

As the hon. Member for Dagenham suggests, in the present security situation, the Government may want to review that decision. I suggest that, by the time the Bill reaches another place, we shall be in a position to make a judgment on the anticipated further use of the part II powers, not only by the Army but by the police. Under those circumstances, I invite the hon. Member for Lewisham, West to withdraw his proposed new clause on the understanding that, if the Government consider it necessary, they will table a similar amendment, possibly to cover the police powers as well, in another place.

Mr. Dowd: That is a kind invitation. We greatly appreciated the manner in which the Minister responded to many of the points that we raised in Committee and the informative and courteous way in which he dealt with them. I am delighted to be able to tell him that it is an invitation that I shall accept. Obviously, we look forward to the results of the reconsideration in another place. In the light of that, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 46

RIGHT TO HAVE SOMEONE INFORMED OF DETENTION UNDER TERRORISM PROVISIONS

Mr. Dowd: I beg to move amendment No. 4, in page 30, line 17, leave out 'forty-eight' and insert 'six'.

I am in something of a more embarrassing position than usual, although I am used to being in embarrassing positions, as my good and absent friend, the hon. Member for Clydebank and Milngavie (Mr. Worthington) was supposed to move this amendment. Given our earlier discussion on amendment No. 1, I think that we all know the essence of amendment No. 4. We know the background and the reasoning for the amendment and, in view of that, I shall say no more at this stage.

Sir John Wheeler: I am grateful to the hon. Member for Lewisham, West (Mr. Dowd) and, in the spirit of his remarks, I shall be as brief as I can.

I want to give a practical example of how the power referred to in clause 46 would be used. It is entirely relevant to the situation that we are facing in London and

elsewhere in the United Kingdom. The example is this: a group of terrorists plan to leave Northern Ireland and to plant a bomb in London. They choose to travel separately to Great Britain using a variety of different air and sea ports. The police get intelligence of the operation and an examining officer at Belfast airport successfully arrests one of the members of the gang under the prevention of terrorism Act. In such a situation, the police could take the view that it was important to delay the right of notification for up to 48 hours so as not to alert the other terrorists, either directly or through a third party. Those 48 hours might be absolutely vital in enabling the police to foil the terrorists, where a period of six hours would not do.

Terrorists are sophisticated and plan their operations over a period of time and with great care. Mr. John Rowe sets out in appendix N of his report the number of requests to delay the right. The figures show that the police use the power only rarely—when it is needed. I can advise the House that there were 22 delays in 1994 and none in 1995.

I hope that the House will agree, particularly in the light of that example, that the reasons for delay set out in subsection (8) of the clause are reasonable. The Government fully believe that the right should not be delayed unnecessarily and the statistics confirm that the powers are used only when there is a genuine need.

Furthermore, the Bill sets out—as does the Police and Criminal Evidence Act 1984—the grounds on which a delay may be authorised. These are not, therefore, blanket provisions. The grounds are carefully and clearly set out in the clause and I urge the House to reject the amendment.

Mr. Thomas McAvoy (Glasgow, Rutherglen): Events have perhaps contrived to leave us a wee bit in the dark about developments that have taken place. The Minister made no mention of the Murray case in his contribution. Surely that leaves a lot to be desired. It was worthy of some comment, particularly about how the Government are going to handle that case. As a non-lawyer, I would say that it is a new legal situation.

I shall briefly outline the reasons why I spoke in support of such an amendment in Committee. As I said there—I make no apology for repeating it—it is hard, or more probably impossible, for someone from the mainland of the United Kingdom to put himself into the position of the people of both communities in Northern Ireland. They have had to live with the situation as we have known it for the past 25 years, so I am always diffident about commenting on it. However, hon. Members are here to say how they see life and to lay their experiences before the House.

In our part of the United Kingdom, if a young person goes missing—my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) mentioned this—and we have no word of him or her, we can go to the police. In fact, it is more likely that the police will contact us. People can vanish in Northern Ireland without their relatives being informed. Detainees are held, in effect, incommunicado and their relatives are left in a state. I know how I would feel if one of my sons were in that position. In such a situation, parents in Northern Ireland must experience aggravation, concern and anxiety.

My hon. Friend the Member for Glasgow, Govan (Mr. Davidson), relating how some of his constituents sometimes get into bother with the police, made the point that, as many people in Govan say, "The police wouldn't have lifted you if you hadn't done anything." We must always bear in mind the fact that just because someone has been arrested does not mean that he is guilty. There is the due process of the law, and we certainly must go along with it.

8 pm

I believe that the police should have that power of arrest, but holding people incommunicado for 48 hours goes against the grain. In the debate, the Minister—it is probably the only issue on which I remonstrated with him in Committee—used current examples to justify Government policy. Surely the reverse of that practice is to say, if we did not have those three incidents we should just do away with the emergency provisions Acts. Of course we should not do that, because we must deal with life as it is.

In the case that he outlined, the Minister implied—he can deny it if I have it wrong—that a solicitor would give information to one party that someone had been apprehended by the police, and thus warn that party. That is the implication of what he said, but I must remind him—I shall not go into too much detail in deference to all the people concerned—that careless accusations against legal professionals in Northern Ireland have already led to tragic and serious consequences. I hope that no accusations of that type will be made tonight.

The Minister is surely aware of the Murray case and must realise that it represents some change. After the ruling by the European Court of Human Rights, violent paramilitary suspects in Northern Ireland can now expect greater access to solicitors during interrogation. According to the judgment, the United Kingdom breached paragraph 3C of article 6 because Mr. Murray did not have access to a solicitor. That theme springs up again. One of the themes that I and other members of the Committee pursued was how these laws affect the United Kingdom's image, credibility and reputation for justice abroad. We now have a serious legal ruling that that practice was a breach of the European convention on human rights.

The judgment surely merits a response from the Minister as to how the Government will react to it. It is very hard to believe that the Minister is stonewalling and saying that, despite that ruling from the European Court of Human Rights, there will be no change in the Government's position. In view of the genuine pleas of the public and of all members on the Standing Committee that considered the Bill, that the United Kingdom should have a reputation as a place where justice is done and seen to be done and that we should not have lower standards of justice than elsewhere, which would only feed the paranoia of those who try to justify violence, I ask the Minister to respond to the new facts of the Murray case.

Mr. Worthington: I entered the Chamber to hear the Minister utter the dreaded words, "We reject the amendment." I suggest that he has rejected the amendment as it is written rather than considering its intention.

The amendment relates to the Murray case. The Minister threw us by discussing that case under a part of the Bill to which it is not relevant rather than at this point,

[Mr. Worthington]

where it is directly relevant. I ask him to address that issue because I was quite encouraged by his words at the beginning of the debate.

I thank the Minister for his letter to me in response to my query about how Her Majesty's Government would respond to the judgment of the European Court of Human Rights. The Minister is absolutely right to say that the Court's judgment was by no means a blanket condemnation of the British Government's case. By 12 votes to seven, the European Court decided

"To deny access to a lawyer for the first 48 hours of police questioning in a situation where the rights of the defence may well be irretrievably"

damaged

"is—whatever the justification for such denial—incompatible with the rights of the accused under article 6."

That is what causes the Government difficulty.

I am sure that the Secretary of State and the Minister would agree that it is very important for a country with our position in the world—as a member of the Security Council of the United Nations, in particular, and as a backer of international organisations—to be seen to respond to such judgments. Our voice would otherwise be lessened when urging other Governments to behave in a judicially appropriate manner.

I was encouraged by the Minister's earlier response and his letter to me about the Murray judgment, in which he said:

"We are considering what measures might be necessary"—

I tentatively suggest that the question is not what measures might be necessary but what measures are necessary—

"to bring law and practice into line with the requirements of Convention as set out by the Court in this case."

That is a problem for this, or any, Government, because we want to ensure compatibility between law, practice and the requirements of the convention.

As the Murray judgment was delivered only in the period between the end of the Bill's Committee stage and Report, we shall not be unreasonable and expect the Government fully to declare their position. However, the Bill is primary legislation, into which the Government must inject a change. They will miss an opportunity if, during the Bill's passage—it will now have to be done in the Lords—they do not amend the Bill to bring this country's practice into line with the convention. I hope that the Minister will accept that statement.

Such an amendment would not apply to an enormous number of cases, because one of the encouraging recent developments is that, of 180 requests in relation to scheduled offences between the period October to December 1994, only four suspects were denied immediate access, and I doubt whether any of them was denied access for 48 hours. It is therefore a relatively small problem to solve. One doubts whether law enforcement agencies would be at all inhibited were we to accept the judgment of the European Court. I hope that the Minister can say encouraging words to us about what is to happen to the Murray judgment during the Bill's remaining stages.

Sir John Wheeler: I am grateful to the hon. Member for Clydebank and Milngavie (Mr. Worthington).

The hon. Member for Glasgow, Rutherglen (Mr. McAvoy) implied that my earlier remarks may well reflect on the involvement of solicitors in such matters. I can give him the assurance in the House that I never make any such remarks about solicitors. I am surrounded in the House by learned Members, and I know better than to comment on their professional conduct or behaviour. The inference, if any, that could be taken from my illustration, was clear: terrorism is an evil activity. The means by which terrorists obtain information, intimidate, threaten and bully are many and varied. In those very few cases where the power is exercised, it is often exercised because life may be saved. I gave an illustration of that process that was entirely pertinent to the state of peace and tranquillity in London at this very moment. I know that the hon. Gentleman accepts that.

I had earlier referred on the Floor of the House to the Murray case, and I say to the hon. Member for Clydebank and Milngavie that the only point against the Government in the decision concerned Murray in the sense that the drawing of inferences from the defendant's silence during interview could not be used before the defendant had seen his solicitor. It is a subtle judgment that requires careful analysis, and it raises implications. I have said that the Government intend to take it away and study it, to comply with its obligations and to do what is appropriate and necessary to bring our obligations into line with the judgment. That has always been the Government's position, and we shall do that.

For those reasons, I hope that the hon. Member for Lewisham, West (Mr. Dowd) will withdraw the amendment.

Mr. Dowd: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 52

CODES OF PRACTICE: POLICE POWERS

Amendment made: No. 21, in page 34, leave out from beginning of line 19 to end of line 5 on page 35.—*[Sir John Wheeler.]*

Clause 58

ORDERS AND REGULATIONS

Amendment made: No. 22, in page 38, line 6, leave out 'or 52' and insert

'*(Video recording)* or *(Codes of practice: supplementary)*'.—*[Sir John Wheeler.]*

Clause 61

SAVINGS, AMENDMENTS AND REPEALS

Amendment made: No. 23, in page 39, line 38, at end insert—

'( ) Where this Act repeals and re-enacts provisions of the Northern Ireland (Emergency Provisions) Act 1991, the repeal and re-enactment shall not, unless the contrary intention appears, affect the continuity of the law.

( ) Any document made, served or issued after the commencement of this Act which contains a reference to an enactment repealed by this Act shall, so far as the context permits, be construed as referring to or (as the context may require) including a reference to the corresponding provision of this Act.

( ) Any document made, served or issued after the commencement of this Act which contains a reference to a provision of this Act shall, so far as the context permits, be construed as referring to or (as the context may require) including a reference to the corresponding provision of the Northern Ireland (Emergency Provisions) Act 1991.'.—*[Sir John Wheeler.]*

Order for Third Reading read.

8.14 pm

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): I beg to move, That the Bill be now read the Third time.

Since the Bill received its Second Reading on 9 January, the Provisional IRA has announced its despicable decision to end its ceasefire. That decision it and its friends have tried to justify by means of what one commentator yesterday called an "Olympus of mendacity". In addition, we have experienced here in Great Britain terrorist attacks, achieved or attempted by the IRA, that are disgusting in their immoral character and horrifying in their scale.

The Bill relates to Northern Ireland alone. Its purpose is to make special provision for the maintenance of order and for the rule of law there. But each of the recent events, taken alone, let alone in their totality, surely justifies the contents of the Bill in each and every one of its provisions. They wholly vindicate the Government's decision to introduce the Bill as and when we did.

With the permission of the House, and within the rules of order, I should like to take a little more of its time than is usual in a Third Reading speech. Some things, in particular, I wish to make abundantly clear.

First, the British Government in this democracy will not be shifted from their chosen and democratic course by bombs or by the threat of bombs, or by any variety of violence. We shall ensure that all practical measures within the law are taken to protect life and property from this evil. That means that all practical measures have to be available, which is what the Bill is about.

The perpetrators of violence should realise that, in this democracy, they will make no political progress whatever by means of violence. On the contrary, violence will serve only to harden the minds of ordinary people against what the perpetrators of violence seek to achieve. Nor should the perpetrators conclude, if this is their hope, that they will succeed in escalating violence and promoting instability by provoking terrorists on the loyalist wing to retaliate in kind.

The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) has suggested today, with his usual shrewdness, that that is indeed the IRA's aim. It may well be its aim, but I urge and trust that the wise restraint and the mature and responsible leadership shown by those who head the loyalist parties be maintained. I salute them, and, with all sincerity, I urge that they continue to be heeded. Retaliation would achieve nothing but regression and disaster. And incidentally, whom would the retaliation be against?

Mr. Stott: I heard the Secretary of State on the radio this morning and again on television this evening. What he has said about the minority Unionist parties, particularly Mr. David Ervine and Garry McMichael, and the courageous stance that they have taken, should be recognised and put on record. I very much agreed with what the Secretary of State said this evening, and I invite him once again to put it firmly on the record in *Hansard* in the House of Commons.

Sir Patrick Mayhew: I am grateful to the hon. Gentleman, but I do not think that I need to repeat myself. It was put to me this morning on one programme that some price might be paid for not retaliating. I at once disabused the interviewer of any notion that a price is payable for somebody not breaking the law. I said what I have said about the restraint that is urged, and I earnestly hope that it will be maintained and heeded.

Secondly, I wish to make it clear that the sort of violence from which the Bill will protect the public will not distract or deflect Her Majesty's Government from their mission to help the people of Northern Ireland to find in this democracy a true and lasting peace. That peace will need to be based upon a comprehensive political settlement of the conflicts—a settlement itself founded on consent.

I will, with permission, quote the words of the Prime Minister in the House on 12 February, when he said:

"we are not at the end of the road to peace. If we are pushed back, we will start again. If we are pushed back again, we will start again. If we are pushed back a third time, we will start again. There can be no end to the search for a permanent settlement in Northern Ireland until we have achieved a permanent settlement in Northern Ireland."—[*Official Report*, 12 February 1996; Vol. 271, c. 660.]

I am glad to acknowledge once again in the House this evening that that is the objective of all the constitutional parties in Northern Ireland, of both the British and the Irish Governments and of all parties in the House. The objective is common ground.

The means by which that objective is to be attained are common ground—by inclusive democratic negotiation. For years, the Government have laboured to attain that objective, and no one in the Government has laboured with greater dedication than my right hon. Friend the Prime Minister. Where disagreement exists, it is to be found only on the subordinate issue of how the start of those negotiations may be secured. Only there are we not as yet on common ground.

I think that each of those observations has the assent of everyone in the House. That assent itself gives the lie direct to Mr. Adams in his assertion in west Belfast last week that the British Government have reneged on and broken every commitment that they have made. We have reneged on no commitment, and broken no commitment. With sickening hypocrisy, Mr. Adams asserted that negotiations frighten the British Government.

The British Government have done more to foster inclusive negotiations on a settlement in Northern Ireland than any Government in modern times. But the British Government know one thing that apparently eludes Mr. Adams—that in this democracy, people will not negotiate about the future of their country if they do not have confidence in a permanent end having been reached to the use of, or support for, paramilitary violence.

That is why, in the Downing Street declaration, the British and Irish Governments confirmed that it is those who are democratically mandated parties which establish a commitment to exclusively peaceful methods, and have shown that they abide by the democratic process, who are free to participate fully in democratic politics and to join in dialogue between the Governments and the political parties on the way ahead.

[Sir Patrick Mayhew]

As we discuss the need for the Bill, let us do so in the light of Mr. Adams' prevarications on the IRA's recent bombs, and of his attack upon the Government's good faith. It is we who have immediately accepted the recommended principles of the Mitchell report. Indeed, we accept the report itself. Sinn Fein-IRA have accepted none of them. Why not? Let them be asked.

With the Irish Government, it is we who have put in place the twin-track approach, and we who are operating it intensively with the purpose of enabling all to enter into inclusive negotiations. Sinn Fein-IRA have dumped it by returning to violence. It is we who had withdrawn from Northern Ireland since the ceasefire three battalions of infantry—some 1,600 men—with all their weapons and munitions. Sinn Fein-IRA stood down not a man, nor decommissioned a single weapon.

It is we who have restored a higher level of remission of sentence for terrorist prisoners, in reliance on the promised reduction of risk. Sinn Fein-IRA have not even heeded President Clinton's plea to release from their unmarked graves the bodies of their murdered victims so as to allow their families to give them a final and decent burial.

Mr. Adams, placing a cap on this Olympus of mendacity, claims that our policy has been dictated so that we can remain in power. Let him explain then why it has had the support of the official Opposition, who are generally thought to have an interest in getting us out of power.

We debate the Third Reading of the Bill tonight with the knowledge that there has, in truth, only ever been one obstacle to inclusive all-party negotiations, and that is the absence of the confidence that is needed to get all parties there—the confidence that the stipulations of the Downing Street declaration will be fulfilled by all participants. It has never been a question of decommissioning on the one hand or negotiations on the other, nor a question of either elections or negotiations. It has always been a question of negotiations or no negotiations.

A start to decommissioning and an elective process have each in their turn been put forward as a doorway to those negotiations, because each would convey the confidence that, in a democracy, negotiators need. We wish to have an inclusive negotiation. Sinn Fein-IRA impose their own disqualification. We want to see it removed. Only Sinn Fein-IRA can remove it. They should do so.

In Committee, I know that we have had serious and vigorous debates. I am most grateful, as is my right hon. Friend the Minister of State, the right hon. Member for Westminster, North (Sir J. Wheeler), to all hon. Members who served on the Committee and took part in its debates for the manner in which they made their contributions, and for their appreciation of the Government's position. I am also grateful for the graceful tribute paid to my right hon. Friend by the hon. Member for Lewisham, West (Mr. Dowd), which I know to be well deserved.

Across the Floor, we share a common aim—to have in place balanced legislation that both protects the people of Northern Ireland against those who choose violence because the ballot box will not give them what they want, and also protects individuals from any unnecessary incursion upon their rights. It has to be legislation that gives the necessary powers to protect the public and the security forces as well. The challenge is to find the correct balance in the light of the prevailing security situation and of what can reasonably be foreseen and must therefore be prudently guarded against.

The Bill was drafted to reflect the ceasefires and the fragile peace that they had produced. Viewed against the current Act, a number of changes have been made. Most notable are the provisions for the silent video recording of interviews in the holding centres, which we debated earlier, and the separation of the police and Army powers so as to provide the flexibility to suspend Army powers at an appropriate time.

The Bill keeps the power, which is in the current Act, to suspend many of its provisions. That power has been exercised already in respect of executive detention, and it would be exercisable for other provisions from the outset of the new Act if circumstances at that time warranted it.

In drafting the Bill, we have followed very closely the recommendations of Mr. John Rowe QC, who conducted the last annual review of the current Act. His views and recommendations, and the clarity with which they are expressed in his report, informed much of our discussion in Committee. The House owes him a great debt for the contribution that he has made both to shaping the Bill and to the debates on its various provisions.

We look forward next to the outcome of Lord Lloyd's review, which has now begun. We do so notwithstanding the grave blow dealt by recent outrages to the prospects of our present need for special protection under the law being reduced. Meanwhile, the public, for whose safety all of us in the House are responsible, need the Bill and all of its provisions. Accordingly, I commend it to the House.

8.27 pm

Ms Marjorie Mowlam (Redcar): Last week, we shared our sympathies with the families of Inan Bashir and John Jefferies. Now we have another death to add to the catalogue of murder. The IRA ended the ceasefire brutally and murderously, leaving London battered and sad. Last night's bombing was a shocking and callous act. There are no ifs and buts in the condemnation by all hon. Members of those who kill and maim innocent people.

The terrorist's greatest weapon is fear. We welcome and support the determination of those in all communities who are working to restore peace, and acknowledge, as did the Secretary of State and my hon. Friend the Member for Wigan (Mr. Stott), the courage of those in the loyalist community who are maintaining their resolve and standing by their ceasefire.

We acknowledge above all, as politicians, that people in Northern Ireland especially and in these islands together, have broadcast widely their desire for peace. The Tanaiste, Dick Spring, has tried to encompass that with his white ribbon for peace campaign. We have only to look at the Irish Congress of Trade Unions rally last Friday, the keep-the-peace phone-in organised jointly by the *Irish News*, the *Belfast Telegraph*, the *News Letter*, *Sunday Life* and *Sunday World*, the numerous rallies, books for peace, and postcards for peace, to learn what people in Northern Ireland have learned: that we must stand together, because we cannot stand alone.

We have got used to talking about a peace process. Even now, in the absence of peace, there is a determination that the process must continue. We support

and encourage the two Governments in maintaining that process. There must be urgent action. People desperately need the reassurance that momentum—and only politicians—can provide. We hope that the two Governments can reach an agreement between themselves in consultation with those parties which are committed to peace and to democracy.

Elections and a referendum have been suggested as a way of bringing the parties into all-party talks together with the two Governments. We believe that those ideas could be combined: a referendum could be held both north and south of the border, and there could be a Northern Ireland elective process, or indexation, to let the people speak, both about the background to the talks and about whom they want to take part.

There must be widespread agreement if that, or any other, idea is to work. To help reach agreement, the Irish Government have proposed proximity talks, and the Prime Minister has spoken of intensive talks. We believe that there should be a first stage of what we call intensive "design" talks, so that, in the design of the negotiations, there is ownership among the participating parties. Since any substantive negotiations must take place within a framework that looks at all relationships, both Governments must be involved from the outset.

I listened to the Secretary of State this evening when he referred to the agreement on the general objective of all-party negotiations, although there is debate about how we shall reach that point. I shall put two options to him, and ask whether he has considered both of them.

We could set in train a process of proximity intensive design talks, followed by a combination of an elective process and a referendum, leading to a set date for all-party negotiations, in which those who are committed to peaceful and democratic means could participate. Alternatively, we could set a date for all-party negotiations for those who are clearly committed to peaceful and democratic means and then move backwards, in a sense, to a process of proximity intensive talks and a combination of an elective indexation and a referendum. I would be interested to hear the Minister respond as to the merits of those two mechanisms in moving towards the desired objective which, as the Secretary of State said, all hon. Members share.

Constitutional parties on both islands are prepared to work for a negotiated settlement. The Downing Street declaration set out crucial principles that we can work to implement. Agreement between the two Governments has been the bedrock of progress so far. That can, and must, be re-established. We cannot allow it to be lost. Labour is appalled by, and opposed to, all acts of terrorism. The people of Northern Ireland and Great Britain must be protected; their security is paramount.

We welcome and support the prudent and proper steps that the security forces have taken since the ending of the IRA ceasefire. We welcome also the positive steps that the Government have taken in dealing with the legislation, such as transferring the anti-fraud and racketeering measures to the ordinary criminal law—which is surely their proper place. It is a trend that we welcome and encourage.

We welcome also the introduction of silent video taping. We would have preferred audio taping to be included in that measure and we urge the Government to take that important step when they can. We welcome also the Secretary of State's assurance that he will be alert to his powers under clause 60 of the Bill when circumstances allow. We welcome the Government's positive response to our call to see measures in the legislation to bring both law and practice into line with the requirements of the European Court of Human Rights, as set out in the recent case of John Murray.

My hon. Friends who have served on the Standing Committee of this Bill have asked me to thank the Minister of State for the way in which he responded in Committee—especially with the provision of information. My hon. Friends have also spoken about the conduct of the Committee, which was mutually respectful. It is quite clear that no one in the House is soft on terrorism—everyone wants to deal with it as effectively as possible.

Nine months ago, Labour offered the Government the opportunity to make common purpose in the fight against terrorism. We urged the Government to begin an immediate review of both the emergency legislation in Northern Ireland and the prevention of terrorism Act. That review would help to produce new counter-terrorist legislation in order to respond to the changing nature of terrorism in the United Kingdom and worldwide.

However, the review—which could have been completed—did not begin until after the Second Reading of the Bill. We voiced then our concerns about the delay, and its consequences for all those who are affected by emergency legislation. Our arguments for opposing the emergency provisions Act in recent years have been stated clearly and concisely. We have argued that section 34—the internment provision—gives the state, the executive, an unacceptable power to imprison without either charge or trial, and that the Government have ignored the kinds of reforms proposed by their advisers on matters such as full electronic monitoring of interviews and access to legal advice for those in holding centres. Those important considerations formed the basis of our reasoned amendment on Second Reading.

I said during that debate that we would not oppose the Bill on Third Reading. Accordingly, we will not divide the House tonight. We welcome the Minister's assurances regarding our amendments, and we have withdrawn them accordingly. We welcome the review by Lord Lloyd that the Government announced on Second Reading. We want a considered and effective approach to anti-terrorist legislation, and Lord Lloyd's review should help to provide that—as the Secretary of State implied. We shall submit our views, and we look forward to the conclusion of that review. We have made it clear that we will not vote to leave the people of Northern Ireland unprotected, without any anti-terrorist legislation.

I had hoped that the background to tonight's debate would be positive and forward-looking. Sadly, it is not. The resumption of IRA bombing is a tragedy that should never have happened. It must stop. Democratic and peaceful politics requires agreement and consensual progress. It is a fact of life that all who are committed to the democratic path will recognise; it takes time to achieve.

Progress in the peace process may at times have been slower than some preferred—but that is democracy. It is a fact that resorting to violence will impede progress, not speed it up. That is against the interests of every person living in Northern Ireland, who knows that at any second

[Ms Marjorie Mowlam]

he or she could be plunged back into carnage, just as it is against the interests of every person throughout these islands.

A greater sense of urgency is needed on all sides, but the greatest threat to rapid progress is a continuation of the bombing. Today, the commander of the anti-terrorist branch, John Grieve, said:

"We in the police are doing everything we can, but we need your assistance—communities cannot allow criminals to ruin our lives".

Legislation can help, but terrorism will be defeated only by the courage, determination and flexibility on the part of those who wish for a lasting, just and peaceful future for Northern Ireland.

8.37 pm

Rev. William McCrea: I join the hon. Member for Redcar (Ms Mowlam) in expressing appreciation to the Minister of State for the effective manner in which he handled the details of the Standing Committee, the manner in which he answered the questions put to him and, perhaps most of all, for the courtesy which he showed to all members of the Committee. All Committee members are deeply indebted to the Minister for the way in which he carried out his office and for the courtesy that he showed to all who participated in the inquiry.

I say that very genuinely, because the Minister took on board all of the issues that were raised and he sought to provide answers—if not at that time, then at a later stage—which were received and studied by hon. Members. I put on record our deep appreciation to the Minister.

I think that it was a good inquiry and that Committee members—especially those from Her Majesty's Opposition—scrutinised all of the issues. All hon. Members who served on the Committee performed the tasks required of them. The inquiry was detailed, exciting on some occasions and, I trust, informative on others. It served a vital purpose in scrutinising the very important legislation which affects the lives of the people of Northern Ireland.

Not one Member of the House, including my honourable colleagues, wants the legislation to last a day longer than necessary. The legislation is there, not because of the democrats of the Chamber, but because of those who hate democracy and fight against it—the terrorists. They are responsible for the legislation being placed on and remaining on the statute book. It is important, therefore, that we have emergency legislation for as long as the emergency lasts.

I trust that effective security measures are being taken and that they will continue to be taken to ensure that the terrorists do not achieve their goal—to bomb, murder and destroy law-abiding citizens into submission to their terrorist mould.

The debate gives the terrorists a clear message. We, the people of the United Kingdom, in Northern Ireland and here on the mainland, will not be moved one inch, one iota, from our desired democratic path by the bombs that they have let off against us or with which they seek to destroy us or by their campaign of terror.

A message needs to be delivered loudly and clearly. For 25 years, the people of Northern Ireland withstood the carnage of the terrorists. I assure all those who believe that they will achieve a united Ireland by the means of terrorism that they had better realise that after those 25 years of terror, the people of Northern Ireland are more determined than ever before to remain a part of the United Kingdom. That is not because, as some propagandists say, occupying forces are in Northern Ireland to try to force the people against their will, but because the people of Northern Ireland desire to remain a part of the United Kingdom—and that desire is freely expressed at the ballot box. We are delighted that the vast majority of the community, whether Protestant or Roman Catholic, of the people of Northern Ireland, unitedly state that they believe that the best future for their children lies within the United Kingdom.

Terrorism is nevertheless a reality and must be defeated. If there is to be genuine peace in Northern Ireland, there must be no guns on the table, under the table or outside the door. The guns must go. The Semtex must go. The suggestion that Gerry Adams was at any time a democrat sickened those who were democrats and have confronted the onslaught of terrorism in the past 25 years. I should like to know of an occasion when Gerry Adams condemned one IRA bomb or one murder carried out by the IRA. The answer is, he has never done so to this day.

Mr. Adams may say that he will not walk down the path of condemnation just because someone asks. Common decency demands that he condemn acts of terrorism, as it is right that the House should. I hear that condemnation from colleagues on both sides of the House. We condemn murder as murder. There is no excuse for persons to take the law into their hands and destroy the lives of the innocent people of Northern Ireland or of this part of the United Kingdom on the mainland.

Gerry Adams is not a democratic politician and it was revolting and sickening to see him paraded when he set aside the old jumper that he had worn for about 10 years and the image of having been in bed for about five years without having combed his hair, and adopted the slick image of a new coat—provided by someone—a new wardrobe and a well-trimmed beard. It is as well that he kept the beard on because this morning, whenever he answered questions by one of the media from the Irish Republic, he had the brass neck to tell the people who knew something about the murders on the mainland not to tell the police, that it would be wrong for them to tell the security forces, and that he would not condemn such acts of carnage. Then he had the audacity and the brass neck to suggest that he regretted it. People of the United Kingdom well know that to hear that from Gerry Adams is not only sickening but like driving the knife deeper into the stomach of the person who has already been hurt by the terrorist act of violence.

As the House considers the emergency legislation, I must tell the Secretary of State and the Minister of State that we have a question in our mind. In Committee, it was drawn to our attention that there was a prosecution under legislation whereby a person might be convicted for directing terrorism. That prosecution was on the loyalist side of the community. I do not say that that should not have been done, but if it was right that a person was accused of such a crime, can anyone suggest why the likes of Gerry Adams, with blood on his hands, and Martin McGuinness, equally with blood on his hands, could not be prosecuted? The security forces know the credentials of both those persons. I am told that a recommendation

was forwarded to the Director of Public Prosecutions—although my informants tell me that it did not arrive because it somehow got lost on the way or was misplaced—regarding the credentials of Martin McGuinness.

The people of Northern Ireland are waiting. They want to know exactly why those persons are not brought in under a charge of directing terrorism, because they are as guilty as those who planted the bomb on the mainland and no one in Northern Ireland believes that Gerry Adams did not know that the bomb was being planted at Canary wharf. Indeed, we believe that that was part of the dual scheme—Sinn Fein in its propaganda exercises and the IRA in its murdering enterprises.

In connection with that, has the Secretary of State seen the article that was printed in the press concerning the IRA army council? What is the position concerning Gerard Kelly, Pat Doherty, Rita O'Hare, Kevin McKenna and Brian Keenan, who were mentioned in the document? Has the matter been fully investigated? Are those the people behind it? For example, how could a lady—if she is in terrorism she is far from a lady, but a woman—who should be protecting and participating in the giving of life be in any way associated with the dastardly deeds of taking innocent people's lives and the destruction of people, on the mainland or—

Madam Deputy Speaker (Dame Janet Fookes): Order. I am sorry to interrupt the hon. Gentleman. I have given a fair amount of latitude to speakers, knowing what the situation is at the moment, but the hon. Gentleman is trying my patience a little because we are discussing the Third Reading of a Bill and, in normal circumstances, that is very strictly interpreted. If the hon. Gentleman would return his remarks to the merits or otherwise of the Bill, I should be grateful.

Rev. William McCrea: Thank you, Madam Deputy Speaker.

The legislation is necessary because terrorists are on the loose in the United Kingdom. If those persons were not in an army council—if there were no such thing as an army council—there would be no need for emergency legislation and we would be glad for the legislation to be done away with. Other hon. Members have acknowledged that it is a wide-ranging issue, and certainly it is. Lives are at stake. We need legislation that deals with recruitment, targeting, regrouping, re-arming and the continuation of the threat to the peoples of Northern Ireland.

When the Secretary of State introduced the Third Reading debate, he said that the IRA had not stood down one man or surrendered a weapon, and that is true. Those weapons are held not for democracy but for murder and destruction.

In conclusion, I ask the Minister of State about a subject that we discussed in Committee. What is happening to special prisoners who were let out on licence because of the ceasefire? Will they be returned? I am speaking about those who have breached the so-called ceasefire, who have returned, not only to murderous intent, but to murderous activity.

My constituents are in grave danger. Many isolated people along the border are living in fear. There are in the community a number of well-armed terrorists who are seeking to destroy the lives of people in the Province and in the rest of the United Kingdom. There is an emergency, and it is important to know exactly where the Government stand. Many law-abiding people who want genuine peace are deeply concerned. We will never have the genuine peace that has been talked about in this Chamber until terrorism is defeated and destroyed. If the Bill can take us down that road and achieve that aim, it will be in the best interests of the whole of the United Kingdom.

8.50 pm

Mr. Trimble: Before I mention general points, I want to raise one matter of detail to which I referred on Second Reading, and which my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) pursued in Committee but which has not been answered and dealt with adequately. I refer to the provisions relating to terrorist fund raising and financing. The terrorist funding unit has been operating for a number of years and it has been most successful in restricting the flow of finance to terrorists. The effect may not be immediately apparent, but that activity is important in striking at the roots of the terrorists' ability to cause mayhem and disturbance. It is essential, particularly in view of the events of recent days, that the existing powers remain on the statute book in an effective form.

Labour Front Benchers said that the anti-racketeering provisions are being moved from the Bill to ordinary legislation, and it is right for that to contain measures to enable the courts to confiscate the proceeds of crime and the ill-gotten gains of persons involved in organised crime. However, the provisions in the draft order dealing with the proceeds of crime are not effective in replacing section 57 and the associated schedule of the emergency provisions Act. The Minister referred to that matter in Committee and wrote to my hon. Friend the Member for Fermanagh and South Tyrone, saying that he would table an amendment to the proceeds of crime order. Unfortunately, I have not seen the text—I understand that it is not available—so I have to go by the Minister's letter to my hon. Friend, in which he stated:

> "The amendment would relate to the definition of criminal conduct in article 2(2) of the Proceeds of Crime Order. As at present defined that definition of criminal conduct refers to a number of offences but excludes the offences under the Prevention of Terrorism Act. We propose to remove that exception."

Doing so will mean that the provisions of the order would apply to offences under the prevention of terrorism Act, and the provision for financial investigations under the order would then be available. However, that does not go far enough. The order enables the financial investigation provisions in article 49 to be available where there is an investigation into whether any person has benefited from any criminal conduct, which will be defined by reference to offences in the prevention of terrorism Act. I see two problems with that. When dealing with terrorist financing, there may not be a personal benefit. Also, we are still referring to the committing of an offence. I note in passing that offences under the Act are rarely brought successfully. If it is necessary to bring a conviction under that legislation, the provisions will rarely bite.

Compare those restrictions with the width of provisions in the emergency provisions Act, which enable an authorised investigator to be appointed where there is any investigation by the Royal Ulster Constabulary into the existence of the resources of a proscribed organisation and of funds that may be applied or used for the commission

[Mr. Trimble]

or furtherance of acts of terrorism or in connection with them. There is no requirement in existing legislation for an offence to be committed, or for a person to be convicted of an offence or to have benefited. The wide existing provision focuses on the resources of proscribed organisations and the funds that may be used in connection with the commission of terrorism.

Although it seems from the Minister's words that an effort has been made to broaden the provisions in the proceeds of crime order, they are not as broad as the Act's existing provisions. If we are faced, as we appear to be, with the renewal of the terrorist campaign, it is extremely important—especially at present—to be able to attack terrorist financing. There is reason to believe that in recent months, terrorists—particularly the IRA—have been running short of funds. Although they have been able to keep going with the $1.5 million that they raised in the United States last year, that source of finance may cease to become available to the same extent, in view of the renewal of violence. It is extremely important that the power is broad and wide enough to cover terrorist financing.

Sir Patrick Mayhew: I am grateful to the hon. Gentleman for the way that he explained that fairly technical matter. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) has received a letter from my right hon. Friend the Minister of State. It is certainly not our intention that future legislation shall be in any respect less broad than at present. I give an undertaking that the matter will be examined, with a view to securing that at least that principle is implemented. We will examine the matter fully and carefully.

Mr. Trimble: I thank the Secretary of State for his intervention and assurance. I remark in passing that that is another good reason for having the other place, even in its present form.

No one can seriously contend that there is no need for the Bill. I wish that there were clearer, more forthright acknowledgement of that fact from Labour Front Benchers. They voted against the Second Reading, giving various reasons. The truth was evident from the conduct and body language of the Opposition spokesperson. It was a question of looking over one's shoulder, at certain elements among Labour Back Benchers who seem to exert inordinate influence over the mind of the hon. Member for Redcar (Ms Mowlam), who leads for the Opposition.

Over recent years, I thought that the Labour party was moving to a more honourable and forthright position on the need to combat terrorism and I was sorry to see that element of backsliding. I was also sorry that this evening there was not a more forthright acknowledgement of that need and a realisation of the change in circumstances. When one considers the ground that Labour advanced for voting against the Bill on Second Reading—the fact that the provision for internment remains in the legislation—it is clear that that provision would be resorted to only in the most extreme circumstances, but it is also clear that we might be faced with those circumstances.

Those who have followed the Dublin press over recent weeks may have noticed the reference in a few interviews by journalists who were able to speak to the leadership of Sinn Fein-IRA to the belief that exists among the leadership of Sinn Fein-IRA that a sharp, savage campaign—those were the adjectives used in the Dublin press—in England would break the Government's will. Perhaps we have seen only the first instalment of what may be about to come. There is a significant and serious risk of a savage campaign, given the language that was used in the Dublin newspapers.

Against that background, it would be criminally irresponsible to foreswear the use of the power of internment. That power exists to be used on a pragmatic basis according to a judgment as to whether or not it will succeed. It has been used successfully many times over the past decades, but on one occasion it did not have the desired success. It is a matter of analysing the reasons for success in some cases and failures in others and the failure to judge when it is appropriate to resort to it. It may well be that, before too long, circumstances will arise when it will be necessary to resort to it. If those circumstances exist and there is the prospect of a successful exercise of that power, clearly, it should be used.

There would, however, be a difficulty with an immediate recourse to that power. It is now fairly clear that the bomb that exploded in docklands close to Canary wharf was organised by a tightly knit group within the IRA, based almost exclusively in the Republic of Ireland and that, in all probability, the bomb was manufactured in the IRA's usual bomb-making factories in the Louth area. According to journalists' reports over the weekend, the operation was directed from Monaghan, the telephone warning came from just outside Drogheda and all the indications are that the persons who ran the operation were physically located in the Irish Republic. That is not to say that they were natives of the Republic; some of them are natives of Northern Ireland who are now domiciled in the Irish Republic.

Another feature of the operation that ties in with what was happening before the ceasefire was the recruitment of "lilywhites"—persons from the Republic with no previous background or involvement in terrorism who are, therefore, unlikely to be picked up by the security services and the police in Northern Ireland, England or Wales.

The fact that the roots of the operation lie in the Republic of Ireland shows that immediate recourse to internment would not be successful from the point of view of authorities in the United Kingdom. If the authorities in the Republic were to act, however, it would be an entirely different matter. Those authorities have a duty to take action and to ensure that their territory is not used as a base from which to launch attacks on another country. I am aware of no action by authorities in the Republic to discharge that duty. We have been told that they did not detect the operation and were as surprised as anyone else by the bomb in Canary wharf. That suggests that they had no adequate intelligence on it. I hope that they have taken steps to repair that and that they will take further steps to show that they are prepared to discharge their obligations to their neighbours under international law.

Current events underline the need for a single uniform code covering the entire United Kingdom. The attempt to pretend that Northern Ireland is in some way distinct and distinguished from the problems that apply to the rest of the United Kingdom was exploded by recent events. We made that point a number of times in previous years,

we shall repeat it to Lord Lloyd when he undertakes his review and I very much hope that it will be reflected in his recommendations and in future legislation.

There have been comments on what has been called the peace process and suggestions as to what should be done about it, how to keep it going, advance it and speed up the tempo. I listened to the comments by the hon. Member for Redcar, although I did not find any of her proposals attractive. Nearly all of them are far divorced from what we would find desirable in the present circumstances.

Rather than looking at the detail of the peace process, it would be better to go back to first principles and to consider what has been happening during the past two years. What is called the peace process stemmed from propositions advanced in the autumn of 1993—propositions particularly associated with the hon. Member for Foyle (Mr. Hume). If I may summarise his hypothesis of the time, he said that peace was possible if only the Government made a reasonable response. Underlying his proposition was the suggestion that those involved in terrorism had realised the futility of their actions and wished to get out of the terrorist campaign. They wanted to make progress towards peace and democracy and would do so if only the two Governments gave them the opportunity.

It was quite reasonable for the Government to respond to this hypothesis; no criticism should attach to them for so responding. It is reasonable to say that people should make the effort to achieve peace and should, for that reason, be prepared to take risks from time to time to achieve it.

Over the course of the past two years, the hypothesis has been subjected to tests. The whole point of the Downing Street declaration, particularly paragraph 10, was to provide tests of the hypothesis, to see whether it was genuine, and as the Government said, to create the necessary confidence in it. Now we have seen what has happened. The events of the past fortnight show that even if the hypothesis had some validity two years ago, it no longer corresponds with reality.

I do not say this with pleasure. Over these two years, to be sure, we have expressed a certain amount of scepticism about the hypothesis, and there is a temptation now to say that we have been proved right. But if we have been, I take no pleasure from it. It would have been better if the hypothesis had been right and we had been able to move towards peace and democracy. Events, however, have shown that it is not true.

The fact is that what we had a couple of years ago was an agreement on a stratagem, or tactic. Sinn Fein-IRA embarked on what they called the ceasefire because they had been persuaded that it would be possible, in the event of a cessation of violence, to put together a coalition stretching through Sinn Fein, the SDLP, the Irish Government and Irish America—a coalition that would exert pressure on the British Government.

I noticed in this connection a comment made by Garret Fitzgerald in *The Irish Times* a few weeks ago, to the effect that when it proved impossible for Mr. Albert Reynolds, the then Prime Minister of the Republic, to obtain a ceasefire on the terms of the Downing Street declaration, he jettisoned part of it and obtained a ceasefire on other terms, giving various undertakings to achieve it. I noticed also that an IRA representative, in an interview last week, used language consistent with this hypothesis. In any event, the real ceasefire was clearly different from the declared ceasefire.

Reality came home to Sinn Fein-IRA in the aftermath of the Clinton visit. Sinn Fein-IRA had been led to believe that Irish America, and its influence with the White house, was their trump card. When the President stood in Mackie's and told the terrorists that their day was over, I think they realised that this was not going to be their trump card. There is reason to believe that the strategic decision to resume violence was taken in December, weeks before the publication of the Mitchell report. Journalist sources certainly suggest that.

So the basic proposition that underlay the peace process has been shown to be false. The bombs that went off in London destroyed the ceasefire, and must also have destroyed any future ceasefire based on the same hypothesis. A great deal has been said about the need to restore the peace process and resume the ceasefire, but it must be realised that there is no prospect of returning to the ceasefire that we thought or hoped existed before last week.

The only ceasefire on offer was suggested by Mr. Adams last week. He talked of a ceasefire that would be offered only in exchange for a clear commitment to move immediately to all-party negotiations, without any preconditions whatever, and within a clearly defined time limit. That ceasefire is not worth having and is not one to which we could be party. We could be party only to a process that was genuinely based on a permanent end to violence, which was clearly intended to be permanent and if the parties' actions were entirely consistent with such an intention, with all that entails. That would mean returning to paragraph 10 of the Downing Street declaration and fulfilling what it said about peaceful intent, the democratic mandate and abiding by the democratic process.

I appreciate, Madam Deputy Speaker, that you have been kind in allowing me to wander a little from the terms of the Bill. We will have to explore these matters in greater detail on other occasions. The events of the past few weeks must cause us to reassess what has happened over the past two years. A valiant effort was made to achieve peace, but we must realise that that effort has failed. We need, therefore, to reassess not just the hypothesis, but the motives and actions of those who presented that hypothesis. We need to consider how we can restore the political process and, at the same time, we need to ensure that effective legislation is in place to deal with the security problem that we may be about to face.

We need not just legislation, but an effective strategy to defeat terrorism, because it is no longer possible to hope that terrorism will go away of its own accord. We must try to work out an effective strategy. I believe that that can be done. The parties could return to the suggestions that were made by the Chief Constable a year or two ago for the strengthening of terrorist legislation. All the Bill would do is to reproduce most of the provisions in the EPA. As I have said, I think that the Bill omits an important part of the old EPA, but it could be strengthened in the ways that were mentioned by the Chief Constable and others several years ago. It is pity if we have to wait for Lord Lloyd because there is still an opportunity in another place to strengthen this legislation.

9.11 pm

Mr. Mallon: I wish to associate myself with the remarks of those who were on the Standing Committee. I thank the Minister and all the other members of the

[Mr. Mallon]

Committee. I pay tribute to my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) and to his colleagues for a remarkably good presentation of the position, and to all the people on the Standing Committee, including the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis): when the day comes, as it inevitably will, that he and I are not on Committees dealing with emergency legislation there will be a massive gap, albeit one related more to our sizes than to our contributions.

I am delighted to see the right hon. Member for Chelsea (Sir N. Scott) in his place. I went through the records in relation to previous legislation and I was struck by two comments made by the right hon. Member when he was the Minister dealing with the emergency provisions legislation for Northern Ireland. I think he will agree with me—if about nothing else—that that was some time ago. In Northern Ireland, we look upon the right hon. Member with affection and great respect. When he was a Conservative Front-Bench spokesman, dealing with emergency legislation right in the middle of the most awful violence that we have seen in the north of Ireland, he made a speech in Munich in advance of a previous Standing Committee. I shall quote two extracts, which are as relevant now as they were then. He said:

"Democracy should seek to derogate as little as possible from the normal standards of justice and government which would normally apply."

I agree with that statement. He also said in the same speech:

"Progressive policies without regard to moderation, civilisation and restraint could actually feed terrorism."

I agree with that, too. I believe that that thesis is equally valid now, and it was equally valid long ago when Thomas Jefferson said—in a different context—that if one sacrifices justice for security one ends up losing both. We must never lose sight of that principle—the principle enunciated by the right hon. Member for Chelsea—when we are dealing with legislation of this kind.

I should like to deal with many elements of the legislation in detail, but I have had my chance over many years in a number of Committees, and I hope that this will be my last chance to speak about such legislation. I hope that nothing that I say on the Floor of the House will exacerbate a tense and difficult situation, and for that reason I do not intend to refer directly to the political dimension that we are discussing. It would be easy to provide not a reason but an excuse for avowed terrorists to use whatever is said here as a spurious justification.

I know that it was not intended, but it has been suggested in today's debate that the suffering of those who were killed, maimed or bereaved in London was somehow less immediate for us in the north of Ireland than it would have been if the bomb had gone off in Belfast, Derry or anywhere else in the north of Ireland. I know that I speak for every other hon. Member representing the north of Ireland when I say that that is not true. The compassion and the sympathy are felt by everyone in the north of Ireland. They are tangible: they are there to be seen and touched. They are no less immediate because the Irish sea lies between the two islands.

People here should realise that. At some stage during the debate, it has been implied that violence here is bad because it might start up violence in the north of Ireland again. That is true, but let us not forget that everyone, no matter where they live, must be protected from violence of this kind. Send not to know for whom the bell tolls: it tolls wherever it may toll, and human nature and the human condition are lessened by it, no matter where.

I wish to challenge two other theses. In this context, I turn to another British poet—Wilfred Owen—who in one of his poems challenged the great lie:

"Dulce et decorum est pro patria mori"—

"It is a good and noble thing to die for one's country". I also challenge that thesis. No one on the island of Ireland or outside it has any right or mandate from the Irish people to say that they are killing in the name of the Irish people. I give no one that right and I attribute it to no one. The wish of the Irish people, as determined—indeed, self-determined—by them is that violence cannot be exercised in their name. I call upon those within the so-called republican movement—I use that term because I regard myself as a republican in the true sense of the word, and I believe that they have besmirched it—to stop telling the great lie to young people in our country: stop propagating the awful untruth that somehow it is noble to kill other people for a spurious type of Irish unity which would not be worth the paper it was written on if it were obtained by the deaths of the two people of Canary wharf, and the thousands of other deaths.

I also challenge the notion, and I do so at every opportunity, that there is not a nationalist consensus. I repeat that there is, there was, and there will be, and that it is based on three principles. First, no one has the right to use violence in the name of the Irish people to solve the problems in Ireland. I stand by that principle. Secondly, if we have the right to self-determination, as recognised in the joint framework document, the Irish people have the right to decide how it will be exercised, and they have self-determined that it shall not be exercised in that way. The third principle is that of consent. All political parties, outside Sinn Fein, on what is loosely called the nationalist side, have a consensus. It is not something for the mood of the moment. It is not something to be used just when it suits. It is a basic principle.

In our debate earlier, the central point was missing. What has happened is that the IRA and Sinn Fein have seemed to be outside the nationalist consensus, to be outside the consensus that is based on those three principles, to be outside what is a positive and constructive dynamic within Irish life, and they will remain so. The people who stand outside it are Sinn Fein and the IRA. Is that new? They stood outside the Sunningdale agreement and blew it to smithereens. On the Anglo-Irish Agreement, there were three factors against it: the Unionists, the IRA and Conor Cruise O'Brien. Then there was the joint declaration. They stood outside consensus on that, and the framework document, and the report of the new Ireland forum, and the Mitchell report. The tragedy of the Mitchell report was that it was not tested on the Floor of the House the day it was brought out.

We can surmise, but the basic thesis of the IRA position is this, and I challenge it. The most chilling part of the IRA's statement of last Thursday was its reference to "Irish national rights". That is its definition of the three principles. Its definition of the three principles is contained in those three words. I put this to the IRA and to everybody. Do they for one moment imagine that my

party, or the Irish Government, of whatever hue, or the number of parties that make it up, or all the parties that signed the forum report, or the United States Government, will ever resile from those three principles? If they do, their case is fatally and fundamentally flawed, because what they mean when they talk about a pan-nationalist front is changing and diluting those principles. The assumption, which is wrong, is that the SDLP will change its view on those three principles. It will not, and neither will any other party in Ireland. We stand by that nationalist consensus and on no other ground. That is the greatest strength in terms of argument in the entire equation.

The British will, of course, always be wrong; no matter what they do, IRA-Sinn Fein will have a reason to say that. The British can be plausible, easy or populist, but they will be wrong. The Irish Government will be wrong, as they are at the moment. I take this opportunity to say again that I support the stance taken by the Irish Government. They are the sovereign Government of the Republic of Ireland and I totally support their stance of not speaking at ministerial or Government level with people who are connected with violence. However, they are wrong, too, and we are wrong. I remember when, not so long ago, we were Lundies and sell-outs, and I was a west Brit.

In the mind of the IRA, everything has changed except the dogma—I refer to the great line by Wilfred Owen. IRA members believe that, somehow, they hold the holy grail and that all the rest of the people in Ireland, including nationalists and real republicans, are wrong. We can put the IRA to the test. My hon. Friend the Member for Foyle (Mr. Hume) made a proposal for a referendum. He said that for the first time since 1918 we should let all the people of the island speak with one voice in opposition to the violence. That would remove the spurious claim by Sinn Fein and the IRA to be descended from that period of Irish history and to speak in the name of the Irish people. That is the way to do it.

I know that I have strayed from the Bill, Madam Deputy Speaker. I do not want to negotiate or to try to negotiate across the Floor of the House, but I want to make one last remark, which I mean sincerely. There is a remarkable chemistry within the political process in the north of Ireland which is waiting to be tapped. It could be used like a bunsen burner and be lost for ever, or it could be used in a distinctly positive way. The catalyst of the Canary wharf violence and the other violence that we have seen has in many ways, at least in terms of that chemistry, brought us closer together. We must not spoil the potential of that by any form of dogma, whether it be Government dogma, Unionist dogma or, dare I say it, SDLP dogma.

9.27 pm

Rev. Ian Paisley: I am sure that the whole House has been impressed by the remarks made by the hon. Member for Newry and Armagh (Mr. Mallon). He has spoken from the heart and his words have been pressed from his innermost being, and we accept that. It is always moving to be in the House when such a speech is made. I say that unreservedly and I am sure that the hon. Gentleman knows that I say it sincerely.

Having listened to what the hon. Gentleman has said, however, and having listened to what has been, from a republican and nationalist, such an indictment of the IRA and of Sinn Fein, the people whom I represent and the broad spectrum of Unionists, both the Protestant majority and the many Roman Catholics who are Unionists, will want to know what—if that very solemn indictment from the hon. Gentleman is so—his leader and Gerry Adams signed up to. That is the big question. We, as representatives elected to the House of Commons of this United Kingdom, have never been a party to what was signed up to, and it has all been kept carefully under wraps. It affects the destiny of my people and of the constituents of other hon. Members who are Unionist, but we do not know—we have never been told. Having listened to the hon. Member for Newry and Armagh, I am sure that Gerry Adams signed up to something which proposed, if not all that the hon. Gentleman said, then a great deal of it. That is what worries the people whom I represent.

The hon. Member for Newry and Armagh says that he stands by Mr. Bruton's statement that he will not hold talks with IRA-Sinn Fein until it says that it repudiates violence. I have been criticised—as has my party—for always taking that stance. Democrats cannot sit down with people who, if they do not agree with the end product of the negotiations, say, "We will take to the gun." That is exactly what lies at the heart of IRA-Sinn Fein. It says, "Yes, we want to sit at the table to discuss and negotiate, but if we do not agree with the agreement that is reached, we will go back to killing, mayhem and the bomb."

Let us look at what has taken place in the lead-up to the present situation. First, there was the Anglo-Irish Agreement. Hon. Members wondered why the Unionist population were so stirred at the time of the agreement, and the hon. Member for Foyle (Mr. Hume) told the Government to "face them down". It is all very well to call for talks, but the majority population in Northern Ireland were not consulted about the agreement.

I am glad that the Secretary of State for Northern Ireland at that time, the right hon. Member for Witney (Mr. Hurd), is in the Chamber for this debate. The right hon. Gentleman was visited at the time by the right hon. Member for Lagan Valley (Sir J. Molyneaux)—the then leader of the Ulster Unionists—and me. We asked why we, as the leaders of parties representing the majority Unionist population in the House of Commons, were not being briefed in the way in which the Dublin Government were briefing the SDLP on what was to come out of the talks. He said, "I take that on board, and I will come back to you." But he came back and said, "The answer is no—you are not going to be briefed," and we were not briefed.

Later, the two Governments met in conference and started to deal with internal matters. We were always told that the internal matters of Northern Ireland were a matter for this Parliament and for the people of Northern Ireland. Suddenly, we saw representatives from the Irish Republic dealing with matters that were solely internal affairs for Northern Ireland. That did not work, even though the Unionists were faced down, because one cannot rule a country when the majority is against it, and one cannot rule a country when a sizeable minority is armed against it. We know that, but you have to take people with you if you can. We then had the Downing Street declaration—principles which spelled out that in some way the whole of the people of Ireland would have the final setting of the stage. However, the people of Northern Ireland could give their consent.

[Rev. Ian Paisley]

I have listened to all the debates. Albert Reynolds said, "I want to make it perfectly clear that we are saying this at this juncture, but this does not mean that the people of Northern Ireland will always be allowed to have this particular power of consent." How did the Unionists react to that? The stage was set towards a united Ireland and then they got the framework document, which set the structures. There were no two choices in the framework document: there was one choice, one option—we were to go down the road of a united Ireland.

Perhaps hon. Members do not understand. They heard the emotional and moving speech of the hon. Member for Newry and Armagh that on the other side, in the hearts and in the depths of the majority of people of Northern Ireland, there is a determination that, come what may, they will never enter into a united Ireland: they are part of this kingdom, and they intend to remain part of this kingdom, but even if this kingdom should drive them forth, they will not accept a united Ireland. That is as deep in the hearts of those people as the statement that the hon. Gentleman made of his political faith tonight. It is deep, it is real, and it is part of what makes the Unionists tick.

Hon. Members should not say to the representatives of the majority, "You must sit down with men who have guns at the ready if they do not get what they want." Of course, we were accused of wanting the peace process to fail. No one would enjoy peace more than the majority representatives and the elected representatives from Northern Ireland. Do hon. Members think there is any pleasure to come through this stream, to be threatened, to see our children go off to school and not know whether they will be beaten, kicked or perhaps even killed? That is true of both sides of the divide. When I was in Stormont, Paddy Devlin spoke to me and said, "Yesterday, my boy was kicked and urinated on by IRA men on his way home from school." Hon. Members can understand how a father would feel about that. My wife, who served on the Belfast city council and who voted against the rise in the rents of houses, went to a housing estate and was stoned. Those things are an everyday occurrence with politicians and we all know it. We are all under threat, so it is no pleasure to us.

I have grieved tonight about what has happened and I echo what the hon. Member for Newry and Armagh said. We and the people of Northern Ireland do not judge the ordinary people of this mainland. We are with them in their tragedy. We weep with those who weep, sorrow with those who sorrow and enter into their real fears. No one in Northern Ireland is saying, "Slap it into them—they need to get what we've got." We do not want anyone to have to go through the dark valley that Ulster has gone through—God forbid it—but there are evil men in the community in Northern Ireland and infiltrated into the community here and they are determined that they will have their pound of flesh. They think that they are going to teach this United Kingdom a lesson.

After the ceasefire, the IRA published a very interesting document. It is private and was intended to be secret, but my hon. Friend the Member for Mid-Ulster (Rev. William McCrea) seems to have a wonderful way of getting such documents. It reveals the IRA mind. It states that

"Hume is the only SDLP person on the horizon strong enough to face the challenge."

That writes out the hon. Member for Newry and Armagh. As for his companion, the hon. Member for Belfast, West (Dr. Hendron), who is sitting beside him, he is not even mentioned, which is understandable as he was the man who defeated Gerry Adams and he could hardly expect any laurels for that.

The document also states:

"Dublin's coalition is the strongest government in 25 years or more. Reynolds has no historical baggage to hinder him and knows how popular such a consensus would be among grassroots.

There is potentially a very powerful American lobby not in hock to any particular party in Ireland or Britain.

Clinton is perhaps the first US president in decades to be substantially influenced by such a lobby.

At this time the British government is the least popular in the EU with other EU members.

It is the first time in 25 years that all the major Irish nationalist parties are rowing in roughly the same direction."

It states that "these combined circumstances" are unlikely to come again in the foreseeable future, so the hour has come. The ceasefire and the so-called peace strategy—that is mentioned in the document, which states that the organisation of an "anti-British" peace strategy must be the priority—have all come to pass and the IRA thinks that this is an hour of weakness. It may be an hour of weakness in a political sense, but it is the hour of the people of Ulster's greatest strength: they have resolved within their hearts that they will not be bombed, bullied, bulleted or battered to a table to discuss their future with the men of violence—who will go back to that violence if they do not get their way.

I am glad that my party will meet members of the Social Democratic and Labour party this week. I hope that as we sit down at that table we shall be able to see exactly where the parts of the community divide and where there may be some common ground. The only hope for Northern Ireland is in the principles of democracy. If those principles are put into action at this time, we can leave aside those who will not go the way of democracy but choose the way of violence: they will be taken care of by the rising tide in the community that the day has come to say goodbye to those who want violence and to welcome those who stand for a solution which can come about through democracy and the ballot box.

I welcome the legislation because it is a signal to the men of violence that the Government will not weaken in their fight. I trust that it will be taken in that manner across the United Kingdom—as a signal that this Parliament, this Government and this people are determined to see the battle through so that real peace, based on the principles of democracy, can come about. I hope that that peace will soon be born.

9.45 pm

Mr. McNamara: In the first part of the speech of the hon. Member for North Antrim (Rev. Ian Paisley) and in the speech of my hon. Friend the Member for Newry and Armagh (Mr. Mallon), the House witnessed the intensity of feeling and sense of identity that belongs to both gentlemen and to the communities that they represent. Their words illustrated to the House the necessity of seeking to find an accommodation that is based on both communities and is acceptable to both communities.

It must therefore be an agreement that does not talk in terms of majority and minority, but recognises the traditions, aspirations and hopes of each of those

communities. That, I trust, is what the Prime Ministers of both countries will talk about when they have their summit, whenever that may be. I hope that it will also form the content of what the Secretary of State and the Prime Minister will discuss when they talk to the leaders of the various parties in the House. That means that there must not be triumphalism on either side, but there must be compromise on each side. One side must regard and respect the Britishness of the other and the other side must regard and respect the Irishness of the other. That should be the aim of the policies that we are seeking to achieve.

That is the important message that we must take from what my hon. Friend the Member for Newry and Armagh and the hon. Member for North Antrim—who has been my hon. Friend on occasions—have said. I think that the hon. Member for North Antrim and I are the only two Members of the House who took part in the first debate on the emergency powers Act and served on the Committee together.

The leader of the Ulster Unionists referred to me and my hon. Friend the Member for Redcar (Ms Mowlam), who now has the honour of leading for the Opposition on Northern Ireland. He was derogatory to both of us. Both of us have advanced the principles and policies of the British Labour party, laid down at Labour party conferences and enunciated by a great number of shadow Secretaries of State from the Front Bench long before I had a position there.

The reason why we have, in the past, opposed the Act and measures in it was not that we did not think that there was a problem of dealing with terrorists in Northern Ireland—far from it. We opposed the Act because we felt that the mechanisms and measures contained in it were not necessarily the most productive means of dealing with the problem.

Taking away someone's right to jury trial is a serious matter. We looked for a way of reinstating it in a more positive manner. The indefinite internment of people without trial is a serious matter. We sought to take that power away, because in the past it had been used only against one section of the community. Those are the reasons why the Labour party, over the years, has opposed those powers. They are not the selfish possessions of myself or of my hon. Friend the Member for Redcar, but the principled reasons of the British Labour party.

The Secretary of State made a number of interesting comments on the current situation. I should like to make one point very loud and very clear. Neither the Prime Minister, the British Government nor anyone else can be used as an excuse by anyone for what happened at Canary wharf last week or at the Aldwych last night. The only group responsible for the carnage, the deaths, the woundings and the terrible loss of property is the Provisional IRA. It is spurious to seek excuses in the way in which the Secretary of State and the Prime Minister handled the negotiations, and no justification whatever.

The essence of democracy is that one has to deal with situations as one finds them. As the Secretary of State was keen to point out, he had the support of my Front-Bench colleagues for his policies—especially for decommissioning, which was one of the reasons why I parted company with my Front-Bench colleagues. I parted company with them because I thought that it was a foolish policy. I never thought that there would ever be any decommissioning. It was wrong to pursue it.

Equally, however, the Secretary of State, by a sleight of hand tonight, has tried to suggest that he accepted the Mitchell proposals. The Prime Minister stood at the Dispatch Box and did not accept them. He foisted upon the House elections that came from one of the confidence-building measures and went on to say that he accepted the six principles, but the main thrust of Mitchell's first and main recommendation was for talks to start and then for there to be progress on decommissioning.

The Prime Minister sought to pre-empt that recommendation and the report in precisely the same way that the Government sought to pre-empt the Scott report. Sadly, that is water under the bridge, but we cannot allow it to be said that the Government were pursuing a perfect set of negotiations, because they were not. Before the bomb, there had been a divergence of view between our Government and that of the Republic on the best way forward for the talks. It is important that that should be put on record.

Mr. Maginnis: Even if it is untrue and inaccurate.

Mr. McNamara: If I want untruths and inaccuracies, I shall always come to the hon. Gentleman, because he can put them forward far better than anyone else.

My point is that a lot of that is now water under the bridge and we have a serious and difficult situation. I do not believe that our Government should in any way negotiate with IRA-Sinn Fein at ministerial level while it is engaged in any sort of campaign of violence. However, there is great urgency for the two Governments to get together as soon as possible, to iron out their differences and work together. Real progress in Northern Ireland has been made only when the two sovereign Governments have been marching forward together, not when there has been divergence between them.

I do not wish to end on an antagonistic note, but I believe that another veto has been operating throughout the peace process—that of the Ulster Unionists. They were not prepared to accept the Anglo-Irish Agreement, they pick and choose the bits in the Downing Street declaration that they like—their position on that is typical—and they have not accepted the framework document. If we are to succeed in this endeavour, we must return to—

Mr. Maginnis: We accepted the Mitchell report.

Madam Speaker: Order. There are too many interventions from the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) from a sedentary position.

Mr. McNamara: The problem with the hon. Gentleman is that his charm is exceeded only by his beauty. The same goes for the remarks that he makes from a sedentary position.

The position of the Ulster Unionist party has caused some problems. It, too, has exercised a veto over the discussions and it has used its position very skilfully to extract concession after concession from the Government. That is where I believe that the Secretary of State has gone wrong.

Mr. Maginnis: List them.

Mr. McNamara: I shall list the concessions for the hon. Gentleman.

Mr. Roy Beggs (East Antrim): Will the hon. Gentleman give way?

Mr. McNamara: I shall either list the concessions or give way. I think that I shall list them and, if there is time, I shall then give way—although the Secretary of State may wish to reply to the debate.

A Select Committee on Northern Ireland Affairs has been established. Its formation was denied by all parties in this place—both Government and Opposition—until the Maastricht vote, and then it came about. The Ulster Unionists have been offered a Northern Ireland Grand Committee and they have achieved progress on their integration policies, as more and more legislation that we pass in the House covers Northern Ireland, when in the past there were separate Orders in Council or separate legislation.

I believe that further concessions will be made to the Ulster Unionist party. For example, the Government gave way to its demands for elections—without consulting the Irish Government or other parties in this place—because they need the Unionist vote. The Secretary of State will receive the Opposition's support when he behaves correctly; that has been made very clear. However, the power of the Ulster Unionists comes into play on other issues, and that fact must be recognised. That takes me back to where I began.

Mr. Maginnis: Will the hon. Gentleman give way?

Mr. McNamara: No. The hon. Gentleman has had his say and he has nattered away during my speech. I shall now finish my nattering.

The deputy leader of the Social Democratic and Labour party, the hon. Member for Newry and Armagh, and the leader of the Democratic Unionist party, the hon. Member for North Antrim, epitomise the nature of the problem. I believe that we have a duty to try to help the two communities to come together and reach an accommodation that will recognise the Irishness of the nationalists and the Britishness of the loyalists.

9.57 pm

Mr. Maginnis: I wish to comment on some of the fairly blatant inaccuracies that we have heard in the past few minutes. It is rather peculiar that the hon. Member for Kingston upon Hull, North (Mr. McNamara) does not recognise that the Ulster Unionist party accepted the Downing Street declaration and that Sinn Fein did not. The Ulster Unionist party accepted the Mitchell commission report in total, as a package, without picking and choosing various elements from it. I had the privilege of being the first to speak live to the cameras after Senator George Mitchell delivered his report. I remind the hon. Gentleman that I said, "I welcome, on behalf of the Ulster Unionist party, the Mitchell commission report. We accept it, as a package; we believe that it should not be picked over, with parts chosen and parts discarded. If every party does that, it will lose its usefulness."

Sinn Fein did not accept the Mitchell report.

Mr. McNamara: Quite right.

Mr. Maginnis: The hon. Gentleman agrees that it was quite right. He has just told me that it was quite right.

Mr. McNamara: I was saying that the hon. Gentleman was quite right.

Mr. Maginnis: I am usually quite right vis-à-vis what the hon. Gentleman has to say.

More important, Sinn Fein-IRA sat for almost a year with every other nationalist party in Ireland. They sat in what was called the Dublin Forum for Peace and Reconciliation and at the end of that, the forum brought forth a report—about a fortnight ago. That report by and large picked up the elements of the Downing Street declaration—

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Northern Ireland (Emergency Provisions) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Streeter.]*

Question again proposed, That the Bill be now read the Third time.

Madam Speaker: Does the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) wish to finish, or may we move on to the Northern Ireland order?

Mr. Maginnis: You are very tolerant, Madam Speaker. I have literally one sentence.

Madam Speaker: I hope so.

Mr. Maginnis: It is to draw the attention of the House to the fact that the one dissenting voice in what was mainly a pan-nationalist forum was Sinn Fein-IRA. I do not use the word pan-nationalist in this case in any derogatory sense, but Sinn Fein was the one party that could not agree with the other nationalist parties in Ireland. That is the party for which the hon. Member for Kingston upon Hull, North wants to make excuse after excuse in the House.

Mr. McNamara: On a point of order, Madam Speaker. The hon. Gentleman cannot get away with accusing me of making excuses for a party that supports murder and violence.

Madam Speaker: Order. The hon. Gentleman is a long-standing parliamentarian in the House. He knows that that is not a point of order; it is a point of argument and a point of debate.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Appropriation (Northern Ireland)

Madam Speaker: It might be helpful if I make it clear at this stage that debate on this order may of course cover all matters for which Northern Ireland Departments, as distinct from the Northern Ireland Office, are responsible. Of course, police and security are the principal excluded subjects.

10.2 pm

The Minister of State, Northern Ireland Office (Sir John Wheeler): I beg to move,

That the draft Appropriation (Northern Ireland) Order 1996, which was laid before this House on 13th February, be approved.

The draft order has two purposes. The first is to authorise expenditure of £96 million in the 1995-96 spring supplementary estimates. That will bring total estimates provision for Northern Ireland departmental services to £6,238 million for this financial year. The second purpose is to authorise the vote-on-account of £2,821 million for 1996-97. That will enable the services of Northern Ireland Departments to continue until the 1996-97 main estimates are brought before the House later this year. I remind the House, as you have done, Madam Speaker, that the draft order does not cover expenditure by the Northern Ireland Office on law and order and other services.

Details of the sums sought are given in the estimates booklet and the "Statement of Sums Required on Account" which, as usual, are available in the Vote Office. I now turn to the estimates.

In the Department of Agriculture's vote 1, which covers expenditure on national agriculture and fisheries support measures, a net increase of £1.1 million is required. About £1.5 million is required for capital grant commitments, £1.3 million of which relates to the farm and conservation grant scheme. Those increases are partially offset by savings in other areas. In the Department's vote 2, covering local support measures, a net increase of £1.1 million is sought.

Turning to the Department of Economic Development, a token increase of £1,000 is sought in vote 1. Some £3.5 million is for the provision of land and buildings by the Industrial Development Board to meet additional expenditure on factories for recent inward investment projects. Some £6 million is for selective assistance to industry, mainly to meet claims made under existing offers to major inward investment projects. Those increases reflect the board's continuing success in attracting international competitive companies to Northern Ireland. The increases are offset by increased receipts and reduced requirements elsewhere in the vote.

In the Department of Economic Development vote 3, a net increase of some £1.6 million is sought by the Training and Employment Agency. The major requirement is £6 million to meet increasing claims under the company development programme. Partial offsetting savings have been declared elsewhere in the vote, to reduce the additional requirements to £1.6 million.

For the Department of the Environment, a net increase of some £6.5 million is sought in vote 1. Some £2.8 million is for compensation payments and capital grants to Northern Ireland railways. Those increases are partially offset by increased receipts.

In vote 2, covering housing, a net increase of some £3 million is sought, mainly to provide assistance to the Northern Ireland Housing Executive, and some £6.8 million is to provide private sector housing renovation grants. That increase is partially offset by the reallocation of some £2.8 million in housing grant and by additional receipts from housing associations. Gross housing expenditure in Northern Ireland this year is now expected to be about £599 million, an increase of £25 million over 1994-95.

In vote 3, covering water and sewerage services, a net increase of some £2.1 million is sought. Additional expenditure of some £4 million, mainly required for operational, new construction and improvement work, has been offset by a reduction of some £2 million on water and sewerage administration. In vote 4, which covers environmental and other services, a net increase of some £0.2 million is sought. In vote 5, covering office and general accommodation, £8.2 million is for new public building works, alterations and purchases.

I now turn to the Department of Education, where a net increase of some £8.3 million is sought in vote 1. That includes some £7.1 million for grants to education and library boards, mainly for maintenance, minor works, frost damage and replacement buses. Some £1.4 million is for voluntary schools, mainly for health and safety works.

I turn next to the Department of Health and Social Services, where a net increase of £17.6 million is sought in vote 1. That includes £26.1 million for hospital, community health and personal social services and family health services revenue, and £1.9 million for capital expenditure. Those increases are offset by increased receipts and a reduction of £7.1 million in the centrally financed services.

In vote 3, additional net provision of £5.3 million is required, due to a decrease in receipts of £6.8 million, most of which relates to recoupments from the national insurance fund in respect of administration costs, and an increase in funding for the centrally financed miscellaneous health and personal social services of £2.8 million. Those increases are offset by reductions of £4.3 million elsewhere in the vote.

In vote 4, which covers social security, £29 million is sought. That is due mainly to a greater than anticipated demand for disability benefits—in particular attendance, invalid care and disability living allowances. That is offset by decreases in income support and family credit.

Finally, £5.3 million is sought in vote 5, due mainly to increased expenditure on rent allowance and rates rebates. Those increases are partially offset by reduced requirements elsewhere in the vote.

In addition to the aforementioned increases, provision has been included within individual votes under the European Union special support programme for peace and reconciliation. European funding has been provided initially for a three-year period, from 1995 to 1997, with further funding for two years up to 1999, subject to review. Northern Ireland has been allocated £200 million which, together with 25 per cent. matching funding, brings the total value of the programme in Northern Ireland to some £266 million. Both the European funding and the matching funding will be fully additional.

In my opening remarks, I drew attention to the main provisions of the order. In replying to the debate, the Minister of State, my right hon. Friend the Member for

[Sir John Wheeler]

Devizes (Mr. Ancram), will eagerly respond to the points raised by hon. Members. I commend the order to the House.

10.9 pm

Mr. Jim Dowd (Lewisham, West): I sympathise with the Minister. It has been a long day, but at least he knows that we are more than halfway through it. He rattled through a great range of numbers, and as the order is principally a financial measure, the House should examine a few of them. The debate provides an opportunity for Members representing Northern Ireland constituencies to raise issues, and as a significant number of them are present, I shall be brief.

The order is part of the Government's projections for expenditure from 1996-97 to 1998-99 arising from the Budget statement. We welcome several of its provisions. I hesitate to say it, but some sleight of hand is involved. I do not know whether there is less to the order than appears at first glance, or more, but I hope to tease out from the Minister which it is.

Although there is no reduction in the emphasis on targeting social needs and no offset of the additional funding expected from the peace and reconciliation initiative and the EU money that was mentioned, the figures, of which the measure represents the first tranche, suggest that there will be a reduction in real terms over the next two or three years. Most of the provisions are welcome, but they should be viewed against the need to consolidate the opportunities for economic development that have arisen in Northern Ireland recently—and the need to expand the economy by some 6 per cent. if a net 60,000 jobs are to be provided.

Although the recent developments that we discussed earlier are deeply troubling, it is the will of all Members to ensure that the work that has been done to bring normality to the lives of so many people in Northern Ireland continues, and that it is not another victim of the callous brutality of the Provisional IRA.

I would be grateful if, in his reply to the debate, the Minister would say whether the priorities established in the expenditure review in early December after the Chancellor's Budget statement have been changed by developments in the past 10 days or so since the South Quay outrage. I understand that he cannot say too much, but perhaps he can inform the House whether the welcome shift anticipated by the expenditure review is likely be reversed.

The overall increase in expenditure is some 2.5 per cent., but when the increased social security costs are taken into account, the figure drops to below 1 per cent., which, as all Members will know, represents a cut in real terms. When that is considered together with the switch from security spending to industrial development, it places greater pressure on the targeting of social needs expenditure, and the health, housing and education budgets. It is fundamentally wrong, therefore, for the Government to rely on more expenditure in that sector to create sufficient wealth and jobs to improve the lot of the socially deprived.

I should refer to one of the most alarming proposals in this year's order—the implied 20 to 30 per cent. cut in the action for community employment programme. There is widespread concern in all parts of Northern Ireland about the possible effects—up to 3,000 jobs could be lost. I asked a parliamentary question to try to elicit further information about the ACE programme, to find out the expenditure on individual organisations for the years between 1994 and 1997, and to learn how many people are employed by each body.

I was disappointed to receive an answer telling me that such detailed information was not readily available and could be obtained only at disproportionate cost. I should have thought that such figures were first-line information for the Training and Employment Agency in its dealings with the ACE programme.

There has been a welcome decline in unemployment in Northern Ireland in recent years, but it remains the area of the United Kingdom with the highest unemployment, especially long-term unemployment; and unemployment there is well above the EU average. Anything that jeopardises progress on this front is a matter of justifiable concern to all involved.

Although it has been said that the community work programme will be given more emphasis, the evidence is that it is nothing like as successful as the ACE programme has been. There is anxiety about the quality of community work programme training and experience, for instance.

Another worrying aspect of this affair is that the Northern Ireland Council for Voluntary Action has been deeply critical of the fact that it was not even consulted about the proposal to reduce the ACE programme.

The Minister mentioned EU special funds. Can he confirm that they remain, and will remain, additional beyond this year; and that the Government do not intend to make them "instead of" as opposed to "as well as"?

There is also widespread concern in Northern Ireland about the lack of speed and the method involved in the distribution of the special funds, and having them committed to the purposes for which they were intended.

I appreciate the Minister's comments on the support for local authorities, but he will know that some of the rate rises projected for Northern Ireland are severe, to put it mildly: 8.9 per cent. in Coleraine, 9.5 per cent. in Banbridge, 7.2 per cent. in Down, and 12.2 per cent. in Newry. The figure rises to 27 per cent. in Castlereagh—a staggering figure. Even though the Government have estimated that projected increases for the rest of the United Kingdom will be above inflation, some of the projected figures for Northern Ireland are extremely worrying, and, if realised, will impose a considerable burden on many householders.

Rev. Martin Smyth (Belfast, South): The hon. Gentleman has been speaking strictly about local council rates. Is he aware that the Department has increased regional rates, without capping them, over the years?

Mr. Dowd: Indeed so. I am not certain whether the Government have yet announced the projected increases in regional rates—I suspect that they are due imminently—but they too will be well above the rate of inflation, partly owing to the disproportionate impact of the Government's landfill tax on local authorities in Northern Ireland, which are peculiarly dependent on this

method of refuse disposal. That localised impact has not been adequately considered by the Government.

The Government will be aware of their report showing that the major part of the road-building programme was undertaken in the 1960s, and that those roads are now reaching the end of their useful life. Nothing in the figures suggests adequate expenditure to cover that fact. Infrastructure is important—not just in Northern Ireland, but across the country—given what the Minister was able to say about attracting inward investment. The infrastructure and the roads are a key element of that, because it is difficult to see how one can achieve as much from inward investment without the infrastructure.

We welcome what progress has been made in housing recently, although that progress has taken place against the backdrop of increases in waiting lists, which now have more than 22,000 people on them. I urge the Department to put less effort into breaking the Housing Executive into housing associations and more into allowing it to build and rehabilitate homes in Northern Ireland. That would be to everyone's benefit, although I know that the Government are determined to decrease central Government control.

We recognise that the position in Northern Ireland is acutely difficult, because local authorities do not have the same rights and responsibilities as those in other parts of the United Kingdom. However, we do not necessarily believe that the best way to deal with that is to move power away to semi-selective quangos, whether housing associations or other organisations.

The Minister will be aware that a recent report showed that some £114 million needs to be spent to bring school buildings up to standard. Clearly, it would be wholly unreasonable to expect that amount to be committed in one year, but the report shows that a large programme of work needs to be done to the fabric of schools in Northern Ireland. I would appreciate any information about how the Government intend to deal with that.

I would also appreciate any information that the Minister might have about if, when, whether and how the Government's proposals for nursery vouchers might be extended to Northern Ireland.

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): The hon. Gentleman has given us quite a shopping list of what he would like to spend money on. Can he explain where, if he was in our position, the money would come from?

Mr. Dowd: We would run the Government more efficiently, and we could do a thousand and one things that the Government are not doing.

If the Minister wants me to give figures now, his question was a reasonable try, but he must try harder. He knows the position. My understanding of the matter, weak and flimsy as it may be, is that the Government are responsible for the order before the House tonight, and my questions are about the order. A simple trawl of replies, especially to oral questions, from Ministers, and of questions from Conservative Back Benchers, would show that they are more concerned about what the Labour party will do than about the responsibilities of the Government. The Chamber was and remains established to call the Government to account for their proposals and what they will do about the information supplied by Departments.

Mr. Ancram: I am grateful to the hon. Gentleman for giving way again. Perhaps he did not understand my question, but I am sure that he realises that resources in Northern Ireland are allocated from a block, which is based on a formula. If more money were spent on one area of the block, it would have to come from another area. Can the hon. Gentleman explain, given his shopping list, from which areas of the block he would take money?

Mr. Dowd: The short answer is that I am not prepared to run around giving alternatives. Moreover, we are taking far too much time from Northern Ireland Members in engaging in a petty party political squabble, and I do not intend to devote much more time to it.

Mr. Thomas McAvoy (Glasgow, Rutherglen): That's okay, then.

Mr. Dowd: I am grateful to my hon. Friend.

I shall not go into the issues arising from the trusts and shadow trusts, many of which will come into existence in the next couple of weeks, but a specific problem has been brought to my attention, and, I am sure, to that of hon. Members representing rural parts of Northern Ireland. It concerns changes to GP dispensing arrangements, which—owing to various modifications to qualifications—now threaten the prospects of many small GPs in such areas.

For instance, the nearest overland station to a practice in Roselea, in Fermanagh, is some 30 miles away, and the GP there informs me that, unless GPs in such areas can use the funds they received under the previous formula, their future is threatened.

Rev. William McCrea (Mid-Ulster): We have the same problem with the Coagh dispensary. It is vital for doctors in that surgery to be able to dispense medicines. May we join forces in asking the Minister to take the problem on board? What GPs, the people and elected representatives are saying must be heard.

Mr. Dowd: The hon. Gentleman is right to raise that. I have heard from people in Fermanagh, Antrim, Down and elsewhere. It is a widespread problem, which also threatens the quality of care available to those furthest away from urban areas. GPs have approached me with detailed representations, demonstrating that the people involved are not given to complaining and have a genuine problem. It is not so great a problem in the short term, but, when GPs retire, it is highly likely that replacements will go by the board and local services will suffer.

The Minister mentioned costs to the water authority. Will he assure me that no money is being spent on preparations for privatisation—that the Government have seen the light after the debacle of electricity privatisation, and have noted the overwhelming opposition to water privatisation in Northern Ireland?

I have no time to ask the Minister about an extension to the dangerous wild animals legislation, but he will know of the ridiculous events in the recent past.

[Mr. Dowd]

Huge amounts of police time have been taken up to no particular purpose; the matter really ought to be sorted out far more efficiently.

10.27 pm

Mr. Peter Robinson (Belfast, East): Wide-ranging debates such as this always give Northern Ireland Members an excellent opportunity to raise issues that our constituents regularly ask us to raise in the House.

I hope that the House will forgive me if I zigzag across the elements in the order. The first matter that I wish to raise relates to local government, and, in particular, to section 72 of the 1973 Northern Ireland local government measure: it concerns the provision of a loans pool. Local authorities in other parts of the United Kingdom are empowered to borrow money in advance at the most attractive rate, provided that they can identify a need for those funds, in future years, within their budgetary requirements.

I had hoped that the right hon. Member for Strangford (Mr. Taylor) would be here to support me, because he is aware of the attempts that I and my council made to raise the matter with the Department and to seek permission to establish and operate a loans pool. Despite numerous approaches to the Northern Ireland Department of Finance and Personnel and the Department of the Environment, the matter still remains unresolved. Last year, Castlereagh borough council appointed consultants in the City of London to advise on the management of its capital borrowings. To operate its finances efficiently, it was advised that the establishment of a loans pool and the ability to borrow in advance of requirement was essential. Yet we do not appear to be able to get that matter sorted out from within the Northern Ireland Departments. The delays in obtaining the necessary approvals are hindering the council from obtaining finance at favourable interest rates, and as a result it is not achieving the savings that were expected.

The Under-Secretary of State who has responsibility for the Department of the Environment told the council that his Department was preparing a model loans fund scheme for adoption by district councils in Northern Ireland. I urge my right hon. Friend the Minister of State to ask his colleague why it is taking such a long time. It appears to us that there is considerable foot-dragging. I believe that councils in Northern Ireland should enjoy the same privileges as councils on the mainland.

I raise two issues that relate to the Department of Economic Development. The first, naturally, relates to the problems faced by Shorts, which is in my constituency and which had a major contract with Fokker, the Dutch aircraft manufacturer, to supply wings for the Fokker 100/70 jetliner programme. As hon. Members will be aware, the Daimler-Benz board has ceased to give financial support to Fokker, and that has thrown the company into crisis. If Shorts loses that customer, between 1,000 and 1,500 jobs could be lost. Economists have indicated that the knock-on effect could result in the loss of some 3,000 jobs in the Province as a whole. Shorts is not simply looking at Fokker as a customer; it has a special relationship with Shorts in that it has a partnership arrangement. Not only does it have what might be described as a profit-sharing arrangement, but it has a risk partnership. Therefore, from Shorts' point of view, the potential exists for considerable loss if the contract with Fokker falls.

I believe that the Dutch Government have been proactive in the matter and have given time and space for Fokker to try to put together an arrangement whereby it can stay in business, at least in part. Happily, one proposition that I raised recently with my right hon. Friend the Minister and with the Prime Minister was the possibility of Bombardier buying out Fokker. That seems a sensible option not only for Fokker but especially for Shorts.

What investigation has been made by my right hon. Friend's colleague, who has been very active in the Department of Economic Development? The Minister has been in regular contact on this issue. It appears to me that there are many areas where it was recognised that Fokker was carrying out work at an unproductive level, and where the costs were much higher than they would have been if the work had been carried out in Northern Ireland by Shorts. What assistance can the Government give to Bombardier, provided, of course, that part of the contract work that is currently being carried out by Fokker is put into Shorts, where it can be done at lower cost, which benefits not only Shorts in terms of jobs but Fokker and Bombardier?

It would be a nice end to the story if the removal of the threat of 1,500 job losses at Shorts, and as many outside it, led to a gain in jobs as a result of more work coming to Shorts. I am eager to have a response from the Minister on that issue.

The hon. Member for Lewisham, West (Mr. Dowd) referred to the substantial cut in funding for the action for community employment scheme. Although I do not despise today's announcement that £2 million is being put back into the scheme, it is small beer in terms of the loss that is expected. I have had a series of communications from groups within my constituency, such as community development groups, charities, including Action Cancer, victim support groups, citizens advice bureaux and many others, all expressing real concern about the impact of the cut. They believe that it will become impossible for them to maintain their present services for people within my constituency and that many of the services will have to be withdrawn entirely.

The ACE schemes have provided a worthwhile opportunity for people to gain skills; they have taken people out of the unemployment pool and they have given them a sense of belonging to society. It was remarkable for the Government to decide that they would cut the funding to the most vulnerable section of the employment pool. We see all the hype about the prospects of new jobs coming into Northern Ireland in a new atmosphere. How many investors are required to come to Northern Ireland to take up the slack that will result from the loss of jobs arising from the cut in funding for the ACE schemes? It will be difficult to fill that gap.

Rev. William McCrea: Does my hon. Friend accept that the feelings of his constituents concerning the cut in the ACE programme are shared by people in the rest of the Province? Having spoken to many other Northern Ireland Members, I feel that something urgent must be done and that the £2 million, although welcome, will not meet the concern felt throughout the Province.

Mr. Robinson: I accept that entirely. I know that in the unemployment black spot of Mid-Ulster—in Strabane and that general region—where there is high unemployment, the cut will be felt strongly.

I express criticism about the heavy cuts in the health service. I had the sad responsibility of meeting a family whose mother had required hospitalisation as the result of a heart condition. When the family contacted the hospital, a cardiac team rushed to the home and gave immediate assistance. The team determined quickly that it was essential that the lady be taken into hospital. They rang the Ulster hospital at Dundonald, to be told that there were no beds. They then tried desperately, for the next 90 minutes, to find any other hospital in the Belfast area that could provide a bed for this chronically ill patient. None of them could do so. It was only after ringing the Ulster hospital at Dundonald again that a bed was made available for the patient.

I accept immediately that the cardiac service was there and that it gave attention to the patient at all times. However, the House will recognise that a patient with a heart condition who is left for an hour and a half not knowing whether a bed will be found becomes very anxious—the very condition that is least required for somebody who has a heart problem. In my view, financial cuts are destroying what was a very good health service in Northern Ireland, and are driving the caring and professional doctors, nurses and staff almost to despair. I find more and more when I meet hospital staff that morale is very low and that they have great fears for the future.

I have had a number of difficulties in my constituency in recent years where people have been given the wrong advice on pensions over the telephone, and have taken decisions based on that advice. When it is later discovered that they have been given the wrong advice, everybody washes their hands and no one wants to do anything about it. In one such case, the official information given in writing to a constituent of mine never advised her of her rights and entitlements in relation to the matter that she raised. She is now getting 25 per cent. less per week as a result of receiving bad advice. The Government must face up to the issue. If someone gives incorrect advice in the name of the Government, they should make sure that the person involved is not penalised in the long run. I would ask the Government to introduce a system to ensure that those who suffer in that way do not do so permanently, and that any loss suffered is given back in compensation.

I was a little surprised to hear the positive remarks of the Minister and of the hon. Member for Lewisham, West on housing, because the Northern Ireland Housing Executive's house-building programme is almost non-existent. When I ask housing managers for essential work to be done in my constituency, I am always told that money is not available and that schemes are being put off and long-fingered.

One of the areas of greatest difficulty is home improvement grants. I know of people who have been waiting for three, four or five years for a decision from the Northern Ireland Housing Executive. It seems that the Housing Executive pulls out of the air any excuse to put off making a decision—it is "looking for more details" or carrying out all sorts of "tests of resources". I had an unfortunate case in my constituency when a young couple purchased a house in 1993 because they intended to get married in September 1994. When it got close to that date, it was obvious that the Northern Ireland Housing Executive would not be able to provide the grant that would allow the couple to have their home ready for their wedding, and they had to postpone it.

Some hon. Members might think that that poor man had been saved for at least a time, but—whatever his personal position may be—he is still waiting for his house to be properly refurbished. After all this time, it surely must be possible for the Northern Ireland Housing Executive to decide on whether this person can get a grant. In many cases, by the time a grant is paid, the condition of the house is much worse and the original estimates are no longer realistic.

In relation to the assessments, there is considerable concern that the test of resources can change during the period of waiting. I had constituents who, in March 1994, had their contribution assessed at £3,076. By October 1995, the contribution was assessed at £6,664.22, more than double the original assessment. Their total income increased by £27, they ended up in a new band and they had to pay an additional £3,600—all for the privilege of a £27 increase in their income. If the matter had been dealt with properly and speedily, they would not have been faced with that problem.

The Minister of State, Northern Ireland Office, the right hon. Member for Devizes (Mr. Ancram) is bracing himself because he knows that my final point relates to the Department of Education—his Department—and to Belmont primary school. A delegation from the school—including the headmistress and the board of governors—and I visited the Minister, and he also visited the school. Approximately 250 pupils attend Belmont primary school, which was built in 1890—not 1690, but it is none the worse for that—and it requires urgent work and a major extension. The Department accepts the case for a new building, but there are serious delays.

The building is currently in a bad state of repair: no one is allowed to use the upper floor, and there are difficulties with the electricity, with wet rot and with leaking in the ceiling. The staff use the staff room at their own risk. The Presbyterian church has been used in the past because the school was closed as a result of the need for repair. The overall wiring of the school is of concern—for example, one cannot turn on all the computers at one time. There are three classrooms in a row, with the one in the centre not having a separate exit. If there is a fire, the children will have to make their way out through the other classrooms.

It is clear that there is a major need for new premises. The dining room and the toilets are in a different part of the site. The children have to go out of their current portable cabins or out of the old building, cross a playground and go into these facilities, which are small and inadequate. The headmistress has an office that is smaller than a prison cell—I would have been happy if my headmaster had had such a small office, because he would not have been able to swing a cane in it—and is not satisfactory. The Department of Education must provide finance for a new school for Belmont.

The Minister recently made an announcement concerning the new starts list for 1996-97. I was disappointed that Belmont was not included on the list, but I will not be so churlish as to fail to thank the Minister because Grosvenor high school was on the list—clearly, there was a need there. The Minister accepts that there is a real need for Belmont primary school.

[Mr. Robinson]

The school was disturbed to receive a letter from the Belfast education and library board, which said that the Minister cannot take a decision on Belmont primary school because the necessary work has not been completed to the stage necessary for him to take such a decision. According to the Belfast education and library board, the delay appears to be within the Minister's Department. The communication says that the Belmont project is the Belfast board's second priority. If Belmont is its second priority, I would like the Minister to tell me what its first priority is, because I cannot think of any school in the Greater Belfast area that is in greater need of new accommodation than Belmont primary school.

The letter goes on to say that the initial economic appraisal has been submitted to the Department, that that has been expanded to meet the Department's requirement for additional options and a detailed design study cannot be commissioned until approval is given to the appraisal. Finally, it states that work cannot start on site until new-start approval is issued.

Belfast education and library board is being held back because approval has not been given to the appraisal that was submitted. I hope to have the opportunity to speak to the Minister about this case. I would be pleased if, by then, he could determine what stage the appraisal is at and whether it could go back to the board to be put on its list of priorities.

If there are designs floating around for Belmont primary school, would it not be a good idea for some information to be given to the school? It is most unhelpful when the headmistress and the board of governors do not have any idea what appraisal the Minister is having to look at. They do not know what the board's proposal is—whether it is for an extension, whether the existing school is being knocked down, or whether it is for a new building on the same site. Surely that information can be given to the primary school.

I hope that, in a year's time when the Minister announces the new starts for the following year, he will have Belmont primary school at the top of his list, if he does not find some slippage in the intervening period and feel able to give approval before that.

10.50 pm

Sir James Molyneaux (Lagan Valley): I have no means of knowing whether the Chair has arranged for Lord Nolan to sit in on the debate, and if so, whether he can blow a whistle so that anyone who appears to have an interest in the matters under discussion can be forewarned.

In a way, all of us are bound to have financial interests somewhere in the 11 pages of this order. I am distinctly nervous when it comes to the mention of retirement pensions. I am less anxious about the case for maternity benefits. Younger colleagues, who have served and are serving their apprenticeship in this House consumed with the burning ambition to progress to higher things, might be concerned over the mention of £163,000 for the Northern Ireland Assembly.

As time is pressing, I shall resist the temptation to deal with specific matters, but will consider the wider picture as it would affect any Government. I hope that that may appeal to the hon. Member for Lewisham, West (Mr. Dowd), who spoke for the Opposition.

Northern Ireland appropriation order debates should not be allowed to give the impression that Northern Ireland is an obscure colony. It is an integral part of the United Kingdom and this appropriation order confirms that. It merely authorises the allocation of funds made available by Her Majesty's Treasury, which, in turn, derives that money throughout the United Kingdom by unitary taxation, as it is applied to all four constituent parts of the kingdom.

The advantages of belonging impose matching responsibilities. While we represent Northern Ireland and have a right to suggest how the total sum should be spent, we do not have the right to demand reckless expenditure which, if it were repeated in England, Scotland and Wales, would jeopardise the nation's finances and devalue the currency, whatever the complexion of the Government in power. In that regard, our parliamentary party has been consistent since its inception in 1974.

In my modest contribution to the debate on the reply to the Gracious Speech in November last year, I reiterated our principles: no fixed exchange rates, which has incidentally become a very popular view in the interval since I made that speech in early November; resumed repayment of the national debt; maintaining the Government's excellent record on low inflation; a steady reduction in the public sector borrowing requirement; and, support for the Chancellor's carefully phased cuts in interest rates. The Chancellor was on the Front Bench that day and he seemed to approve. Although I am a modest man with much to be modest about, I like to think that perhaps I had some influence on his decisions when he was finalising the Budget that he presented the following week.

With regard to the broad sweep of funds granted by the Treasury, the Minister may find it useful to explain more fully the impact of the so-called peace dividend. Savings resulting from what has been called the temporary cessation of military operations will have been reflected to some extent in part I of the order. Part II will presumably reflect certain reductions in public expenditure in keeping with the Government's policy of sound money, with which we do not greatly disagree. That means a reduction in the budgets of various sectors such as housing and hospitals. The authorities in those sectors managed—but only just—to avoid swingeing reductions in plans for this year and next year.

However, with the rolling resumption of terrorism, the peace dividend will have disappeared. There will inevitably be an increase in security-related expenditure throughout the United Kingdom—bearing proportionately on Northern Ireland. I am not referring to the costs of security forces because they are not contained in the order.

I am asking for an assurance that as security-related expenditure rises, the Government will regard that as a regrettable extra and will not be tempted to raid from the Northern Ireland budget the already reduced funds allocated to the Departments for the year 1996-97. Will it be accepted that, although the Northern Ireland Departments will do their best to cope with cuts in the coming year, they simply could not function if further cuts were made in their budgets for 1997 and the remaining years of the decade?

Paragraph 4(2) makes the rigid requirement that any money borrowed, with interest due, must be repaid not later than 31 March 1997. I make that point because, on

1 November 1995, in a Committee debate on the financial provisions order, I referred to the flexibility that the order gave in the dates for the repayment of loans by various organisations in Northern Ireland. It was explained by the Minister of State, Northern Ireland Office, the right hon. Member for Westminster, North (Sir J. Wheeler), who was acting for the Government on that day, that a rigid repayment date could sometimes impose an administrative burden on organisations such as the Northern Ireland Housing Executive. On that occasion, the Committee could see the sense in that proposal and it unanimously approved the order. The question arises in my mind: why is the Department of Finance and Personnel, in this appropriation order, denying itself the flexibility that it accorded to others in the financial provisions order?

I know that many other right hon. and hon. Members will no doubt wish to deal with the activities of some of the departmental votes, but I wish to concentrate on the financial aspects of the Department of Economic Development listed on page 8, in vote 3. I want to focus on the enterprise and investment scheme that was introduced by the Government in the 1993 Budget to provide for a new equity investment in unquoted trading companies by outside individuals, "outside" in that case meaning persons not connected with the company, such as employees and shareholders with more than 30 per cent. of the capital.

Despite the fact that various tax reliefs are available to investors, only about 200 companies have benefited in the two years of the scheme's existence throughout the entire United Kingdom. Potential small companies have not noticed that whereas various forms of support are restricted to manufacturing industry, which has always been a sore point, this scheme has benefited service industry companies, including retail and wholesale distribution companies, hotels and restaurants. That has always been a much-despised sector, but it has chalked up assets of £8 billion throughout the United Kingdom in the last full year.

I am baffled and disappointed by the lack of response to the scheme in Northern Ireland, which is noted for its diligence and business acumen. It is a part of United Kingdom that, despite all that the enemy could do over past years, is benefiting from a steady improvement in its natural economy. I know of numerous small potential investors on the one hand and small enterprising companies on the other. The challenge for us all is how to bring them together.

It is true that the enterprise investment scheme is based on the Department of Trade and Industry in London, with welcome Treasury support. It is also true that the Minister of State, Northern Ireland Office, the right hon. Member for Westminster, North, who is responsible for finance, and his colleague, the Under-Secretary, Baroness Denton, are making determined efforts to project that scheme in Northern Ireland. However, the two Ministers would be the first to admit that they need the support of all of us. I think that I can assure them of the backing of all hon. Members who represent Northern Ireland because, throughout my 25 years in the House, my colleagues from Northern Ireland, whatever their party affiliations, have banded together to support initiatives that have improved the material well-being of all our people in Northern Ireland.

I recognise the difficulty. This topic is not the stuff of which soundbites are made. It is dull dog stuff that cannot compete in the news industry with name-calling and abuse, but that means that we have to work all the harder to assist the two Ministers and their colleagues, should they decide—as I hope that they will—to stage a major promotion of a scheme that could make a great contribution to employment and prosperity in Northern Ireland.

11.1 pm

Mr. Eddie McGrady (South Down): I do not share the understanding of the right hon. Member for Lagan Valley (Sir J. Molyneaux) of the cuts in Government expenditure that have been imposed on us over the past few months. I make no apology for again refetring, as have other hon. Members, to the vicious cuts in the action for community employment programme, whereby the groups involved were unilaterally informed on 12 December 1995 of a 25 per cent. cut in their budget. There was no advance consultation.

It is interesting to note that the document issued by the Department in February 1993, "The Strategy for the Support of the Voluntary Sector and Community Development in Northern Ireland", promised that there would be consultation with that sector on key issues before decisions were made by the Government. Why was that promise not honoured on this occasion?

Another document was issued that related to training and employment. It stated:

"the Training and Employment Agency seeks an active partnership with voluntary organisations and local community interests in support of training and other initiatives which enhance employment programmes."

The providers embraced that whole-heartedly under the concept, advanced to them by the Government, of partnership. Once again, the Government acted unilaterally. The so-called partners in training were advised of the vicious cut by a press release. The Minister must answer to the voluntary organisations which provide such a dedicated service to the Northern Ireland community—they deserve much better treatment than that.

The Department failed to pursue through the system the consequences for our communities of that draconian cut. The most vulnerable—the aged, invalids, the young, pre-school children and the unemployed—have been hit directly. The Minister has made a vicious cut in that sector but, if services are to be maintained and not disappear entirely, another Department must pick up the tab. Will the Minister confirm whether that is the Government's intention? Will services to the most vulnerable members of our community be cut as a result of the Government's actions?

My hon. Friend the Member for Lewisham, West (Mr. Dowd) referred to the 2,000 to 3,000 jobs which may be affected—as will diverse organisations, such as Cancer Research, Age Concern, meals on wheels and play schools. There will be a fundamental withdrawal of services and the Minister must address that issue. Will he confirm whether the Government's ploy is simply to reduce spending on the Training and Employment Agency in the hope that the peace and reconciliation fund will meet the difference in the long term on the basis of its social inclusion philosophy?

I shall deal now with the Department of the Environment. My hon. Friend mentioned the roads infrastructure bonanza of the 1960s and he questioned whether the funds should be

[Mr. Eddie McGrady]

renewed. Certain areas of Northern Ireland never enjoyed that bonanza in the 1960s—I refer to my constituency and to the neighbouring areas in south-eastern Northern Ireland. In the intervening three decades, there has been no meaningful capital expenditure on roads or communications infrastructure in those areas.

If we are to achieve any share of the job bonanza that is promised to Northern Ireland and any share in the forecast huge increase in tourism, we must have reasonably modern road access to that area, which is one of the legs of the tripod for tourism development in Northern Ireland: the lakes of Fermanagh, the north coast and the Mourne and St. Patrick's country. The latter does not have the accessibility to create meaningful infrastructure for tourism or inward investment. I shall not go into great detail, but the primary routes into that area—the A7, the B8 and A24, Belfast to Downpatrick, Belfast to Newcastle, and the coastal roads—will not be improved until 2001, except through the expenditure of a small part of the minor works budget. It is beyond me how that policy gets past the equal treatment qualification. It seems as though those areas which did not receive funding in times of plenty will certainly not receive it now.

I must refer to one aspect of the roads infrastructure in light of last month's debacle involving the ferry between Strangford and Portaferry, which is the major link between the Ards peninsula and south-east Ulster. The ferry service did not operate for several days—the main ferry, the back-up ferry and even the small passenger cruiser were out of action at the same time.

The Department of the Environment commissioned a firm of marine consultants to carry out an assessment of the ferry operation and make recommendations. The firm reported to the Department in April 1995, recommending that the motor vessel named Portaferry be replaced. The Department has sat on that report and, despite the endeavours of my party and others, we have failed to elicit a reasonable response to proposals made to the Department by the commission that it appointed. Will the ferry be replaced or not? It is a simple question.

Perhaps the Minister will take aboard an entirely different concept. Is it more meaningful in modern times, instead of replacing the ferry, to build a bridge between the Ards peninsula and the rest of the south-east? It would create much greater scope for increasing economic prosperity, based on the limited amount of industry that exists. It would connect the two areas of Down, which have the entire fishing industry of Northern Ireland, and facilitate commerce in agricultural produce. Does that proposition figure in the Minister's thinking?

I draw the Minister's attention to the fact that, if we are to have a meaningful social housing programme to take us into the new millennium, increased funding will unfortunately be required. All the primary indicators of the way in which our housing stock is developing show an unhealthy trend. Unfitness is increasing and is now 8.8 per cent.—higher than the Great Britain average. In some substantial rural areas it is as high as 28 per cent.

In the past five years, waiting lists have increased considerably and the population forecast of household growth is 7,500 per annum, yet the total targeted of the Housing Executive and the housing associations is only 2,300 per annum. Added to that is the increasing need to provide specialised housing for the care in the community concept, which will obviously increase as the population ages.

A comment was made about the fact that the demand to rehabilitate houses by way of grant—repair, renovation or restoration—has obviously greatly outstripped that anticipated by Government. Is there any meaningful anticipation that adequate funding will be provided for the Housing Executive or whatever the new set-up will be after the housing consultation that is taking place?

I shall now discuss the severe cuts throughout the health boards—3 per cent. this year. Those cuts were announced in a press release by the Under-Secretary of State for Northern Ireland, the hon. Member for North-East Cambridgeshire (Mr. Moss), on 12 February 1996. It is an unusual press release. It is five or six pages long and admits clearly—for the first time ever, in my experience—that the 3 per cent. cut cannot be provided for out of the boards' funding. The Minister anticipates that only 1.5 per cent of that cut can be provided for out of the boards' funding. The Minister continued:

"I will be asking Boards, GP Fundholders and Trusts to work together to minimise the impact of the remaining 1½% reduction on services to patients and clients."

That is the first time ever that, in a ministerial press release, a deliberate cut in services has been acknowledged.

In response to a letter concerning a constituent with an acute cardiac condition, the consultant cardiac surgeon at the Royal hospitals in Belfast wrote:

"We have been advised by our Directorate here in the hospital that we are over 'contract' on Eastern Board and Northern Board activity. We have been told to avoid operating on all but the most urgent patients for these purchasers. We have been told that there are no restrictions on elective work for Southern and Western Board patients or for any GP fundholding practices.

As you can see from the above, this poses great difficulty for us in our clinical practice and might explain why your patient is having his operation delayed."

That is clear, unequivocal evidence of the two-tier system that now applies in the health service. Is the Minister taking that situation into consideration? As we speak, cardiac patients in my constituency and throughout the eastern and northern board areas cannot have their operations performed. Does the Minister think that the most pressing of all the monetary requirements to which the votes should apply? I end on that sensitive note concerning the health, the welfare and probably the lives of our constituents.

11.16 pm

Rev. Ian Paisley (North Antrim): My speech will mirror that of the hon. Member for South Down (Mr. McGrady), because I have the same problems in my constituency. A letter from a constituent of mine in Ballymoney stated:

"I write for an explanation on the different treatment of two very similar cases. Both parties reside in the Ballymoney area, the diagnosis for both cases a cartilage problem in the knee and the recommended treatment 'keyhole surgery'. The facts of the cases . . . are as follows:

Case A:

June 1994. Referred by GP to consultant in the Route Hospital, Ballymoney.

September 1994. Attended the Outpatients Department of the Route Hospital, Ballymoney, and was referred to a consultant in the Musgrave Park Hospital.

June 1995. Attended an Outpatients Clinic at Musgrave Park Hospital and was examined by a Mr. McCoy. Advised by Mr. McCoy that there was a waiting list for this operation and it was not anticipated that the operation would be performed before December 1995.

January 1996. A member of the clerical staff at the Ballymoney Health Centre (on the instructions of the GP) rang Musgrave Park Hospital and was informed that the operation would not be carried out 'until the beginning of the summer'."

That is, a wait of nearly two years. The letter continued:

"Case B.

22 March 1995. Referred to consultant by GP.

28 March 1995. Attended clinic in Belfast and examined by consultant.

31 March 1995. Operation carried out in Musgrave Park Hospital."

That is, the same month. My constituent continues:

"There would appear to be a startling anomaly in the treatment of the two cases. However, there are two facts previously omitted which clarify the situation.

1. Case A is a National Health patient.

2. Case B chose to go 'privately' and paid for the operation.

I have paid tax and Class I National Insurance Contributions for almost 25 years. Perhaps I am naive in believing that the contributions paid by me over the years entitle me to fair treatment . . .

It is an indisputable fact that there is a 'two-tier' health system. Those who are rich and pay receive virtually immediate attention whilst those who are poor wait and suffer. How many others have 'jumped the queue' since June 1995?"

That speaks for itself, and backs up what the hon. Member for South Down said about a two-tier system.

Mr. Robert McCartney (North Down): I am grateful to the hon. Gentleman, but his comparisons are not entirely apposite. The hon. Member for South Down (Mr. McGrady) was comparing the two-tier system of GPs who were fundholders and those who were not, while the hon. Member for North Antrim (Rev. Ian Paisley) is comparing national health patients with private patients who are paying for their own treatment. If I am wrong, perhaps the hon. Gentleman will clarify the issue.

Rev. Ian Paisley: I accept that, but it is a two-tier system in both cases. For the sake of time, I shall not go into the minutiae of what the hon. and learned Gentleman said.

The Housing Executive budget has been cut by £10 million. That has deprived Northern Ireland of new build and refurbishment work. In North Antrim, more than 400 people were driven out of their Northern Ireland Housing Executive homes during the bad weather because of burst pipes. The NIHE refused to acknowledge any responsibility. Two years ago, it cut out the direct labour scheme. This winter, when problems arose, the tenants could not find workmen to do the job. The Northern Ireland Housing Executive told me that it could find only two plumbers to repair 400 houses.

Will the Minister make the Northern Ireland Housing Executive acknowledge its responsibility? Its refusal to spend money on the upkeep of the houses caused an emergency in the very cold weather. The pipes were not lagged, and no proper action had been taken to protect them from the very cold weather. After some 40 years, why is no work being carried out on any of the houses on Greystone crescent?

I welcome the fact that the Government have decided to spend £2.7 million on the next phase of the A26. That money is being spent because the Prime Minister visited Ballymena and everyone got at him. He heard only about the A26. He heard it from me as the local Member; he heard it from the mayor, from the deputy mayor and from every alderman and every councillor. He heard it out in the streets and under the Christmas tree, so he had to do something.

The sad thing is that the third phase of the A26 has been postponed for 13 years. I do not know who will be the Prime Minister then. It may even be the Minister. Perhaps the A26 will be finished off at the end of the day, but until then, the new shopping and retail developments in Ballymena will be bypassed as people go to other parts of North Antrim because the road system is inadequate. The Government must complete the A26 scheme as soon as possible. I welcome the second phase, and I am glad of the money, but there must be a more reasonable date for the third phase than 13 years ahead.

I have dealt briefly with health matters, but I remind the Minister that a promise was made that a small injuries clinic would be erected in Ballymena. What progress has been made on that scheme?

How much financial assistance for local businesses has gone into Ballycastle, Ballymena and Ballymoney in the past 12 months? Would the Minister agree that it is difficult for small businesses to avail themselves of financial help from organisations such as the Local Enterprise Development Unit? I do not know whether my colleagues have trouble with LEDU, but I certainly do.

Hubert Brown-Kerr, a young man in my constituency, is a goer. He started the Sunstart Bakery; he got very little financial help—about £6,000. He is now the biggest exporter of bakery products to the United States of America. But LEDU held him up for months when he wanted to build a huge bakery in Ballymena, and offered him only small sums of money. What he needed was very large sums, to get the factory built.

I pay a warm tribute to Baroness Denton for the help she gave us in this case. She told LEDU to get on with helping this young man. I am glad to tell the House that the factory is to be erected. I went to see Brown-Kerr the other day, and he told me that he has had so many orders for his commodities that he has had to close his order books. He is the type of young man we need in Northern Ireland, and he is the sort of entrepreneur who should be encouraged. LEDU should take note that a man it despised and rejected has successfully promoted Northern Ireland's bakery products in the United States.

There has been talk tonight about the ACE scheme. Every Northern Ireland Member is greatly concerned about the cuts. I want to know what alternative provision the Minister intends for these areas, to reduce their unemployment rates. If ACE is removed, more people will be on the unemployment list. It is all very well announcing a cut, but what is the alternative?

We all talked to Baroness Denton today in the airport lounge, because our planes were delayed. In our private meeting, she told us about the £2 million. We do not despise that money, but it is nothing compared with the cuts that have been made.

[Rev. Ian Paisley]

The Minister knew that I would raise the question of the Ballycraigah school tonight. I wonder what progress he is making. I hope he will be able to tell me tonight, or write to me about it.

11.27 pm

Rev. Martin Smyth (Belfast, South): Has the Minister had an opportunity to study my letter and come up with a suggested date for visiting Wellington college? It has been in existence for a long time, under its former guise of the Carolan and Annadale schools. They amalgamated as part of the reorganisation, but the promises made to them at the time have not been fulfilled.

The attitude here seems to be one of mañana. For some years, the project was high up the list of priorities, but the Department demoted it. Now, with the move to become part of the new Balmoral high school in September, it looks as if the school is being asked to use the premises without even the modifications promised at an earlier stage.

When will the Minister be in a position to visit and see for himself that the school cannot actually provide the full scope of the curriculum in the rooms it has? There is an increase in the numbers going to the school. Outside the city, the nearest grammar school is Down high school on the southern side and the other schools, including the Methodist college, Victoria and others, are all over-subscribed.

It is not fair to absolve oneself of responsibility by saying that it is not the conditions of the classrooms that matter, but the quality of the teaching. The results show that the teachers are performing well, but the conditions are impinging on the future of those young people, and they do not have the same facilities as others.

I hope that the Minister will be able, in the near future, to pay that visit, which has been postponed at least twice. I recognise the pressures on the Minister's time, but I know that there has been a cry from the hearts of the staff and governors of Wellington college.

I now turn to vote 4, and the link between income support and housing benefits. I am concerned, and I have been for some time, about the pressures on the Housing Executive to increase rents. Has a study been done on the impact on the public purse of increasing Housing Executive rents by amounts well above the rate of inflation?

How many people are paying a full rent, and therefore, how much public money is being spent on housing benefit for those who cannot afford to pay those rents? Will we soon have the sort of situation that happened in London some years past, when the rises in the price of house building ultimately caused the collapse of housing prices? The private sector in Northern Ireland claims that it cannot afford to build houses of the quality that the Housing Executive is building for the price. Is a problem being stored up, and is public money being wasted because the Department and the Housing Executive keep putting up the rents of Housing Executive properties?

I wish to raise a specific issue that links education and housing benefit with income support. A young woman student at Queen's university took ill and had to discontinue her studies. She does not qualify for income support, because social services say that she is in full-time education. Therefore, she is now faced with the problem that, because she does not qualify for income support, she will not qualify for housing benefit.

How is a person in that situation expected to live? Is there a misunderstanding of the rules on the part of somebody in social services? Is that student getting the bad advice to which the hon. Member for Belfast, East (Mr. Robinson) alluded when he talked about pension advice?

Mr. Roy Beggs (East Antrim): The Minister might be able to clarify the point that education and library boards have some discretion in such matters, but they may not have been exercising it.

Rev. Martin Smyth: It occurs to me that the boards might have used their discretion in their own way, to the disadvantage of the student I have mentioned. That has put additional pressure on an ill person.

There are many important issues on which I could spend time, but I wish to consider the projected expenditure for 1996-97.

I was a little concerned that, in the Minister's answer to my question on 11 January, there might have been not a deliberate misleading, but certainly a misleading, of the House. When I pressed the question of the 3 per cent. up-front cut, the answer was that the same had happened in the past three years. The chairmen of the boards, and those in the trusts, were certainly not aware that the recommendation from the Department and the management executive was a repetition of what had happened for the past three years.

In my question, I suggested that there would be reductions in elective surgery. I welcome the fact that the Minister has listened and made some adjustments, but is there something wrong with the Department and the management executive? Are they out of touch with reality? What is the motivation for some of their decisions? They have been completely out of kilter in regard to the capitation charges that have been going on for some years; now, in trying to correct them, they have come up with another howler. There has been a postponement for another year to allow more consultation between the boards, the providers and the Department. Who is making the decisions, away from the reality of work?

Can the Minister tell us—especially those of us who are involved with the eastern health board—why, although it seems to have been possible for contracts to be finalised quite early in the year in the southern, western and northern boards, at least two of the eastern board's main providers, Belfast City hospital and the Royal Victoria hospital, are finding it difficult to get contracts finalised until after September? Is there something wrong with the bargaining process? Did it not start in time?

Reference has been made to the knock-on effect and the two-tier system. GP fundholders have regularly been blamed for that system. To what extent are the health commissioners here and the health boards in Northern Ireland playing the sysytem with the trusts providing the services?

I gave some statistics in Health questions recently, from which it seems that there is an undoubted pattern throughout the nation and certainly in Northern Ireland:

people come from GP fundholders to be treated three to six months earlier than those who come from the health boards and health commissioners.

I have seen figures for both Great Britain and Northern Ireland, and I have discovered—perhaps the Minister will correct me if I am wrong—that the providers purchase the service that the GP fundholders are purchasing, knowing that, at the end of the year, extra money will be available through the boards to fulfil their contracts. In the meantime, the boards have had to deal mainly with emergency work.

Are the boards playing the system, while not providing patients with the care that they require and that their doctors are recommending? I do not believe that it is a fair system if that is what is going on. Is the system allowing that to happen, or is it human manipulation of the system?

I have looked at the impact that the cuts will have, and not only on elective surgery, because in Northern Ireland, as well as the boards and trusts, there are health and social services, provided, for example, by the South and East Belfast Community Trust. It is concerned about the impact that the cuts will have on the provision of social services. In that context, I pay tribute to the experimental and positive work that the South and East Belfast Community Trust has done.

Is there not something wrong with a system in which a perverse incentive allows people to go into residential and nursing homes when they could be better provided for in the community, in their own homes where they want to be? The figures show that, even at grade 3, which is the highest grade for a nursing home, the community trust can do it much more effectively and economically. The patients we visited in their homes were singing its praises. They had benefited when in hospitals and institutions, but now they are back in their community and are getting excellent service.

The state could do more and adjust the funds, which, in my judgment, are wrongly going into nursing homes and residential homes rather than into community trusts. It might mean that we would need some changes in legislation, for it was obvious that some of the people in their homes who were getting the service free were also in receipt of other benefits, such as attendance and mobility allowance. One wonders whether that could be used to extend the scope to others.

I should like to deal with the penalty clause. I was in one of our larger hospitals on Saturday, and discovered that, as it was getting near the end of the year, it was holding Saturday theatres, Sunday theatres and night theatres. Although there would be a penalty if it was over-productive, it would not be as great as if it was under-productive. The management is pressing it and saying, "We must fulfil these contracts; we must get these patients in," and so on. Is that part of the folly of the traditional Treasury attitude: "There is only so much money and if it is not spent by the end of the year, you will not get the same amount next year"? Can we look again at some way to improve our budgetary arrangements, so that they do not cause that last-minute splurge?

I look forward to the developments in hospital provision. Does the Minister agree that there was something wrong with the approach that allowed obstetricians in Belfast to say that what they needed was a modern maternity provision on a green-field site—they were not terribly worried whether it was the City site or the Royal site?

In the examination, it was decided that the facilities that were available in the City tower block could be modified to give modern maternity provision, closing the Jubilee and the Royal maternity, with facilities that would be needed into the next century, catering for some 5,500 confinements and deliveries in a year. We now have the "Save the Royal" campaign, which denigrates the City. It claims that it has no neonatal services, and paediatricians are sending the message to mothers west of the Bann, in North Antrim, in South Down and other places: "It is not safe to have your babies in a modern provision in a city site." The site is only 15 minutes from the Royal Victoria hospital, but it is claimed that the paediatricians, especially the cardiac surgeons, will not be available. It is time that some involved in health provision began to be more responsible in terms of their job protection tactics and their attitude to the provision of modern services for our community.

11.44 pm

Mr. Robert McCartney (North Down): As the only independent Northern Ireland Member, I collect the crumbs, or perhaps it is an advantage to have all the salient features of the Northern Ireland apportionment of funds dealt with so comprehensively and so unanimously by Members representing the major parties.

I have discovered this evening that a Minister's lot is, indeed, not a happy one. The hon. Member for Belfast, East (Mr. Robinson) has properly, on behalf of Belmont primary school, given us a catalogue of disrepair and other afflictions from which that school suffers and has asked the Minister to make it one of his priorities. However, we all appreciate, despite the extent of our respective begging bowls, that what the Minister has to allot is finite. The hon. Member for Belfast, East was more than generous when he acknowledged that the Minister, in the allotment of funds, had given priority to a major grammar school, Grosvenor grammar, in his constituency. Many of my constituents send their children to that school and I join the hon. Gentleman in thanking the Minister for the priority given to Grosvenor. It has rendered me conscious of the fact that there are many other hon. Members and many other people who are assiduously seeking a slice of the goodies that the Minister from time to time has it in his power to allot.

I am equally conscious that the funds that any Minister in any Government has available to him are limited. It is a matter of fine judgment as to which of a number of competing priorities he allots some of the money at his disposal. However, one constant theme from every Northern Ireland Member who has spoken this evening has been a reference to the draconian cuts that have been administered in relation to the money allotted to the action for community employment schemes. There has been a 25 per cent. cut, capitalised at £12.5 million, in funds for a group of people who can least afford the cut, belonging as they do to one of the most economically and often socially disadvantaged strata of the community.

The schemes are designed to enable the long-term unemployed to re-enter employment society. They have given sterling service to Northern Ireland in an area where it was much needed. Northern Ireland generally,

[Mr. Robert McCartney]

compared with the rest of the United Kingdom, has always suffered a high level of unemployment, both male and female. In certain areas of Northern Ireland, male unemployment has been absurdly high. It was to address that particular area of chronic long-term unemployment that the action for community employment schemes were introduced. Not only did the schemes benefit those who had been out of work for a long period, but they gave hope and succour to young people emerging from school into the employment sphere in an area where the prospects of immediate employment—particularly for those without academic skills or those lacking any form of training—were particularly prejudiced.

The schemes have been enormously successful. Many of them have high success rates, with between 50 per cent. and 60 per cent. of those passing through the schemes ultimately finding long-term or permanent employment. The schemes not only provide and train people for permanent employment, but in many cases they have achieved rates of between 40 per cent. and 50 per cent. of nationally recognised training qualifications. It is a matter not simply of training people, but of giving hope to those who have perhaps lost their self-respect through chronic unemployment or the absence of any prospect of employment.

As a peripheral benefit, the schemes have provided a great service to the community. That can be demonstrated by the wide nature of the groups that have written to me. These include Donaghadee Community Work Force Ltd., North Down local trust, Youthnet, YMCA Ireland, the Shankill road mission, the Northern Ireland Association of Citizens Advice Bureaux and the Newtownards community work force. A wide range of charities and other community organisations have been mentioned by other hon. Members tonight in this regard.

While recognising that the resources at the disposal of the Minister have a finite quality, I also recognise that he is called upon to make judgments as to the allotment of resources to those who would lay claim to at least a small portion of the largesse that may be on offer. Every hon. Member in the Chamber this evening would make common cause in advancing the case for the restoration to the action for community employment schemes of something more than the £2 million that is currently on offer.

What has been demonstrated here this evening is the unanimous, cross-party, cross-community support from every hon. Member from Northern Ireland for the schemes, which enjoy that unanimous support because something about them touches a common chord in everyone. Every hon. Member from Northern Ireland is aware not only of the validity of the objective of the schemes, but of the success that they have enjoyed in delivering to deprived people—in every sense of the word—some prospect of hope. They have also managed to engender a sense of community. Not only do they offer training and the prospect of permanent employment or a qualification, but, in a peripheral sense, they provide services to other disadvantaged members of the community—the sick, the aged and those suffering chronic invalidity. A number of organisations benefit from the action for community employment schemes—from meals on wheels, to the St. Vincent de Paul Society, to Donaghadee Community Work Force Ltd., an organisation in my constituency.

In a letter addressed to me, Donaghadee Community Work Force Ltd. refers to the organisation of the local summer festival—which attracts huge crowds—and the entertainment of Prince Andrew, among others, who visited as part of the VE day celebrations. The planning, creation and maintenance of the town's floral displays resulted in its winning first place in the Ulster in Bloom competition and being selected to represent Northern Ireland and the United Kingdom in the finals.

The organisation offers a range of adult education courses designed to promote education as a constructive use of leisure time. I give these examples as an illustration of the filtering down of the work of these community organisations, not simply in the people whom they train but in the sense of community purpose that they afford to a much wider range of people. I am not in a position to calculate all the benefits in financial terms, including the knock-on benefits of schemes of this kind.

If the schemes engender the work ethic in young people and in the chronically unemployed, and if they prevent those people from finding other less practical and useful avenues for their energies and endeavours, they serve the whole community. They also prevent the drawing of unemployment and family support benefits. If the financial benefit were properly calculated, there would be great advantages to the community—both present and future—that would more than offset the £12.5 million that will be saved by the cuts.

I therefore ask the Minister of State, Northern Ireland Office, the right hon. Member for Devizes (Mr. Ancram)—I am conscious of the demands from a variety of sources—to look at this issue with sensitivity and with understanding, which I am sure that he can bring to bear on the issue. All hon. Members feel that this is perhaps a miscalculation, that this is perhaps a failure to seize the right priority, that this is something which, if it is not restored, will literally and metaphorically knock the stuffing out of a section of the community that is least able to bear it.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. In the 48 minutes available before the wind-up, four hon. Members wish to catch my eye. That should not be impossible with a bit of co-operation.

11.58 pm

Rev. William McCrea (Mid-Ulster): I shall bear in mind the time, and not repeat much of what has already been said. I join with all hon. Members who have mentioned the action for community employment scheme. I have been lobbied by quite a number of community organisations which feel that it is of vital importance that finances are made available for the continuation of the original ACE scheme.

I am sure that the Minister of State, Northern Ireland Office, the right hon. Member for Devizes (Mr. Ancram) realises that one of the biggest problems in Northern Ireland is the roads infrastructure. I had the privilege of hosting Baroness Denton of Wakefield in my constituency at the weekend. Her visit was most welcome, and I know that she understood the difficulties of getting there. Unfortunately, we are told that to solve part of the

problem we must attract industrialists. We have to compete with the other areas of the Province that are close to air and sea ports.

For the likes of Omagh district or Castlederg, the great difficulty is transporting people and products between their businesses and the air and sea ports. I ask the Minister, therefore, to implore his colleague to ensure the upgrading of the road from the end of the M1 at Dungannon right through to Ballygawley roundabout, Omagh and Strabane. That is a major section of the road. The Minister said that perhaps private finances should be considered. I ask the Department to take whatever actions are necessary to get us a road that will enhance the prospects of industrial development in an area of very high unemployment. We are sincere when we say to the Minister that that is one of the essential ingredients.

Another necessity is the conclusion of the Omagh and the Cookstown bypasses. If we are again faced with terrorist activity, God forbid that the business people should again have to suffer being held up by the security huts near the security base in Cookstown. We urgently need that bypass. The Magherafelt bypass is equally important to enable us to get industrialists into the area and products out as quickly as possible.

Grants have been mentioned. The staff of the grants office seem to be totally disillusioned. They do not know what to say. They simply have to give us the old, old story and spin the record again, saying that there is no money that they can hand out. Many of the applications are long term; yet the papers are still filled with encouragements from the Northern Ireland Housing Executive for further applications. It would at least be something if the executive would stop giving the impression that if one makes an application one will get an answer. There is no money for the long-standing applications at the moment. We urgently need more money for Housing Executive grants and to pay for the long list that are still in the pipeline.

The health cuts will hurt the service for patients and clients in my constituency, which is to be condemned. We do not need further health cuts. The hon. Member for Belfast, South (Rev. Martin Smyth) mentioned the cuts of the past three years. One can only cut a service so far before one goes right to the bone. Unfortunately, the further cuts that are being forced on the boards are destroying an excellent health service and once again bringing disillusionment to the staff, who are trying to provide essential services without adequate finances.

My colleagues and many other hon. Members are concerned about the education boards, which are part of the Minister's brief. It is not right for there to be any change in the boards. They should not be juggled around. Time should not be wasted trying to get rid of some of them. It is the will of the people that they should remain as they are. Only if there were an Administration in Northern Ireland, in which the elected representatives could sit down together and discuss the whole problem of education, should that be considered. The Government should stop fooling around with that issue. It is about time that the Minister told us that the boards are not going to change and that they will remain.

The other problem that faces many of us is the proposition of the 16-year-olds-plus having to pay to continue in education. That has certainly sent a shiver up the spine of many firms. As usual, those who are caught in the poverty trap and who have to pay so much because they are just over the line and cannot get the benefits will have to face great bills. That is totally unacceptable within the community.

I want to ask the Minister about Orlit houses. There was a report on the rules—do we have it? The report has been conducted for a long time—what is the answer? Homes that should be properly repaired are not being repaired because of a report that has been commissioned somewhere in England. We have not yet received an answer.

We have heard that 144 jobs in the Unipork bacon factory in Cookstown are to be lost. That has caused tremendous dismay among my constituents. Two weeks earlier we heard that a package of £11.5 million was to be invested; now we hear that 144 jobs are to be lost. That matter needs to be considered. It is important that the pig industry and the factories ensure that the farmers receive a proper return for their work. I am sad to say that for two solid years the farmers were working simply for the bank rather than for their families, and they were falling deeper and deeper into debt. It is important that factories should be willing to give a fair return to farmers and not take their labours for granted. We must resolve the problems: where farmers have gone to the wall there is now a lack of pigs for the factories in the Province.

I want to give other hon. Members the time that is due to them to mention their constituency problems, so I shall mention only briefly the Tyrone and Fermanagh hospital. It is an excellent site, and it would be an excellent university campus site if the Department were willing to take it up as such. It has been wasted, which is disgraceful. Its buildings are second to none, and the Minister should consider the site afresh to see whether it would be possible to use that excellent facility in a profitable way, for the betterment and education of our people.

Local representatives are certainly demanding that planning should be returned to their hands. Instead of officials saying that they have conducted some sort of consultation process—which is often merely an apology for such a process—and then dictating what is to happen, it should be the other way round: the officials should make the recommendations and the elected representatives from local government authorities throughout the Province should make the decisions.

I have tried to take a quick canter over the course so as to leave other hon. Members time to participate, but it is important that my constituents and those of other hon. Members should be given detailed responses to the matters that are causing them grave concern. Many of the problems cannot be answered in a few minutes at the end of a debate: detailed answers are needed to satisfy my constituents and those of other hon. Members that their problems are being seriously considered.

12.7 am

Mr. Roy Beggs (East Antrim): Like other hon. Members, I should like to refer to vote 3 in the Department of Economic Development. While I welcome the continuing decline in unemployment in Northern Ireland and the enthusiasm of the Minister with responsibility for the economy for attracting new investment to Northern Ireland, I do not think that there has been a sufficient drop in unemployment to justify the

[Mr. Roy Beggs]

drastic cuts that have been forced on the action for community employment schemes by the Training and Employment Agency's decision to institute a 25 per cent. cut across existing schemes.

My Northern Ireland parliamentary colleagues, of all parties represented in the House, agree that the schemes have benefited the long-term unemployed, who have obtained places on them. They have also been beneficial because the community service provided by ACE schemes met the local needs of the most disadvantaged groups in Northern Ireland. The great pity is that there was not a proper assessment of each ACE scheme prior to the announced cuts in order to ensure that the schemes, which included a significant training element and were raising the skill levels of previously unemployed participants, remained fully funded and protected. ACE schemes that provided work activity rather than raising the skills of individuals should have been given 12 months' notice to improve to a preset standard or forced to close down and those on the scheme assimilated into a more acceptably managed scheme that had a significant training element.

I recently attended an evening club meeting of the Physically Handicapped and Able-Bodied, PHAB, in Carrickfergus in my constituency. It was good to see young and older people of all religious groups mixing naturally in a friendly, caring, secure atmosphere with their local leaders.

PHAB Northern Ireland is based in north Belfast. The ACE scheme managed by PHAB has an excellent record. In the past year, it employed 34 persons, of whom 14 have gone into permanent employment and six into higher education. That is a good record, but no allowance has been made for quality schemes in areas with high unemployment and social deprivation. The 25 per cent. cut announced by the Training and Employment Agency targeted all schemes equally.

Nevertheless, I welcome the announcement today by the Minister responsible for the economy that £2 million will be released to soften the swingeing cuts. It would have made more sense for the TEA properly to evaluate each ACE scheme and secure those that met community needs while improving the skills and prospects of the long-term unemployed in their areas. The £2 million will ease only part of the pain that removal of £12.5 million from ACE expenditure will cause. Like other hon. Members, I appeal to the Minister to hold the Training and Employment Agency accountable for that disgraceful decision and endeavour to find further funds to minimise the damage to the schemes.

Vote 3, Department of the Environment, deals with sums granted for expenditure on water, sewerage and related services. A "Green Guide" is published in Northern Ireland. I hope that the Under-Secretary, the hon. Member for North-East Cambridgeshire (Mr. Moss), will pay attention because the "Green Guide" is for suppliers of goods and services to the Northern Ireland civil service. On page 15, regarding asbestos, it instructs readers:

"Do:

take every precaution when working on Government premises to avoid disturbing any asbestos remaining in the fabric of our buildings;

ensure that asbestos of any type is not used in the composition of products supplied to Departments."

That sound advice suggests that the view of the United States Environmental Protection Agency, that there is a health hazard from asbestos fibres associated with both inhalation and ingestion as routes of exposure, has been accepted and that there is sufficient concern to justify refusing to use asbestos cement pipes for carrying water supplies for human consumption anywhere in Northern Ireland. Was it necessary to commission yet another study by the Water Research Centre into the use of asbestos cement pipes, when research has already been done elsewhere? How much is the study costing? When will the results be published? Can the use of asbestos cement pipes in Northern Ireland be justified if there is the slightest risk to the health of one citizen, when alternative products are available?

Rev. Martin Smyth: Does my hon. Friend agree that the Water Research Centre has already given that advice? Why do we need to go over it again?

Mr. Beggs: I am assuming that the enthusiasm for employing consultants in Northern Ireland has led to the expenditure that we are about to incur.

I also want to bring to the Under-Secretary's attention an excellent document published recently, called the "Rathcoole Leisure Plan". It was commissioned by Newtownabbey borough council, in my constituency, and others. I wish to place on record my thanks to the mayor, Alderman Beattie, and Councillors Langhammer, Boyd, Hollis, Snoddy and Robinson for the time that they have devoted in genuine consultation. I also thank the architects of the plan, Kennedy Fitzgerald and Associates.

Rathcoole is a severely disadvantaged area in my constituency, which has suffered throughout the 25 years of troubles. The vast majority of its residents are ordinary, decent people who want peace and a job. They want to see their children grow up in a decent environment, receive a decent education and become good, caring citizens. The implementation of the plan will provide hope for the future and it will help to promote speedy social and economic regeneration in that area. I appeal to the Minister to accept my invitation to visit the Rathcoole area, examine the "Rathcoole Leisure Plan" and fully support the efforts of Newtownabbey borough council and others to secure the necessary funding for the project.

I shall not refer at length to the A8. The Minister of State, the right hon. Member for Westminster, North (Sir J. Wheeler)—who delivered the winding-up speech in a recent debate—said that the A8, Larne to Belfast road, was etched indelibly on his mind as a priority for upgrading. However, my constituents in the Carrickfergus area wish to see urgent expenditure on the A2 and B90 roads. I regret that agreement has not yet been reached with some of the owners of the property that is needed for the necessary road improvements.

I urge the Minister to vest the land required in order to avoid further delay, while encouraging his officials yet again to reach agreement with the individuals and families whose residences in the Carrickfergus area will be adversely affected by the improvements that road users require urgently. The future growth and development of Carrickfergus borough is being restricted by the inadequacy of the existing main road infrastructure in the borough. I hope that the starting date for work there will be announced soon.

My Ulster Unionist colleagues and I believe that every child in Northern Ireland has a right to expect to be treated fairly and to receive an equal opportunity in life. Sadly, many children and their parents do not believe that equality of opportunity exists for all children. There is a definite disadvantage in the transfer of selection procedure outcome for B-grade pupils who seek to enrol in state-controlled or voluntary grammar schools, which are attended mainly by pupils from controlled primary schools. However, in the majority of the Roman Catholic maintained sector grammar schools, grade B—and even grade C—pupils have found school places.

I urge the Minister to endeavour to remove that unintentional discrimination and to co-operate with headmasters and boards of governors who seek to increase their school admissions and enrolment numbers in order to meet local demand for places and, above all, to ensure that more children from controlled schools with a B grade obtain the grammar school places that their parents seek for them. When the Minister has examined closely what has been happening in Northern Ireland for several years, I shall do my own test and I hope that I shall be able to award a pass mark to the officials in the Department of Education.

The Department of Health and Social Services, in vote 5, page 10, makes provision for Christmas bonuses for pensioners. The value of the Christmas bonus has diminished steadily since it was introduced, and that issue should be examined. An early announcement when circumstances trigger entitlement to cold weather payments would give comfort and reassurance to those awaiting benefit from that source.

12.19 am

Mr. William Ross (East Londonderry): I begin by expressing the thanks of all those connected with Limavady grammar school to the Minister of State for making available £6.4 million for long-needed improvements to that school. I declare an interest as my children attend the school. Although they will probably have left school by the time that the work is finished, the substantial improvements will benefit future generations and Northern Ireland as a whole.

A high-quality education is a vital building block if the capacity of Northern Ireland to attract investment in jobs is to improve. Right hon. and hon. Members on the Ulster Unionist Bench recognise that. During 1995, Northern Ireland's economy improved. We all want that improvement to continue so as to banish the misery of unemployment for ever.

Given the efforts being made by Government to provide employment, I should be grateful for a full explanation of the policy being pursued by the Government and the Industrial Development Board, in relation to the way in which they promote one area of Northern Ireland rather than another.

The Minister is aware of remarks made by my right hon. Friend the Member for Strangford (Mr. Taylor) on 7 February 1996 at column 274, to the effect that the Government's policy was to provide three quarters of all new jobs in specific areas of deprivation. That piece of information builds on the letter sent to me by the Under-Secretary, Baroness Denton, who is in charge of the Department of Economic Development:

"While IDB is specifically tasked to give priority targeting to areas of social need",

the letter, of course, repeats the mantra that

"the ultimate decision . . . rests . . . with the investor."

I have to tell the Minister of State that that statement is not good enough. We on this Bench want to know just how the "tasking" is worded and how it has worked out in practice, with regard to the amount of investment and jobs of all types going to areas dominated by one religious denomination. We also want to know what extra little sweeteners have been given to investors to go to selected areas that have not been given to other areas.

We want a list of the favoured areas, in relation to not only council districts, but locations within each council area, and we want to know how long that policy has been in play, the changes made to it, when they were made and what input there was from the Maryfield secretariat.

I hope that the House and those remaining in the Chamber, if not the Government, realise the enormity of what has gone on. It is simply that some parts of Northern Ireland and the citizens who live there have had consistent, assiduous discrimination in their favour by the application of "guidelines" laid down by the Government. Such guidelines no doubt have a very fuzzy line round them and are capable of a wide variety of constructive interpretations.

The Minister will be aware that in the Northern Ireland context, some people will say that the discriminatory nature of the policy means that some areas of Northern Ireland, such as Coleraine in my constituency and Ballymena in North Antrim, are expected to pull themselves up by the efforts of the local community alone. Given that other areas have very many millions of pounds of public funding poured in, my constituents are competing on very unequal terms.

I want a categoric assurance from the Minister that all areas will be on a level playing field in future, because what has been going on is unacceptable by any normal standard that one might care to apply.

I shall now discuss two or three small items. I shall be brief because two hon. Gentlemen from Great Britain have been sitting here, hoping to speak.

The Minister will be aware of the Arcadia building in Portrush. It occupies an honoured place in that holiday resort and it has been at the centre of several allegations in recent days. The answers that I was given to parliamentary questions on 15 February set out briefly many facts and say, among other things, that the ballroom was in a very poor state of repair.

The chamber of commerce in the town has been involved in efforts to repair the building, to make future use of it. I am given to understand that the chamber of commerce needs to see the development brief and the structural survey before it can make up its mind what can be done. Is there any good reason why the Minister should not allow it to do so, so that it will become clear whether that famous building can be brought back into use?

As to the salting of roads during the present winter and in future winters, a new primary school has been built at Cregg road in Claudy—it is a steep minor road, with the school about 100 yd from the main road. The school authorities and the children are most anxious that the short stretch between the main road and the school is salted during bad weather, because it is dangerous in the present conditions. In a letter dated 14 February, the

[Mr. William Ross]

Under-Secretary, the hon. Member for North-East Cambridgeshire (Mr. Moss), simply said, "No, nothing doing," which is not an acceptable attitude. He wrote that

"it would not be possible to respond positively in all cases."

That implies that it is possible to respond positively in some cases. I suggest that salting should be undertaken in this case, to avoid the accident that parents feel is just around the corner. I ask the Minister seriously to reconsider my request.

12.25 am

Mr. Thomas McAvoy (Glasgow, Rutherglen): I want to express my appreciation of the gesture by all our colleagues from Northern Ireland to make time available for two other hon. Members. Northern Ireland Members do not get that much time on the Floor of the House, so I appreciate their courtesy in sharing it.

As to the Department of Economic Development's vote 1 in respect of the Industrial Development Board, I want to express my admiration for the board's centres world wide. Members of the Northern Ireland Affairs Select Committee visited South Korea and were most impressed by the IDB's representative, Mr. Kim. Using local people has certainly paid off, and I hope that the Minister will maintain that cost-effective policy.

I noted from the IDB's report that the board made visits throughout Northern Ireland, to try to ensure that each area feels that it is included in the board's activities. However, there are concerns in South Down and Fermanagh—in common with any area outside Belfast and other big centres—that they are not getting their fair share. I ask the Minister to remain vigilant, to ensure that all areas of Northern Ireland enjoy a fair share of the limited opportunities to attract industrial activity to the Province.

Earlier, the Minister made reference to block payments, saying that if one section benefited more, cuts would have to be made in another. Life is about comparisons. The Northern Ireland Office could certainly learn from the Scottish Office, and ensure that any new incumbent as Secretary of State does not spend a fortune on public relations activities, in hiring right-wing journalists all over the place purely and simply for publicity-seeking purposes. If the Northern Ireland Office does not go down that road, that will save a fair amount of money.

The Industrial Research and Technology Unit's report states that the promotion of engineering and science as a career for girls was given particular attention in 1994-95, which also merits praise. The IRTU is represented on the WISE committee—the Women in Science and Engineering committee—which aims at changing the attitude of young people, parents and teachers in respect of career opportunities for men and women in science and engineering. That excellent IRTU initiative is praiseworthy, as is the unit's inaugural Irish innovation lecture.

At the Anglo-Irish intergovernmental conference in July 1993, Ministers agreed that Northern Ireland and the Republic would collaborate in launching a series of Irish innovation lectures, aiming to publicise the importance of innovation in wealth creation. Without going into any border or constitutional issues, that was an example of sensible co-operation between two neighbouring administrations to address the issue of wealth—the basis of providing all other services in the island of Ireland.

I now move on to the Department of the Environment and particularly the responsibility for planning. Recently, the Department of the Environment launched a consultation paper on the Belfast city region and invited comments on that document which dealt with planning for the entire region. Although it was a consultation paper, not one outside influence was involved in compiling it. Although the Department was prepared to listen to any point of view, the parameters and the agenda that were set did not encourage a whole range of submissions to the paper. That brings me to the specific spending commitment.

A number of organisations need to be fostered and encouraged in relation to planning in Northern Ireland to compensate for the well-known and well-expressed democratic deficit in the Province. Local councillors do not have as much say and influence as they should in planning matters. I understand that we need an internal settlement in Northern Ireland before we can address that democratic deficit, however, surely there is a need to ensure proper funding for organisations that can help community groups formulate submissions to planning documents such as that for the Belfast city region. I was certainly impressed by three organisations: Community Technical Aid, the Rural Development Council and the Rural Community Network. If those organisations are to help the community address the democratic deficit in Northern Ireland, they need financial support.

In Britain, the importance of community participation was highlighted in the 1994 Department of the Environment research department report entitled: "Community Involvement in Planning and Development Processes". It stated that

"rather than being an additional hurdle or barrier to development, involvement can be a way to speed processes and generate more acceptable proposals".

That is exactly right for England, Scotland and Wales; it is also exactly right for Northern Ireland, where there is also a democratic deficit. I hope that the Minister will be able to maintain and, if possible, increase support to those organisations that serve the community.

I now move on to the votes on the Northern Ireland Audit Office and the Parliamentary Commissioner for Administration, which cover one or two matters that are worthy of support. One is the relationship between ombudsmen. Informal meetings of public sector ombudsmen are held three times a year, when the ombudsman meets the local government ombudsmen for England, for Wales and for Scotland and Mr. Kevin Murphy, the Northern Ireland ombudsman. That illustrates that there is proper co-operation that can be only for the good of Northern Ireland.

Planning and DSS were the two most frequent sources of complaints to the ombudsman. One case involved the review of formal investigations regarding planning and concerned the Department of the Environment. The ombudsman's report stated:

"The Department's records of its investigation and pursuit of the breach of planning approval were completely inadequate. Rarely have I come across such a history of inefficiency and poor administrative practice. Time and again my investigation was hampered by the absence of documentary evidence of telephone calls, site inspections, internal instructions".

I maintain that that type of fault in the planning service is directly related to the lack of democratic oversight of the work of the Department in question. It is high time that the Department found a way of ensuring that local communities can monitor its work and have some input in to it. They should not just have the chance to complain; that just puts them on the back foot. There must be a specific place for electoral involvement in the planning service in Northern Ireland.

I shall close on that note. Once again, I express my appreciation to my Northern Ireland colleagues.

12.35 am

Mr. Harry Barnes (North-East Derbyshire): Why is the hon. Member for North-East Derbyshire rising to speak at 12.35 am in an appropriation debate on Northern Ireland? He will get no coverage in his local media, but he does think it important.

Appropriation debates are probably the nearest we come to Northern Ireland Budget debates, when important matters relating to Northern Ireland's economy can be considered. This is our opportunity to talk about the economic and social regeneration of the Province, and the requisite approaches to that.

The economic and social regeneration of Northern Ireland helps perhaps more than anything else to undermine terrorism in the end. I know that blocking terrorism also helps regeneration, as has happened recently—although we currently face a considerable setback.

There are all sorts of headings under which these matters can be discussed. I want to pick up remarks made by other hon. Members today. It was noticeable that there was hardly a breath of sectarianism in the debate. Indeed, there was a great deal of common ground between the representatives of four political parties. Many of them were advancing constituency concerns and looking for more assistance, but there seemed to be a great deal of common ground when it came to expenditure and the means of obtaining it.

In several Northern Ireland debates that I have attended I have found great cross-party agreement about various items. I remember our debates on student loans. Throughout Northern Ireland there was opposition to the Government's proposals. In Committee, electricity privatisation was also the subject of common conclusions, although the arguments varied. A subject of a great deal of unity this evening has been the ACE schemes.

People often fail to understand, in short, how much unity there is in Northern Ireland politics. That is because of the key divisions about its constitutional future.

I should like to know more about the economic and social programmes of the various parties to these debates. I would like the SDLP, the DUP, the Ulster Unionists and the Independent Unionists to spell out their programmes a little more fully. Do those programmes tie in with the speeches that are being made? The only person this evening who seemed to tie in his analysis with a more general economic outlook was the right hon. Member for Lagan Valley (Sir J. Molyneaux). It turns out that his analysis was different from everyone else's.

The right hon. Member started by saying that his argument should be seen within the context of a unitary taxation system that existed throughout the United Kingdom, and that it could be extended only from ideas that were being produced about what should be done in Northern Ireland constituencies. If extrapolated, that would lead to bankruptcy and, therefore, we must be careful about expenditure. The right hon. Member then elaborated his overall objectives, including no fixed exchange rates, the repayment of national debt and low inflation. Some of those objectives are shared by the Government. Other ideas that were raised had much more flavour of Labourism, even if that was good old Labourism rather than new Labourism.

The appropriation debates should be used as an opportunity to discuss what needs to be done about economic and social problems in Northern Ireland, because it has massive problems quite apart from the conflict. Those other problems include high unemployment. Northern Ireland has many of the difficulties that exist in British constituencies in the health service and other provision, but to the nth degree. We need to take an overall approach. I know that that is difficult because Northern Ireland politicians, in the end, are out-groups in the United Kingdom Parliament. They provide support for Government or opposition to Government, but they never share power, unless—as might rarely happen—they hold the balance of power. Therefore, it is easier in most circumstances to behave more like a Back Bencher who is not necessarily always in line with his Front Benchers and to argue for constituency concerns.

I welcomed much of the debate. It has been very different from appropriation debates that I have come across in the past. The Ministers who introduced past debates usually made free enterprise arguments about the Northern Ireland economy. On this occasion, we had a rather dry, accountant's speech that did not offer any reasons for the order. Perhaps the debate will be enlivened by the Minister's response. The Opposition Front Benchers often make collectivist proposals, but on this occasion my hon. Friend the Member for Lewisham, West (Mr. Dowd) questioned and probed the Government's position.

One of the Labour party's problems in Northern Ireland is that we are not organised there. We have an overall economic and social programme for growth, jobs, partnership and the extension of training and education. That extends to Northern Ireland, but we do not have a movement there to influence what we do. When a debate in the House involves the central region of the Labour party, which might not be of immediate constituency concern to me, I feel obliged to be present because I am part of the central region. However, because we have no Members or even candidates from Northern Ireland, some of the detail about problems in Northern Ireland does not come to our attention except through informal links with bodies such as the Northern Ireland section of the Irish Congress of Trade Unions.

I wish us, including Front Benchers, to take a more ideological approach on economic and social matters, but it is essential that hon. Members from Northern Ireland do that themselves. In that way, people such as myself can learn how the views of the people of Northern Ireland fit into the overall perspective.

12.44 am

Mr. Dowd: With the leave of the House, Madam Deputy Speaker.

[Mr. Dowd]

Like many other hon. Members, I was here just after 4.30 pm, when we began debating the earlier Northern Ireland business. Since then, we have covered a number of aspects of life for Northern Ireland citizens—from mega-political issues relating to emergency provisions and the tragic circumstances of the moment, to life as it is lived by real people in all corners of Northern Ireland.

I endorse what was said by my hon. Friend the Member for North-East Derbyshire (Mr. Barnes). What is transparently evident from the debate is the common experience of people from all backgrounds in all parts of Northern Ireland, and the fact that they are trying to get on with their lives in a way that is to the best advantage of themselves and their families.

Earlier, I took up a good deal of the time of the House, so I shall be brief now. I do not intend to go over all the points that other hon. Members have covered; suffice it to say that I was delighted that every Northern Ireland Member who wanted to speak was able to do so, as were my hon. Friends the Members for Glasgow, Rutherglen (Mr. McAvoy) and for North-East Derbyshire.

If the Minister picks up one feature of the debate, it will be the overwhelming concern that is felt about the action for community employment programme, which was mentioned in detail by the hon. Members for Belfast, East (Mr. Robinson), for South Down (Mr. McGrady), for North Antrim (Rev. Ian Paisley), for Mid-Ulster (Rev. William McCrea) and for East Antrim (Mr. Beggs), and by the hon. and learned Member for North Down (Mr. McCartney). Indeed, most other hon. Members mentioned ACE, if only in passing.

It is a salutary lesson for the Minister that, whatever else has happened to the programme, the way in which the reduction exercise has been carried out has merely antagonised many people, and undermined the agency's position. It clearly needs re-examination. The minor concessionary allowance announced earlier today is a promising start, but the Minister would be deluding himself if he thought that that was the end of the dispute.

I was struck by what the hon. Member for East Antrim said about an evaluation of the project, to take, at least, a scientific approach of some kind. As I said earlier, I have been trying to obtain information from the Training and Employment Agency about the schemes that it is supporting, where the schemes are and what the benefits are, but I have been unable to obtain it. I sincerely hope that it has that information, because without it the effects of the measure will be harsh and, indeed, extremely unfair.

Many hon. Members mentioned the health service. We were given clear signs of the growth of a two-tier service. The reforms in Northern Ireland have been somewhat behind those in the rest of the United Kingdom, but the experience is identical. One of the most infuriating aspects of the way in which many shadow trusts—trusts, as many of them will soon be—have gone about their business is their devaluation of the idea of consultation. They go through the formality of announcing a plan, and saying that there will be a period for responses; but I have yet to come across a single case in which their ultimate conclusion has been different from their original projection. That was just as true in the major London teaching hospitals as it has been in Northern Ireland.

There was a widespread feeling that the Housing Executive had, if not lost its way, lost a great deal of momentum in recent times. The story about grants recounted by the hon. Member for Belfast, East illustrated the problems experienced throughout Northern Ireland and, indeed, the rest of the United Kingdom.

On roads and infrastructure, most hon. Members gave detailed and experienced voice to many of the issues that I outlined some time ago from the Dispatch Box.

I am sure that hon. Members will be far more interested in what the Minister has to say in response to all of the matters that have been raised. I am deeply interested in the 27 volumes of paper that have come down from the other end of the Chamber, so I conclude my remarks and look forward to hearing what the Minister has to say.

12.49 am

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): I apologise on behalf of my right hon. Friend the Minister of State who opened the debate. He had been in the Chamber since about 4.30 pm yesterday and he had other responsibilities, as I am sure that hon. Members will realise. He asked me to apologise that he could not be here for the wind-up.

An enormous number of topics have been covered, as usual, and a lot of paper has been moving around the Chamber. I am always fascinated when I start off with a brief that seems to cover everything, only to discover that ideas that hon. Members have come up with have not been covered in my briefing—it is always helpful to have a little assistance from time to time. I shall try to answer the main questions that have been asked. I cannot answer all the questions, as I do not have the time. I would not do the questions justice if I tried to answer them in the time available, so I shall write to hon. Members on matters that I have not covered.

As usual, the debate has been a voyage of enlightenment. I was once asked by someone who read the *Official Report* of one of these debates whether Northern Ireland really was such an unhappy place, because everything seemed to be wrong. I pointed out that it was not the total picture of Northern Ireland and that it was merely a lot of hon. Members doing their job and raising important issues on behalf of their constituents. When I wind up these debates, I always feel rather like the Pooh-Bah of the debate—expected to be able to deal with everything. As I am sure that right hon. and hon. Members realise, many of the issues that have been raised do not fall within my own ministerial responsibilities, but I shall endeavour to cover the issues that do.

The ACE scheme was touched on by many hon. Members, including the hon. Members for Lewisham, West (Mr. Dowd), for Belfast, East (Mr. Robinson), for South Down (Mr. McGrady), for North Antrim (Rev. Ian Paisley), for Mid-Ulster (Rev. William McCrea) and for East Antrim (Mr. Beggs), and the hon. and learned Member for North Down (Mr. McCartney). I understand the concerns that have been expressed about the reductions in the ACE programme, and have heard the heartfelt representations that have been made. I shall pass them on to my colleagues.

It is right to say, however, that ACE was introduced at a time when unemployment was rising rapidly. Although it is still a major problem, there are signs of improvement. Unemployment has fallen to its lowest level in 14 years.

During the 12 months to June, 11,000 new jobs were created in Northern Ireland. Output has risen 13.2 per cent. faster than in the rest of the United Kingdom, and there has been a steady stream of inward investment projects and expansions of existing firms. In response to the improving economic situation, there were pertinent reasons for refocusing the use of resources, with more emphasis placed on the schemes that more directly contribute to economic growth and that will in the longer term better address the needs of the unemployed, particularly the long-term unemployed, in finding sustainable employment.

I share the pleasure, which others have expressed tonight, at the announcement by my noble Friend Baroness Denton of a £2 million package of transitional measures to allow ACE schemes to manage the reduction of activities. These are designed to allow schemes, particularly those that provide support to the needy, the elderly, the disabled and the ill, time to plan alternative arrangements. Short-term funding is also being made available for schemes that are losing core posts, to phase them out over the year. I am sure that that will be helpful.

I can tell the hon. Member for South Down that there has been no reduction in the overall budget for the Training and Employment Agency. Additional resources have been made available, for example, to the company development scheme and the community work programme. The adjustments to ACE have facilitated the refocusing of resources.

The right hon. Member for Lagan Valley (Sir. J. Molyneaux) and the hon. Member for Lewisham, West asked what effect the security budget changes, which have resulted from the changing circumstances, might have on the Northern Ireland Departments' spending plans. Although the order under consideration this evening deals with the estimates only of Northern Ireland Departments, the public expenditure allocation underlying the separate Northern Ireland Office estimates is part of the total block provision for which the Secretary of State is responsible. Any increase in the Northern Ireland Office security budget as a result of the breakdown of the ceasefire will inevitably have repercussions for other important economic and social programmes.

It is right to make that point clear. I quote the words of my right hon. and learned Friend the Secretary of State when he announced this year's budget and the amount of money that was available as a result of what became known as the peace dividend. He said:

> "Last year I explained that, if the violence resumed, these savings would have to be restored to the security budget. If violence resumes, then there will be losses in the key public services such as our schools and our hospitals, affecting the jobs of those who work in them as well as those who use them."

That was a stark warning and it was a correct warning because many of those areas of expenditure had come about because of the savings that we were able to make as a result of peace. It was made clear at that time that if the savings were to be restored to the security budget and removed from the areas where they were being applied, the blame would lie fairly and squarely with those who had returned to violence. I hope that the people of Northern Ireland, in all parts of the community, will be fully aware that that is the price of the decision by the IRA—so widely condemned by us all—to return to violence.

I now turn to another general subject, which was raised only by the hon. Member for Belfast, East—the Fokker crisis and the impact on Shorts. I appreciate the importance of the contracts under which Shorts supplies wings to the Fokker jetliner programme and the concern among the work force at Shorts about their future job security. Those matters were raised by my noble Friend Baroness Denton when she recently met representatives of the Dutch Government in Holland. The problems facing Fokker are commercial and need to be resolved on that basis. The Industrial Development Board is maintaining close contact with Shorts and Bombardier on developments.

A number of hon. Members, including the hon. Members for South Down, for North Antrim and for Belfast, East, talked about what they described as the deficiencies and the cuts in Housing Executive funding. The gross resources available to the Housing Executive remain substantial—£547 million in 1995-96—and it is proposed to increase the figure by a further £8 million in 1996-97. Whatever views hon. Members may take about the level of housing need, no one can deny that those are substantial figures.

The other general matter that was raised by a number of hon. Members, especially the hon. Members for Belfast, South (Rev. Martin Smyth) and for North Antrim, was what they referred to as the two-tier health service. The Government do not accept that GP fundholding has introduced a two-tier health service. Boards and trusts have considerable freedom to carry forward unspent funds from one year to another. Underspends do not reduce the budgets allocated to the boards for the next year.

I shall deal now with one or two specific issues raised by hon. Members. The hon. Member for Lewisham, West asked about the additionality of the EU peace programme. The programme, both the EU receipts and matching funds, is fully additional. The programme is novel in its delivery mechanisms, which are now in place. The rate of spend is expected to increase during the coming year and any money unspent this year can be carried forward to next year.

The hon. Members for Lewisham, West and for Mid-Ulster raised the question of dispensing guidelines for doctors. As a result of the implementation of the new departmental guidelines on dispensing, some doctors will lose dispensing income. The level of loss of income by individual GP practices cannot be gauged until the board's review of dispensing doctors' lists. However, to ensure that all existing medical practices in rural areas remain viable, the Health and Personal Social Services Executive is introducing an inducement scheme, from April 1996, which will guarantee their viability.

The hon. Member for Belfast, East invited me to meet him again to discuss Belmont primary school. These decisions are always difficult, but I would be delighted to have a meeting with him. I believe that my Department has been in touch to organise a meeting as soon as possible.

The right hon. Member for Lagan Valley asked about the enterprise investment scheme and referred to its low uptake in Northern Ireland. I note his comments. It is a national scheme that can provide valuable support for unquoted trading companies, and I should like businesses in Northern Ireland to make far greater use of its facilities. I certainly welcome the right hon. Gentleman's continuing

[Mr. Michael Ancram]

interest in the subject, and I will pass on to my noble Friend Baroness Denton his offer of help to promote the scheme. I am grateful to him for having raised that important subject tonight.

The hon. Member for South Down referred to the replacement of the Strangford ferry. In relation to the consultants' report, which concluded that the motor vessel Portaferry should be looked at, the Department of the Environment is about to appoint an economic consultant to assist in the preparation of the business case for the substantial investment involved. Such a proposal will have to compete with other priorities in the roads programme.

The hon. Member for North Antrim asked why stage 3 of the Antrim to Ballymena road had been delayed for so long. The Department of the Environment recognises the value of completing the dualling of the A26 between Antrim and Ballymena, and it is planned to achieve that in stages. The first stage was completed in August 1989, while stage 2 is programmed for the current year. Stages 3 and 4 have always been longer-term proposals, and are at present included in what is known as the six to 15 years major works programme.

The hon. Member for Belfast, South asked why rent increases were continually rising above the level of inflation. The rent increase coming into effect in April this year is held to the rate of inflation and is in line with the average percentage guideline increase announced for local authority housing for England. The average Housing Executive weekly rent is, at about £32, some £6 less than the average council house rent in England and Wales. Tenants on housing benefit will not be affected by the rise. I heard the hon. Gentleman's invitation to visit Wellington college, and while I regret that I have had to put off that visit on a number of occasions, I look forward to going to the college soon.

A number of other questions have been raised that I do not have time to deal with, and I shall write to the hon. Members concerned about them. We have had a comprehensive debate. Through all of the complaints that inevitably come up in these debates has come an enormous pride in Northern Ireland and a determination to work for the benefit of Northern Ireland. That is a determination that we all share. We all realise that we have an enormous role to play in achieving peace, and I am sure that that is a role which we will not shirk.

Question put and agreed to.

Resolved,

That the draft Appropriation (Northern Ireland) Order 1996, which was laid before this House on 13th February, be approved.

North Lincolnshire Unitary Authority

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wood.]*

1.2 am

Mr. Elliot Morley (Glanford and Scunthorpe): I am grateful for the opportunity to raise tonight some severe problems that are causing great concern to my constituents in the area that is to be covered by the new unitary authority of North Lincolnshire, which will take over from Humberside county council from 1 April. The new unitary authority is starting life crippled and with one hand behind its back, and I want to explore that with the Minister tonight.

The Minister will be well aware that the current spend that the new North Lincolnshire authority will inherit from 1 April for the services provided by all of the various councils amounts to something like £134 million. Humberside was spending at its capping level and 6.1 per cent. above its standard spending assessment. The indicative budget has put North Lincolnshire at 12.3 per cent. above its SSA.

Frankly, I have not seen a clear explanation why, out of the four new unitary authorities, North Lincolnshire is being treated so badly. My information is that, out of all the new unitary authorities, North Lincolnshire is being treated the worst, and it certainly is the most disadvantaged of any of the new authorities. The implications of this budget are severe: they imply a 30 per cent. increase in council tax. The inherited budget that the new council was taking over was supported by a £7 million reserve contribution from the former councils.

The background to this is that the Government have assessed the level of spending appropriate for the new North Lincolnshire council as £110 million. The new council will be able to raise £124 million, with the 25 per cent. increase in council tax, but there will still be a £10 million shortfall in the budget. There will have to be cuts in services of 8.5 per cent. and in education of 7.5 per cent., where the council has, understandably, tried to minimise the impact of cuts on such an important core service. There is very little prospect of the new council receiving any significant reserves from the successor councils.

The situation has been made worse because some councils have taken the opportunity to spend their reserves before the new councils take over. For example, Glanford council spent £1 million on what it terms "aid to parishioners". I do not criticise the parish councils and the town councils that have taken up the offer of this £1 million through the aid to parishioners scheme.

However, most of that money is going towards improvements to village halls—which is a worthwhile and important thing—but I suspect that many people, if faced with a choice between improvements to leisure facilities and to village halls, and improvements to village schools, not losing a teacher or not increasing class sizes, would prefer to see the schools protected.

The £1 million that Glanford borough council spent on the aid to parishioners scheme could have been handed over to the new North Lincolnshire authority and reduced the projected cuts in education from 7.5 per cent. to 5 per cent.—a significant saving. The Under-Secretary of State for the Environment, the hon. Member for Croydon,

Central (Sir P. Beresford), is aware of this, because he received a delegation from North Lincolnshire council, made up of all parties. I thank him for receiving that delegation, and for listening to what it had to say. I emphasise the all-party nature of our concerns about the way that North Lincolnshire has been treated.

That delegation included my colleague, the hon. Member for Brigg and Cleethorpes (Mr. Brown)—a Government Member, who sat alongside me and said the exact same things—the chief executive of the new authority, the leader of the Labour majority group, and the leader of the Conservative opposition. We were all there to say the same thing: that we felt that the North Lincolnshire authority was not being fairly treated in terms of the assessment of its spending, and of the grants it was receiving, and that it was very much at the mercy of the Department of the Environment in what it could do.

People are very confused about this. Humberside county council was foisted on people by the Government. Now the Government are upturning the situation, and many people do not believe that there would have been any support for this change if it had been made clear to them exactly what the implications of the abolition of Humberside were going to be: an increase in council tax of 25 per cent. and cuts across the board of 8 per cent.

Many of us who were concerned about the abolition of Humberside thought that the situation was going to be difficult, but I have to say that even people such as myself never thought that it was going to be as bad as this. Quite frankly, this situation is nothing less than a disaster in terms of maintaining services and the burden that people will have to pay in increased council tax.

The irony is that much of the pressure for change was orchestrated by the late Nicholas Ridley and the Tory-controlled Lincolnshire county council. There was also much misinformation put around at the time, not least about Hull and its alleged dominance and the fact that it was being subsidised from the south bank. It is now clear that the rural nature of North Lincolnshire and the way that rural areas are being discriminated against in terms of the standard spending assessment has told against it. Indeed, far from subsidising Hull, it is clear that a large element of subsidy is going from Hull to the south bank. That is partly why there have been such great difficulties.

For the sake of balance, I must point out that it is ironic that, although the council tax will be reduced in Hull under the calculations—with the abolition of Humberside—it is still expected to cut services, which seems bizarre to many of us watching from outside.

Hull, and to a lesser extent the north-east Lincolnshire councils, which have a greater urban content, have come out of the reorganisation far better than North Lincolnshire or the East Yorkshire borough. I am sure that the Minister will have seen a letter from his colleague, the hon. Member for Beverley (Mr. Cran), which emphasises how he feels about the fact that the new unitaries are being badly treated by the Government in the terms of the calculations.

The new council has certainly done its best to try to deal with the problem, and has already found savings of £3.5 million. It has one of the smallest and most efficient management structures of the new unitaries, and has been singled out for praise by the Audit Commission. It has little room for manoeuvre, however. In year one, it has to take over staff and services, and carry those commitments. It has no option but to implement the present increases in council tax and the cuts.

Although the new authority has decided to protect education as far as it can, through a lower cut, it is still a devastating blow for a fine education service, of which many of us who live in the area are very proud.

The projected cuts have implications in the loss of 121 teaching jobs, increases in class sizes, and a 12.5 per cent increase in school meal charges, and no new discretionary awards will be granted. That seems incredibly unreasonable at a time when education standards are a matter of public concern, and, indeed, of concern for the Government, and class sizes have been criticised by the Government's inspectors.

People are deeply angered by the cuts. They are well aware that the setting of grants and settlements is entirely the responsibility of the Department for Education and Employment. I am deeply angered about the cuts, particularly those in education—not only as a local Member of Parliament trying to represent the interests of my constituents, but as a parent with two children at local schools.

Glanford and Scunthorpe constituency is a close-knit and stable community. I have received hundreds of letters and petitions from the town and village communities—not only from people I serve, but from friends and acquaintances, and from both parents and governors associated with all the schools concerned.

At this stage, perhaps I should declare an interest, as my wife is a part-time teacher in one of the village schools. She is so angry about the situation that she could not even bring herself to attend the debate to listen to the arguments. Given the mood she is in, that is probably good news for the Minister.

I have here just a selection of the letters that I have received from communities in the area, from every village and every town and parish council—there are petitions and letters from every part of the constituency, from people who are concerned about the effect of the cuts on their schools.

Last Friday, I attended a packed meeting organised in Kirton in Lindsey church hall. Parents asked sensible and perceptive questions, and were deeply anxious about the impact on their junior school and also on Huntcliffe comprehensive, which is one of the most over-subscribed schools in the region. There were parents from all over the rural area and from the town—parents from Berkeley infant school, which was named an outstanding school in the recent Office for Standards in Education report, and from St. Bede's, Crosby and many other schools that I do not have time to name.

All the people at the meeting had one thing in common—deep concern over the effect that the cuts will have on the future education of their children.

Only the Minister can rectify the situation; only the Department of the Environment can rectify it in terms of the grants and the way that the authority has been treated. It is not just an education issue; it could also affect the other services—there could be charges for home helps, the closure of social services homes, no capital investment, and reduced road maintenance. All the various services that the new unitary authority will inherit will be involved. It will also have implications for the

[Mr. Elliot Morley]

private sector, which has many of the contracts and works alongside the local authority. It will also feel the impact of the cuts.

The Minister will probably say—and I have to acknowledge—that there has been transitional help from the Government. The Government have made £3.5 million capital borrowing available for the reorganisation costs. But that funding will all be taken up by the cost of the reorganisation, and there will be nothing in the budget to mitigate the problem in terms of maintaining service standards.

The Government are also providing some damping, which will put a ceiling of £3 a week on council tax rises. That in itself is a recognition of the problems that North Lincolnshire council faces, because I am not aware of any other unitary authority that has attracted that damping subsidy to try to keep down the enormous increase in council tax. That provides official confirmation of the problem facing the council.

There is a potential solution, which is what the council brought to the Minister. In a recent debate, I challenged his colleague, the Secretary of State for the Environment, to deal with the issue.

The council has suggested that it be allowed a supplementary credit approval to minimise the cuts over a three-year period, with tapered loans beginning with £6.5 million in the first year. I believe that that is a reasonable and sensible solution. It will not cost the Government anything; it will allow the council to start life on a stable basis rather than having one hand tied behind its back. It will allow the council time to find efficiency savings and to build up reserves—as a prudent and efficient council, North Lincolnshire gives every sign of doing so.

The new council deserves a chance to set up and operate in a proper way, so that it can maintain services at the correct standard. I strongly urge the Government and the Minister to consider the proposal. That is why tonight's debate is important, and that is the issue that I want the Minister to consider and to which I want him to respond. I know that the case has been put to him and his officials, and he will know that the suggestion has all-party support in the community. It has the backing of his party and his councillors.

In correspondence that I have received on the subject, the Government have tried to say that North Lincolnshire council is not a special case. I strongly refute that. North Lincolnshire council is being treated worst among the four new unitary authorities in Humberside, and, as far as I know, it has greater difficulty than any new unitary authority that has been set up. North Lincolnshire is a special case, and it requires special treatment.

It is unfair to blame the new councils for what the old Humberside council may or may not have done in the past. It is not just Humberside council's policies that the council is absorbing, but the policies of the district councils, which are under differing political control. It is a new council, and it is not responsible for what has happened in the past. It wants to do the best for the community it represents; it deserves the chance to do so.

The council suffers the worst effects from the abolition of Humberside; it deserves sympathetic consideration for that, and for the way in which the standard spending assessment has worked against it. I know that the issue of the SSA is far larger than we can possibly deal with in an Adjournment debate. I also know that the local government organisations have made a series of recommendations to the Government, and that there is a continuing debate about the best way to calculate and operate the SSA. All that will not help North Lincolnshire unitary authority. It needs help now, because it starts life on 1 April and time is running short.

In a debate on the setting of the rate, I obtained a promise from the Secretary of State that he would consider some of the points that I had raised with him in an intervention. Straight after that debate, I sent him a personal letter, which was the nearest thing that I have ever written to a begging letter. I have yet to receive a reply. It would be nice if the Minister gave me a positive reply tonight. There is a solution. I ask the Minister please, please, to give this issue his most sympathetic consideration.

I am sure that the Minister does not want me to beg him to do something about this disastrous situation as we near 1 April, but surely he will recognise and consider the dilemma of the people affected—the people who wrote all the letters and who are concerned about the effect on their children. They want their children to get the best possible deal, the elderly looked after, good-quality services, and the council to be given a proper start in life. Local people in North Lincolnshire deserve a better deal than they are getting under the present arrangements, and the Minister is the only person who can do something about that.

1.20 am

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): I congratulate the hon. Member for Glanford and Scunthorpe (Mr. Morley) on securing this Adjournment debate, in spite of the hour, and the fact that he has left me only a few minutes to reply. Of course, he has taken one side of the argument. The matter is not in our hands alone, and, in fact, we have reacted. He is correct to say that we met a deputation that included my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) on this matter, which we took extremely seriously.

As the hon. Gentleman said, we accepted the proposal to abolish Humberside county council and to set up four unitary authorities, of which North Lincolnshire is one. As well as inheriting county functions from Humberside, it will take over district functions from the boroughs of Scunthorpe, Glanford and, in the area of the Isle of Axholme, Boothferry. Reorganisation will take place on 1 April this year, but there has been a shadow authority since last May.

I accept that, inevitably, there will be difficulties in the transition from one system to another. That is true across the country where such steps have been taken. We have taken steps to help North Lincolnshire and the other reorganised authorities to deal with those problems.

When a county is abolished and its responsibilities transferred to successor authorities, we need to work out a base budget for each new authority that must reflect its share of the county's budget and the pattern of spending in the area. We have made a similar calculation if the area of a district is split. This disaggregated budget—known as the notional amount—provides a baseline for the new authority as it prepares to take over its new functions, and serves as the capping baseline for the year after reorganisation.

The budget disaggregation exercise proved straightforward in Humberside and was agreed locally. North Lincolnshire's inherited 1995-96 budget is about £118.6 million. That was confirmed when the House agreed the relevant notional amounts report on 31 January. We also worked out what each authority's standard spending assessment—SSA—would have been in 1995-96 on the reorganised boundaries. North Lincolnshire's indicative 1995-96 SSA was £105.7 million.

Those figures show that the county had been spending more in North Lincolnshire relative to our assessment of its need to spend. In effect, it had been cross-subsidising services in one area at the expense of taxpayers in another.

The figures allowed us to work out the direct council tax effect of reorganisation—essentially, the difference between what council taxes were in each borough and what they would have been in 1995-96 on reorganised boundaries. That shows significant increases in the three areas that make up North Lincolnshire: an increase of £136 at band D for taxpayers in Scunthorpe; £161 for Glanford; and £166 for the Isle of Axholme area of Boothferry.

We have decided to provide transitional assistance to council tax payers who face unacceptable tax increases directly attributable to reorganisation. We will damp increases that exceed a threshold of £104 at band D—£2 a week. I stress the words "directly attributable to reorganisation". We do not propose to damp the consequences of an authority's own spending decisions, which I think is understandable.

North Lincolnshire is the only authority to qualify for that transitional reduction scheme. It will receive an additional grant of £2.18 million in 1996-97 to benefit local taxpayers. Our 1996-97 grant settlement for North Lincolnshire gives it an SSA of about £110 million—an increase of 2.4 per cent. over the equivalent figure for 1995-96.

Like many authorities, North Lincolnshire has argued that its SSA is too low. It argues, in particular, that the SSA somehow fails to provide for the higher concentration of need in Scunthorpe compared with the more rural parts of its area. However, the position is that the SSA calculation takes account of the aggregate needs of the area as a whole, both rural and urban.

It is for North Lincolnshire to decide the level of its budget for 1996-97, and it is not required to budget at SSA. Indeed, our provisional capping rules would allow it to set a budget as high as £123.8 million. After allowing for care in the community changes, that would mean an increase of 2.8 per cent. over 1995-96. If it budgeted at our provisional cap, North Lincolnshire would be 12.5 per cent. above its SSA—the level which our capping rules consider "absolutely excessive". That is very high, and it offers considerable scope for the authority to make savings over time.

We anticipate that the reorganised authorities will use the opportunity to cut costs and to improve efficiency—and they accept that. However, we recognise that there may be some one-off, transitional costs associated with reorganisation. So we have put in place a scheme for authorities to bid for supplementary credit approvals, allowing them to defer the impact of those transitional costs until the associated savings are achieved. We made £50 million available under the scheme for 1995-96, and a further £100 million for 1996-97.

North Lincolnshire bid for £5.6 million for 1996-97, including just more than £1 million for redundancy costs. Before Christmas, we allocated it £3.5 million, which includes a ring-fenced £1 million for redundancy. That makes a cumulative allocation of £5.3 million. The authority submitted a bid for a further approval of £6.55 million. As the hon. Gentleman may be aware, North Lincolnshire has suggested looking at capitalising some of the spending, and that is being considered at this stage. However, the bid for £6.55 million is additional to the support already available.

I think that the hon. Gentleman will accept that North Lincolnshire is a new authority, and as such, it has the chance to do things differently. It need not be constrained by the decisions and practices of its predecessors. I know from personal experience—in taking over from the Greater London council and then the Inner London education authority—that there is room for fast action to make considerable savings, rather than cuts, and that the reorganisation offers scope to make significant savings, which will not be as painful as the hon. Gentleman suggests. In light of that, I do not feel that there are exceptional local circumstances that would justify giving North Lincolnshire yet more by way of SSA.

Mr. Morley: I do not dispute the fact that the new authority may well be able to find efficiency savings—the authority itself does not dispute that fact. The issue at stake is that, from day one, year one, the authority must take over the staffing and the services from the predecessor authorities. Even according to the Department of the Environment's guidelines, 90 per cent. of staff must be taken over. The scope for finding savings in year one is very limited. Those savings may well be achieved in year two, year three and subsequently, but the real crisis will occur on 1 April.

Increased council borrowing would allow the authority to mitigate that problem, find the savings and repay the borrowed money to the Department of the Environment over time. That seems to be a perfectly reasonable and sensible policy, and I am sure that the Minister will agree that the authority cannot find savings from day one, year one.

Sir Paul Beresford: I do not agree with the hon. Gentleman—and I speak from personal experience. There has been a shadow authority since May this year, which has done the planning to allow the new authority to move forward. It will inherit control from its predecessors, some of whose expenditure was quite excessive.

We have recognised its difficulty—that is why the authority has an SSA of £718 per head, and why the cap has been set at 12.5 per cent. above SSA. That is why it has damping of £2.2 million—it is the only authority which has it—and that is why the supplementary credit approvals have already been given for 1995-96 at £1.8 million and for 1996-97 at £3.5 million. We accept that there have been difficulties; they have been recognised. We are considering the argument made by North East Lincolnshire. If we accept that, it may be acceptable for North Lincolnshire.

Ultimately, however, we have considered the matter carefully and produced considerable funds. The opportunity exists to make savings from an early stage, and I am sure that they can be achieved. I say that having

[Sir Paul Beresford]

been, as a council leader, through two such processes—admittedly in profligate authorities, but not quite in the same class as those of Humberside.

I am sure that, when it sets its mind to it, the new local authority will be extremely successful; it will produce the services, it will produce savings, it can do it efficiently, and it can start soon. Approximately 80 per cent. of the staffing level will pass over as a standard order under TUPE-type conditions, but there is ample opportunity for the authority to make savings and reorganisations very early, especially—to leave the chalk face and the social services face—in administration behind the scenes. I am confident that the councillors will be able to do so, in spite of the scare tactics that have been displayed this morning.

Question put and agreed to.

Adjourned accordingly at half-past One o'clock.

House of Commons

Tuesday 20 February 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Budget Growth

1. **Mr. Brazier:** To ask the Secretary of State for Social Security what is the projected rate of growth of the social security budget over the next three years; and what will be the proportion of gross domestic product spent on social security. [14350]

The Secretary of State for Social Security (Mr. Peter Lilley): Social security spending is expected to increase by a little more than 1 per cent. a year in real terms. That is less than half the rate at which gross domestic product is expected to grow, so there is every prospect of social security taking a declining share of GDP in future.

Mr. Brazier: Does my right hon. Friend agree that we have managed to achieve that in the face of considerable pressures because we have taken sensible and practical steps to contain both expenditure and overheads, unlike Labour Ministers who talk about thinking the unthinkable and would open up again the benefit system to asylum appellants who have been refused asylum?

Mr. Lilley: My hon. Friend is right that the success in containing the prospective growth in social security is the result of the reforms that we have introduced over the past three years, almost every one of which has been opposed by the Opposition, including the latest sensible changes to stop abuse of the welfare system by bogus asylum claimants. The Opposition have opposed every change that we have made. When they talk about thinking the unthinkable, they are thinking about spending yet more public money. Every proposal that they put forward is an increased expenditure plan.

Ms Hodge: Does the Secretary of State agree that an important part of the social security budget is the cold weather payments system? Will he explain how it can possibly be fair to my constituents in Barking that the eligibility for cold weather payments of those who live on one side of Lodge avenue is measured against the temperature at Heathrow, but the eligibility of those who live on the other side is measured against the temperature at Stansted? Is it fair that one group of tenants should have received cold weather payments four times this year while tenants on the other side of the road have had them only once?

Mr. Lilley: There are always difficulties wherever borderlines are drawn. That is true of cold weather payments and of the education system. Many Labour spokesmen find it difficult when the good schools are on one side of the borderline and they live on the other.

Pensioner Households

2. **Lady Olga Maitland:** To ask the Secretary of State for Social Security how many pensioner households had (a) a fridge, (b) a car, (c) a freezer, (d) a telephone and (e) a television in 1979; and how many have these items currently. [14351]

The Parliamentary Under-Secretary of State for Social Security (Mr. Oliver Heald): Based on the data for 1992-93: 99 per cent. have a fridge compared with 88 per cent. in 1979; 50 per cent. have a car or van compared with 34 per cent. in 1979; 78 per cent. have a freezer compared with 32 per cent. in 1979; 93 per cent. have a telephone compared with 57 per cent. in 1979.

The current figures do not record televisions, but virtually all pensioner households have one.

Lady Olga Maitland: I thank my hon. Friend for telling us the excellent news about pensioners' increased standards of living, which is largely the result of the success of occupational pensions. Does he agree that that success would be seriously eroded should pensions ever be invested by trade unions as proposed by the Labour party? Pensioners' nest eggs would be whittled away to nothing.

Mr. Heald: My hon. Friend, as usual, makes a valid point. The fact is that when Labour talk about thinking the unthinkable, it means spending more money. Its stakeholder proposals mean higher premiums and lower returns on its second tier stakeholder pension scheme. The Labour party has always wanted to get its hands on private pensions. Harold Wilson and the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) wanted to and now Labour's Front-Bench spokesmen want to.

Mr. Ashton: Is it not a fact that those pensioners have fridges, cars and telephones because they bought them in 1979 when they were in full-time employment? Their fridges are now 16 years old and they cannot afford to replace them under this Government.

Mr. Heald: The hon. Gentleman obviously was not listening, because I said that pensioners did not have those goods in 1979 and now they do. He may recall that under the last Labour Government pensioners' incomes increased by 5 per cent. and that under this Government they have increased by almost that amount every year.

Mr. Anthony Coombs: Returning to the realms of reality rather than the fantasy world in which the hon. Member for Bassetlaw (Mr. Ashton) lives, will my hon. Friend confirm that nowadays no fewer than eight out of 10 pensioners have incomes outside the state pension? One of the great achievements of the past 15 years is that £600 billion has been put aside in occupational pensions funds, which is the greatest expenditure in Europe. Does my hon. Friend agree that

high rates of inflation are a great danger to savings and that if there were another Labour Government—God forfend—we would see high inflation such as we had in the 1970s which would destroy the value of pensions?

Mr. Heald: My hon. Friend is correct. The Government's policy is to maintain the value of the basic state pension, encourage private provision and target extra help at those most in need. It is no coincidence that we in this country have invested £600 billion in private pension schemes—which is more than the rest of the European Community combined.

Mr. Wicks: Does the Minister accept that there is another nation in old age which is not revealed by the camouflage of his complacency: a nation of pensioners who are often poor? Does the Minister accept that many frail elderly people are sitting at home on this freezing cold day afraid to put on their fires because of the high heating costs? Why does the Department make so few forecasts that can trigger cold weather payments when in 1991 Ministers assured us that forecasts were being introduced so that we could reassure the old that they could keep their fires on? Is it not time that pensioners in Britain were no longer old and cold?

Mr. Heald: The hon. Gentleman should check his facts because, since November, expenditure on cold weather payments has tripled to £60 million.

Asylum Seekers

3. **Mr. Alan Howarth:** To ask the Secretary of State for Social Security what plans he has to ensure that potential asylum seekers arriving at ports of entry are made aware of the rules affecting their entitlement to social security benefits. [14352]

Mr. Lilley: The availability of social security benefits should not be a factor in the decision to apply for asylum.

Mr. Howarth: Is it not incumbent on the Government to ensure that advice is provided to potential asylum seekers arriving at ports of entry that if they do not apply for asylum there and then they will not be eligible for benefits and, under the Government's new policy, will be at risk of absolute destitution? What advice are the Government providing to new arrivals before they reach immigration control? Will the Secretary of State comment on the immigration service's reported insistence that posters, which were provided voluntarily and which would have alerted people to that situation, must not be sited in either the arrival halls or in the buffer lounges at Heathrow?

Mr. Lilley: The hon. Gentleman should be aware that, when people present before the immigration authorities in this country, they are asked their reasons for coming here. If they say that they have come to take refuge and to claim asylum, they will be able to pursue that claim and they will be entitled to benefit while doing so. However, if they manage to convince the immigration authorities that they are coming to this country as students, business men or visitors and they go on to persuade them that they have the means to support themselves, that they have somewhere to stay and that they have a ticket to return home, and they subsequently enter the country and change their story, they will have no right to benefit. I do not think that there is anything wrong with that.

The hon. Gentleman—who is a friend of mine, if not in the technical sense—did not seek asylum in the Labour party in the hope of deriving any benefits. Genuine asylum seekers entering this country do not come here for our benefits: they come here for our freedoms.

Mrs. Roe: Does my right hon. Friend agree that the Government should not encourage bogus asylum seekers who are not escaping persecution but are merely interested in benefits? Taking his point further, does he also agree that that sums up the position of the hon. Member for Stratford-on-Avon (Mr. Howarth)?

Mr. Lilley: My hon. Friend is right on all points. We cannot have a system whereby people who are asked a straightforward question but who give a series of misleading answers are subsequently able to get benefits because they change their story. That must be wrong, and cannot be acceptable to anyone.

Pensioner Incomes

4. **Dr. Twinn:** To ask the Secretary of State for Social Security what has been the change in real terms in the income of the average pensioner since 1979; and if he will make a statement. [14354]

Mr. Heald: Between 1979 and 1993, the average incomes of pensioners increased by 51 per cent. in real terms.

Dr. Twinn: Does the Minister agree that the rise in pensioners' incomes is a tribute to those who manage the private pension funds, and that the funds are managed in the best interests of pensioners? Does he share my concern that if these funds were to be diverted, perhaps to Government-controlled funds, they would be shifted to lower return projects—maybe projects of a political nature—that would cut pensioners' incomes? Is this not the policy of the Labour party?

Mr. Heald: Since 1980 the private pension funds in this country have had a real rate of return of more than 10 per cent. over inflation. The same is not true of state-run schemes, such as that in Singapore where the return is only 2 per cent. A pensioner in this country, who contributes the same amount as a pensioner in Singapore, will have four times the pension when he retires. That is why the Government are committed to the private sector schemes and why our achievement is so immense in this area.

Mr. Chris Smith: Why does the Minister simply talk about average pensioner incomes—as he always does? Does he not realise what has happened to those pensioners below the average, especially those who receive nothing but the state pension or income support? Has he seen the Institute for Fiscal Studies report that shows that income inequality for pensioners rose dramatically after 1979, and that the richest 10 per cent. of pensioners have five and a half times as much income as the poorest 10 per cent.? Is it not time to stop being complacent and to do

something to help the millions of pensioners who are below the average, and who are falling further behind under this Government?

Mr. Heald: As usual, the hon. Gentleman has carping complaints to make about the Government's performance. All pensioners have benefited under this Government. That is why the real rate of pensioners' income has increased substantially, even in the bottom quintile. The hon. Gentleman should look at the proposals that he is making—what is described as thinking the unthinkable. Hon. Members should look at the cost that the Labour party would impose on British industry and on pensioners, particularly with the stakeholder proposals. The hon. Gentleman should not get away with this, and he should not write letters to *The Times* withdrawing his ideas two months after he has had them.

Invalidity Benefits

5. **Mr. Harry Greenway:** To ask the Secretary of State for Social Security how many claimants are currently receiving invalidity benefits; at what cost to the Exchequer; what was (a) the number and (b) the costs in real terms (i) 10 years ago and (ii) 20 years ago; and if he will make a statement. [14355]

The Minister for Social Security and Disabled People (Mr. Alistair Burt): As at November 1995, just under 1.7 million claimants were receiving incapacity benefits at the short-term—higher—and the long-term rates, compared with invalidity benefit recipients of 450,000 in 1975-76 and just under 850,000 in 1985-86. The estimated annual cost to the Exchequer, as at last November, is £7.7 billion. At current prices, this cost was £1.9 billion 20 years ago, and was £3.7 billion 10 years ago.

Mr. Greenway: I congratulate my hon. Friend on introducing the Social Security (Incapacity for Work) Act 1994 which ensures that benefits go to those who are too unfit to work. Will he confirm that this measure, along with all the other measures introduced by the Secretary of State, has been opposed by the Labour party? Does not thinking the unthinkable mean spending the unaffordable?

Mr. Burt: Yes, it is very easy to express a wish, in general terms, to control public expenditure, but to actually take the steps to do so is rather hard—a clear difference between the quality of the Government and the noise of the empty Opposition.

Mr. Foulkes: I shall suggest something to the Minister that may receive all-party support—the suggestion by Pensioners' Voice and other such organisations that the Government might organise a campaign to encourage the take-up of benefits to which people are entitled. Will the Minister give serious consideration to introducing such a national campaign, as suggested by Pensioners' Voice, Age Concern and a large number of other voluntary organisations?

Mr. Burt: Nine pounds out of every £10 of benefit is already taken up. Extensive take-up campaigns are run by welfare organisations and others and at the end of the day only the smallest benefits are not taken up. We cannot force people to take up benefit. The hon. Gentleman's concern for pensioners and the elderly would be rather more genuine had he protested more seriously about the inadequacies of the cold weather payment scheme when his party was last in Government and the damage that inflation caused them in the past.

Ms Lynne: Is the Minister aware that many people are denied incapacity benefit because the medical test is not strictly adhered to? In some cases, instead of being asked to pick up a kettle or saucepan of 1.7 litres, people are being asked to pick up an overcoat, and instead of picking up a tray, they are being asked to pick up a box of tissues. They have lost benefit and only won it back on appeal. Will the Minister look at the matter urgently?

Mr. Burt: The medical test is kept under strict scrutiny. There is a monitoring system to make sure that it is applied consistently. To date, Ministers have received no complaints such as the one that the hon. Lady has offered the House today. I am happy to receive a letter from her, but it is a matter of great concern to us that the medical test is applied consistently and well. I am pleased that the hon. Lady now appreciates the need for change in the medical test and perhaps she will be more supportive of the scheme in future.

Child Support Agency

6. **Sir Mark Lennox-Boyd:** To ask the Secretary of State for Social Security how many cases the Child Support Agency has refused to consider because they were already the subject of a court order. [14356]

The Parliamentary Under-Secretary of State for Social Security (Mr. Andrew Mitchell): Parents with a court order for child maintenance cannot come to the Child Support Agency for an assessment unless the parent with care is in receipt of a relevant benefit. They can, however, ask the court for a variation in the court order if they believe that maintenance under the existing order is inadequate. There is no business need for the agency to record how many child maintenance applications it receives and which it cannot consider for that reason.

Sir Mark Lennox-Boyd: Will my hon. Friend consider the plight of many women, such as my constituent Mrs. Dennett, who may enjoy the so-called benefit of a court order in favour of their children and cannot be helped by the CSA, but whose former husbands have paid no money for 10 years or more under that court order? They are thereby effectively denied justice by the system. Is it not ironic that a system that was invented to help such women in reality denies them justice?

Mr. Mitchell: My hon. Friend has raised with great diligence the case of his constituent, Mrs. Dennett, and I have looked carefully at it. Her court order precedes the establishment of the Child Support Agency, so she is unable to take advantage of it. Her difficulties demonstrate clearly why the House was right to introduce the Child Support Agency. I am afraid that she will have to return to the court to seek a variation as she is able to do under the system.

Mr. Llwyd: Can the Minister assist me? My constituent put in an appeal to the CSA appeal tribunal three months ago. After going through the details, he was advised to withdraw the appeal. The chairman replied that he would not allow the appeal to be withdrawn despite a month's notice having being given. What is the authority under law for that proposition and where is it based in common sense?

Mr. Mitchell: If the hon. Gentleman will write to me about the case, I shall certainly seek to assist him. There has been a significant improvement in the performance of the appeal system. Some 60 per cent. of appeals are now cleared within 13 weeks, but if he will write to me about the specific details that he raises, I shall ensure that he receives a proper answer.

Occupational Private Pensions

7. **Mr. Dunn:** To ask the Secretary of State for Social Security how many retired persons were in receipt of occupational private pensions in (a) 1979 and (b) 1995. [14357]

Mr. Heald: In 1979, 43 per cent. of pensioners were in receipt of an occupational pension. By 1993, the figure had increased to 62 per cent.

Mr. Dunn: While I welcome the significant increase in the number of those who enjoy occupational pensions, does my hon. Friend agree that those who receive occupational pensions and those who hope to enjoy them in future will be frightened out of their wits by the prospect of their pension funds—some £600 billion—being run for and by Government with the aid of the trade unions, which is Labour party policy?

Mr. Heald: If a Government forced individuals into a state second-tier scheme which had a stakeholder corporation involving the trade unions, they would kill the private sector that produces a rate of return far higher than that of state schemes. The contributions would have to be higher, as they are in Singapore and Australia. In Singapore, the contributions are double those in Britain and in Australia they are 12 per cent. In fact, it would be more take than stake.

Mr. Denham: To return to the real world, does the Minister recall the £1 million Government advertising campaign in 1988 that encouraged people to leave occupational pensions and the state earnings-related pension scheme? Will he admit that more than 1 million people who left their employers' schemes are now having to have their pensions reviewed at enormous cost? Does he admit that more than 3 million low earners left the state earnings-related pension scheme for personal pensions and that many of them will be worse off as a result? Will he admit that the difference between his side and ours is not about the benefit of funded pensions, but that the Conservatives waste people's hard earned savings and Labour will not?

Mr. Heald: One needs only to listen to the hon. Gentleman to realise that he prefers the state to the private sector. I certainly have no regrets that large numbers of people now have personal pensions that will help them in retirement. That will mean more security for them than they had before.

Mr. Spring: Can my hon. Friend tell me how much money is tied up and invested in the United Kingdom funded private pensions? Can he confirm that the significant total is greater than for all the other European Union countries put together?

Mr. Heald: Yes. The European Community countries other than the United Kingdom have £480 billion invested between them. This country has £600 billion.

Benefit Disregards

8. **Mr. William O'Brien:** To ask the Secretary of State for Social Security what plans he has to review the disregards involving housing benefit and council tax for people who are in receipt of occupational pensions; and if he will make a statement. [14358]

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): We have no plans to change the treatment of occupational pensions in claims for housing benefit and council tax benefit.

Mr. O'Brien: The Minister will be aware of my constituent, Mr. Rogers, who receives 81p a week mine workers pension. Government regulations have meant that he has had a 57p cut in housing benefit and a cut in council tax benefit of 16p, which has left him with 8p a week. He has now been notified by Yorkshire Water that the service charges for water and sewerage will increase at twice the rate of inflation. That leaves my constituent owing money to the Government because of their activities. When will the Government stop driving pensioners, especially people on occupational pensions, deeper and deeper into the poverty trap?

Mr. Evans: I am not aware, at this moment, of the facts—*[Interruption.]* Well, I have not got a letter. I shall be happy to look into the matter that the hon. Gentleman specifically raises, and will write to him.

The hon. Gentleman's general question highlights the difficulties of income-related benefits. The Labour party's apparent proposals for a guaranteed minimum pension would simply extend means testing, with the difficulties that the hon. Member mentioned.

Mr. Patrick Thompson: When my hon. Friend the Minister considers disregards for housing benefit and council tax rebates, will he bear in mind the representations that I have received from war pensioners and war widows in Norwich? Is my hon. Friend aware that Labour-controlled, mean-minded Norwich city council is refusing to apply disregards to those war pensioners, in spite of the example set by neighbouring councils and the majority of other councils?

Mr. Evans: I am so aware and, no doubt, my hon. Friend's constituents will take due note.

Child Support Agency

9. **Mrs. Bridget Prentice:** To ask the Secretary of State for Social Security when he expects to respond to the second report of the Social Security Committee on the performance and operation of the Child Support Agency (HC 50 of Session 1995-96). [14359]

Mr. Andrew Mitchell: We are giving very careful consideration to the recommendations in that thoughtful and thorough report and plan to respond to the Committee by the end of March.

Mrs. Prentice: I thank the Minister. However, does he share the concern of the Public Accounts Select Committee that the CSA has set its target at 75 per cent. and that, in other words, it expects to get only three out of four cases right? Does he believe that that is an acceptable level of assessment and does he agree that the public will not have trust and confidence in the CSA until it sets its targets at a higher rate?

Mr. Mitchell: Many measures have been taken to try to improve the agency's accuracy, which was woefully low. There has been a steep increase this year. The Secretary of State set a demanding target of 75 per cent. and that target has been exceeded for the past two months. We shall set exacting targets for next year as well.

It is important to remember that accuracy standards for the Child Support Agency mean accuracy to within 1p. Given that, I hope that the hon. Lady will join me in welcoming the steep increase in accuracy that has taken place in the past year. We intend to ensure that that continues in the coming year.

Mr. Tredinnick: When my hon. Friend the Minister responds to the report, will he consider the cases of those who have been wrongly assessed by the Child Support Agency? Does he agree with me that the absent parent should be repaid in full immediately when such cases come to light?

Mr. Mitchell: We shall respond carefully to the Select Committee's report, and certainly bear in mind what my hon. Friend says. The House will note, however, that the Committee welcomes the progress made by the agency. It considers that the agency has shown that it can implement significant changes quickly and efficiently. It confirms the view that the agency is here to stay. Indeed, it refers to the growing acceptance that the agency will be a permanent feature of British life. There has been a steady improvement in the agency's performance over the past year. There needs to be, and we intend to ensure that that improvement continues over the next year.

Mr. Sutcliffe: Is it not true that the Child Support Agency has lost public confidence and that it is not meeting requirements? Does the Minister agree that the best thing would be to scrap the agency and start all over again?

Mr. Mitchell: That is not the policy of either of the two main parties in the House. The hon. Gentleman may have noted that on page 92 of the Select Committee's report it published the evidence of one of the leaders of the campaign against the agency. That gentleman earns £517 a week and believes that it is right for him to pay only £15 a week in respect of his child. Nothing could more clearly illustrate why the House was right to set up the agency.

Sick and Disabled People

10. **Mr. Duncan Smith:** To ask the Secretary of State for Social Security what is the total spending on long-term sick and disabled people and their carers; and what were the equivalent figures for 1978-79 and 1985-86. [14360]

Mr. Burt: Estimated expenditure on benefits for the long-term sick and disabled and their carers for 1995-96 is over £20 billion. The equivalent real terms figure for 1985-86 is £8 billion; and for 1978-79, £5 billion.

Mr. Duncan Smith: Does my hon. Friend accept that many of my constituents and those of other hon. Friends throughout the country will be concerned about the way in which spending in this area has burgeoned at a time when so many people in society are supposed to be getting better in terms of their health? Does he agree with me, and will he take up the point, that we shall drive hard to ensure that money in this area is spent solely on those who genuinely need it?

Mr. Burt: My hon. Friend makes a sound point about the changes that had to be made to incapacity benefit. We were trying to ensure that a rapid rise in the growth of expenditure was brought under some control to ensure also that benefit went to those who really needed it.

The Government seek to encourage independence in terms of benefit policy for other long-term sick and disabled people. We want to establish a simpler system with fewer overlaps which will be delivered by modern means, and one that will reduce the scope for fraud and abuse. The Government are well on their way to producing such a system.

Mr. Wigley: Will the Minister please avoid the pressure coming from the right wing of the Conservative party further to cut expenditure on disabled and long-term sick people? Will he consider especially the position of those people who are receiving care in the community help through local authorities, in circumstances where the local authorities are having severely to cut expenditure because of the grant settlements of the coming year? Will the Minister ensure that no one who needs that help will be either unable to pay for it where excessive charges are being made, or will lose out because local authorities cannot provide the necessary services?

Mr. Burt: I recognise the hon. Gentleman's genuine concern. To suggest to the Government, however, that they have been in any way mean towards the long-term sick and disabled is just untrue. We are keen to ensure that benefits go to those who need them, and that they are used appropriately. As I said in my main answer, total spending on the long-term sick and disabled shows a 280 per cent. increase in real terms. That is equivalent to £350 per person in the United Kingdom.

It is important that our record on sick and disabled people is recognised. We introduced the disability living allowance, which brought about 500,000 people into

benefit for the first time. Our record of care and concern for those who really need it is outstanding, and strongly supported by the Government. Community care, an innovation introduced by a Conservative Government, is the responsibility of the Department of Health. I shall ensure that the hon. Gentleman's concerns are made known to my colleagues in that Department. Our record on disabled people, especially with the passing of the Disability Discrimination Act 1995, which was the most important step in anti-discrimination legislation affecting disabled people that this country has ever seen, is second to none.

Mr. Nicholas Winterton: Does my hon. Friend accept that carers are the unsung heroes of community care, and that not only do they save the public—the taxpayer—a great deal of money but in many cases they sacrifice their own career and private life to look after somebody who is ill, whether that person is disabled, mentally ill or mentally handicapped, and that carers deserve more consideration from society, whether by way of assistance or fiscal incentive? Will my hon. Friend see what he can do to encourage and help this very deserving section of our community?

Mr. Burt: My hon. Friend is absolutely right. The entire country owes a debt of gratitude to all those who care for and look after others. It is a debt that the Government have recognised uniquely. In the middle of 1986, about 30,000 people were in receipt of invalid care allowance. Owing to changes made by the Government, 318,000 people are now in receipt of that allowance. In 1979, the Labour Government spent £4 million on invalid care allowance, whereas, this year, this Conservative Government will spend £609 million. That shows how much Conservatives value carers, and that is what we have done for a most deserving and important group of people.

Mr. Bradley: Despite what the Minister has said, there have been real cuts in benefits for disabled people—estimated to be at least £90 million this year and £250 million in 1998-99. One cut that is causing particular concern is the withdrawal in July of the mobility component from disability living allowance for adults and children in hospital. Many organisations, such as Mencap, have made representations to hon. Members, because they know what an enormous difference the benefit makes to people in that situation. Without it, disabled people are deprived of their mobility. Does the Minister not recognise that that cut is particularly pernicious? Will he think again and protect the 16,000 people who live in NHS hospitals or in residential homes, so that their quality of life does not suffer?

Mr. Burt: The situation is not quite as clear cut as the hon. Gentleman makes out. The benefit is designed to assist independent mobility. Those for whom the restriction is intended are in long-term care, where independent mobility is difficult and where in many cases the NHS is designed to pick up other care needs. We also have evidence that the benefit was used for a variety of other purposes beyond that of independent mobility. Some six times as many people today receive support for their care and mobility needs than in 1979. It is a difficult area. It is out to the Social Security Advisory Committee for consultation, and we shall look at its responses carefully. The complaint that the hon. Gentleman made is not quite as easy to substantiate as he might think.

Mr. Tracey: My hon. Friend amply made the case that the Government are providing far more than was provided in 1979. Does he agree, however, that there is still too much duplication between the community health trusts and social services in local authorities? Will the Government do something to begin to bridge the gap and, indeed, to save resources in that sphere?

Mr. Burt: As I said in an earlier answer, the Government intend to ensure that there are as few overlaps as possible. My hon. Friend has put his finger on an aspect that could be examined, and I shall draw it to the attention of my colleagues in the Department of Health. We are determined to ensure that the system is fair and simple, and that benefit goes to those who need it most. Our record in that regard is exceptionally good.

Child Support Agency

11. **Mr. Win Griffiths:** To ask the Secretary of State for Social Security in how many cases the CSA has stopped maintenance orders for children made by the courts in the course of administering the provisions of the Child Support Act 1991. [14361]

Mr. Andrew Mitchell: The agency will normally become involved in cases with court orders only when a relevant benefit is involved. The agency has no business need to record the number of such cases.

Mr. Griffiths: May I draw the Minister's attention—as I already have—to the case of a constituent of mine? The Child Support Agency went to court last May, and asked for her £30-a-week payment under a court order to cease. She is still not receiving any money under the child support arrangements. Thankfully, her former husband has started to make the payments voluntarily, but how many other mothers may have had their court orders stopped by the CSA, and may still be receiving no child support nine months later?

Mr. Mitchell: I am aware of the hon. Gentleman's concern about that case, but, like him, I understand that the position has now improved.

The real issue is the amount of enforcement that takes place, and the effectiveness of that enforcement. The system is clearly becoming better, but it must be seen to be fair. The hon. Gentleman will be interested to learn that 5,000 deduction of earnings orders were issued last month, and that 2,500 liability orders have been issued in the past year. That is partly why the flow of money to mothers is increasing; we are determined that it should continue to do.

Dame Elaine Kellett-Bowman: Will my hon. Friend confirm that the Child Support Agency has tracked down no fewer than 117,000 feckless fathers who have shoved off without paying for their children? Does he agree that men who father children should expect to pay the costs of bringing them up, rather than leaving it to other families, who have their own responsibilities?

Mr. Mitchell: My hon. Friend is absolutely right. The CSA has traced 120,000 absent parents; moreover, there has been a steep increase in its ability to establish paternity. That is very important to parents with care who are not receiving the maintenance to which they are entitled. My hon. Friend will also have noted that, in some 77 per cent. of cases taken on by the agency, the mother is receiving no maintenance at all. We are determined to ensure that the agency's work continues in the way described by my hon. Friend.

Ms Eagle: No one will object to the idea that fathers have a duty to pay for their children, but does the Minister agree that it is just not good enough to set a target of only 75 per cent. accuracy? That means that one in four of the agency's assessments are plain wrong.

Mr. Mitchell: The hon. Lady obviously did not listen to the earlier answer in which we spoke of the challenging increase in targets. The agency is not only increasing the accuracy of its maintenance assessments to within 1p—that is vital—but simplifying the maintenance formula to speed up the process of arriving at an agreed assessment, and to make it more accurate.

Social Security Expenditure

12. **Mr. Pawsey:** To ask the Secretary of State for Social Security what is the total amount spent on social security in the United Kingdom; and what was the equivalent figure in 1989. [14362]

Mr. Lilley: Spending on social security in Great Britain is expected to be around £87 billion this year, as against £59 billion in today's prices in 1989.

Mr. Pawsey: Does my right hon. Friend agree that such an increase in social security spending is not sustainable? Will he consider two possibilities: first, redoubling his efforts to control social security fraud; and secondly—and perhaps more importantly—taking a leaf out of the book of the Secretary of State for Education and Employment, and establishing a national advisory committee to report to the House on social security matters?

Mr. Lilley: My hon. Friend is right. We cannot let spending on social security increase at the rate that it has done since the system was established under Attlee in the late 1940s—5 per cent. a year on average in real terms. My reforms, however, have already reduced the rate of expenditure growth to little more than 1 per cent.—which is only half the growth of national income—so having been the principal engine of rising costs and tax, it is now set to leave scope for lower taxes as long as we avoid the pitfalls of the Labour party's proposals.

Mr. Pike: Will the Secretary of State accept that it is still a scandal that, in 1995, 46.1 per cent. of the social fund, which is to help people most in need in this country, goes on administration? Should we not have a scheme that gets more money to those people, who are so desperately in need?

Mr. Lilley: I entirely agree with the hon. Gentleman that it is right to cut running costs. When it was announced about a week ago that we were hoping to cut such costs by a quarter, the Opposition Front-Bench spokesman said that it could not be done, that it would be damaging and that it would cause waste and delay. The *Evening Standard* today, however, has got hold of a letter to him from the shadow Chief Secretary, which says:

"Following Peter Lilley's announcement last week that he is seeking to axe his department's running costs by a quarter, I have been making some informal enquiries about the feasibility of his plans.

The advice I am getting . . . suggests that savings in running costs of this magnitude are perfectly feasible, given the opportunities for efficiency gains and the scale of investment already undertaken."

It is time for the hon. Memeber for Islington, South and Finsbury (Mr. Smith) to withdraw his statement that that would go past breaking point and cause longer delays, more mistakes and worse service.

PRIME MINISTER

Engagements

Q1. **Mr. Martyn Jones:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 February. [14380]

The Prime Minister (Mr. John Major): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Jones: Does Prime Minister accept Sir Richard Scott's judgment that the Attorney-General was personally at fault? Given the collapse in public confidence in him, is it not time that the right hon. Gentleman started referring to him as unassailable?

The Prime Minister: I have to say that I believe that the Attorney-General acted perfectly properly throughout this whole affair.

"How the narrative of fairness can be fabricated into an indictment of the Attorney-General, I fail to follow."

Mr. Mackinlay: It is because he is an awful lawyer.

The Prime Minister: I am sorry to hear what the hon. Member for Thurrock (Mr. Mackinlay) below the Gangway says because I was quoting the defence counsel at the Matrix Churchill trial.

Mr. Matthew Banks: On a different point, does my right hon. Friend recall the dark days of nationalised industries when they cost the taxpayer £50 million a week? Is he able to contrast that with the position now where, in the private sector, they contribute £50 million to the national coffers? Is that not about five new schools a week? Is that not something that the Labour party simply has not grasped?

The Prime Minister: I agree with my hon. Friend about the advantages of private ownership over public ownership. We have seen this in a wide range of areas over many years. I have no doubt that, wherever appropriate, things are better handled in the private sector and should be in the private sector rather than in the public sector. That is so in terms both of the experience

that we have of the way in which the private sector operates and of the general demand to make this country competitive, with the lowest possible tax regime consistent with that.

Mr. Blair: Does the Prime Minister agree with the specific finding of Scott that Ministers agreed to the sale of non-lethal weapons to Iraq, and agreed not to inform Parliament and the public, and that that failure was deliberate and in breach of their duty of ministerial accountability? Does he agree with those specific findings of Scott or not?

The Prime Minister: If the right hon. Gentleman takes time to read the whole of Sir Richard Scott's report, he will see that Sir Richard accepts that Ministers regarded not that there was not a change of the guidelines but that there was an interpretation of the guidelines against changing circumstances. Sir Richard accepts explicitly that Ministers regarded the relaxed interpretation

"as being a justifiable use of the flexibility believed to be inherent in the Guidelines."

[Interruption.] I am sorry that hon. Members are laughing. That is Sir Richard's view and I agree with him on that point.

Mr. Blair: The point that I am asking the right hon. Gentleman about comes before that about whether the guidelines were changed; it is whether he is prepared to accept the specific findings in D4.42 of the Scott report that Ministers agreed to the sale of non-lethal weapons to Iraq, that they agreed specifically not to tell Parliament, and that that agreement in Sir Richard's words was "deliberate" and in breach of their duty of ministerial accountability. Rather than the general, will he answer that specific? Will he tell us whether he agrees with that paragraph of the report—yes or no?

The Prime Minister: What Sir Richard says is that the reason for the decision not to inform Parliament was because of a concern that to do so

"might be detrimental to British trading interests"—

that is to say, jobs. That is a direct quotation from what Sir Richard had to say.

Mr. Blair: That is simply not the case. Sir Richard gives specifically the reason why Ministers did not tell Parliament and the public. He said:

"the overriding and determinative reason was a fear of strong public opposition".

That is a quite different matter. *[Interruption.]* Does not the matter go to the very heart of parliamentary democracy? On virtually every page of the report there are details of answers that are inaccurate, untrue, misleading. Is no one going to take responsibility for that? Have no Conservative Members got the courage? Does none of them want to hold Ministers to account? If the Prime Minister cannot answer and say whether he agrees with the paragraph—it is his report, which he set up, on which he spent money—the Conservative party and the Conservative Government will remain knee deep in dishonour.

The Prime Minister: On the question of defence exports, let me remind the right hon. Gentleman—he may not like it—of what the right hon. Member for Bethnal Green and Stepney (Mr. Shore) said when he was a Minister. That spokesman for a Labour Government said:

"It has been the policy of successive Governments not to reveal information on the supply of arms to individual countries."—[*Official Report*, 10 June 1974; Vol. 874, c. *396-97.*]

Does the right hon. Gentleman agree that that was the Labour Government's position? He huffs and puffs with false indignation. If he had a shred of honesty himself, he would admit that the two central charges levied at the Government repeatedly by the hon. Member for Livingston (Mr. Cook) and his hon. Friends have been found to be untrue and should be withdrawn.

Sir Michael Marshall: Does my right hon. Friend agree that in an increasingly competitive and turbulent world, this or indeed any Government must take great care in the way in which they balance national interest and the promotion of British exports? Is it not clear that my right hon. Friend the Chief Secretary and my right hon. and learned Friend the Attorney-General are honourable Members and that they should be given some degree of trust and flexibility, as the Labour party would give its Ministers if it were in government? The right hon. Member for Sedgefield (Mr. Blair) should have a care.

The Prime Minister: I think that there are some substantive points, which tend to get lost amidst these exchanges, and I shall tell the House what the important ones are. We did not export lethal weapons to Iraq, unlike many other countries. No British troops in Kuwait faced British weapons, and our guidelines for the export of defence equipment to Iran and Iraq were at least as strict as, and probably stricter than, those of any other country. That is the reality that the British nation needs to understand, and that the Opposition seek to hide.

Mr. Ashdown: Can the Prime Minister think of any other organisation in Britain, except perhaps British Gas, in which senior executives who had been criticised by an independent inquiry in the terms in which his Ministers have been criticised by Scott would be allowed by the boss to hang on to their jobs?

The Prime Minister: Again, the right hon. Gentleman resorts to partial understanding. Whether that is a tactic or whether the right hon. Gentleman really understands only partially, is something that neither I nor the House has ever been able fully to understand. If the right hon. Gentleman reads the whole report, he will realise that the central charges levied, the charges that required me to set up the report so that they could be impartially examined and laid to rest, have been impartially examined, and have been laid to rest.

Mr. Peter Ainsworth: Did my right hon. Friend see the report in *The Sunday Telegraph* this week about the relative competitiveness of British industry? It was entitled, "Britain advances, Germany retreats". Does my right hon. Friend agree that our vital interests lie in free trade, free markets, free enterprise policies and freedom from the social chapter and from the other Euro-meddling so beloved by the Labour party?

The Prime Minister: I am entirely happy to agree with my hon. Friend about the economic circumstances

that we now face, as a result of the difficult and often unpopular decisions that we have taken to put the British economy on an even keel. We now have the best platform for sustained prosperity, and for sustained growth with low inflation, that we have seen for many years. Nobody doubts that, except those who are professionally inclined to wish to doubt it, because it conflicts with their interests—and they sit on the Opposition Benches.

Q2. **Mr. Alan W. Williams:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 February. [14381]

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Williams: Does the Prime Minister agree with Sir Richard Scott that the Chief Secretary to the Treasury again and again, in letter after letter to hon. Members, misled Parliament about the arms sale policy to Iraq, and consistently failed to discharge his duty of ministerial accountability to Parliament?

The Prime Minister: No; I have made the point before, and I shall reiterate, that I do not believe that my right hon. Friend deliberately misled Parliament. [HON. MEMBERS: "Oh!"] I do not believe that. The requirement to inform Parliament is clearly set out in "Questions of Procedure for Ministers"—and the reason why the House knows that is that I arranged for its open publication for the first time. Unlike previous Governments, who were asked to publish it by their own Back Benchers, I published it without being asked. Previous Governments were asked, and declined to publish.

Mr. Butcher: Does my right hon. Friend agree that, as well as having the fullest support of the British people, both in Ulster and on the mainland, in pursuing the peace initiative, he also has the widespread support of the British people both in Ulster and on the mainland in vigorously pursuing those who wish to damage the civil liberties of the people of London and elsewhere, through a bombing campaign? Does he further agree that those who wish to damage the civil liberties of our people should not be too surprised if their own civil liberties are damaged in the pursuit of justice?

The Prime Minister: We are determined to maintain law and order and democratic principles and we shall continue to seek and hunt down those responsible for the recent attacks. We give the highest priority to the security of citizens on the mainland and in Northern Ireland. Each of the three bombs in the past 10 days or so has been the act of men callously unconcerned about the death or injury of innocent people—perhaps people who have had no connection whatsoever with the ancient feuds and disputes of Northern Ireland. I do not believe that they either deserve or will receive sympathy and understanding from any decent citizen, either here or in Ulster.

Q3. **Mr. Foulkes:** To ask the Prime Minister if he will list his official engagements for Tuesday 20 February. [14383]

The Prime Minister: I refer the hon. Gentleman to the reply I gave a few moments ago.

Mr. Foulkes: Does the Prime Minister agree that, since the Chief Secretary has repeatedly given inaccurate and misleading information to Parliament and to the public, he is the ideal man to present the Tory party's tax plans at the next election?

The Prime Minister: The hon. Gentleman may be interested to know that my right hon. Friend will be presenting tax plans from this Dispatch Box after the election also.

EU Unemployment

Q4. **Sir Teddy Taylor:** To ask the Prime Minister if he will raise at the next meeting of the European Council the level of unemployment in the EU. [14384]

The Prime Minister: I shall take every opportunity to protect the United Kingdom's flexible labour market and falling unemployment against the damaging effects of the social chapter. No other significant European country has an unemployment rate lower than ours.

Sir Teddy Taylor: As high unemployment is becoming a tragic nightmare on the continent of Europe—by comparison with the UK, where unemployment has been falling consistently—will the Prime Minister do all in his power to persuade his colleagues in Europe to abandon illogical policies such as fixed exchange rates, which are simply a recipe for job destruction?

The Prime Minister: My hon. Friend is quite right about the relative levels of unemployment. While unemployment fell here last week to a five-year low, in most similar large European countries it is either growing or remaining static at a much higher level than here in the United Kingdom. As the president of the European Monetary Institute said just the other day, other member states should use the United Kingdom as their economic model. I am delighted to have his support—that is what I have been saying to my colleagues on the European Council for several years now.

Mental Health Services

3.32 pm

The Secretary of State for Health (Mr. Stephen Dorrell): With permission Madam Speaker, I wish to make a statement about the future of mental health services.

On 24 August last year, my hon. Friend the Minister for Health wrote to health authority chairmen informing them that I had asked the regional directors of the national health service to review the progress being made in their regions towards the delivery of modern and effective mental health services. I am today publishing the conclusions of that process, and I am announcing the further steps that the Government intend to take to deliver their commitment to a comprehensive, high-quality mental health service.

The background to those developments is familiar to the House. In this and every other developed country during the past 40 years, health and social service authorities have been replacing asylum-based care with a broad spectrum of facilities that are better able to meet the needs of the individual person suffering from a mental illness. At its best, a modern mental health service represents a dramatic improvement in the quality of care available to its patients.

Too often, however, the reality has not matched up to that potential. That is why we decided last June to make the improvement of mental health services a key medium-term priority for the NHS, and it is why I initiated the review process last August.

Today's report of that review confirms that every health authority now has in place plans that commit it to deliver a comprehensive mental health service. Sixty-eight health authorities have demonstrated that that objective will be achieved during the next financial year; the remaining 33 authorities have plans to deliver a comprehensive service, which will take longer to complete.

The review shows that health authorities are planning to increase the resources committed to mental health services next year by £53 million. Regional directors will continue to monitor the delivery of those plans at local level.

It is important to be clear about the objective. The phrase "care in the community" has too often been taken to mean the abandonment of residential care for mentally ill people. That is not, and never has been, our policy. That is why, today, I am publishing a document entitled "The Spectrum of Care", which sets out in clear language the range of services that constitute a modern mental health service. It restates our commitment to provide treatment at home for those patients for whom that is the right answer. For that group, a range of services needs to be provided by the NHS and local authority social services departments, very often in partnership with local authority housing departments.

The document also sets out the range of other facilities that are needed to complete the required spectrum of care. Those are: day hospitals and day centres, to provide for those who need care during the day; access to out-of-hours specialist services and crisis accommodation to meet short-term crisis need; acute hospital beds, to meet the needs of those with acute mental health problems; and 24-hour nursed residential places, to meet the long-term residential needs of those with severe and enduring mental illness. All those facilities are needed, together with a range of secure units for those who need treatment in a secure environment.

Today's document makes clear the Government's commitment to deliver not simply care in the community, but the full spectrum of care required for a comprehensive modern mental health service.

Along with that overview of the full spectrum of care, I am publishing a report commissioned by my Department on 24-hour nursed care. The report states that there is accumulating evidence of a need for residential nursing care for a relatively small group of so-called new, long-stay clients. The Government accept that such facilities have a valuable role to play in the spectrum of care and will look to health authorities to ensure that their plans for the future provide for that need to be met.

Although it is understandable that much of the comment about the state of mental health services concentrates on the pattern of service provision, a crucial requirement is effective collaboration between the wide range of agencies that contribute to an individual's care. That is why the Government are committed to the full implementation from 1 April of the care programme approach. That requires the preparation for each patient under the specialist services of a plan of care based on an assessment of his needs, which names a key worker to be responsible for ensuring that that care is delivered.

From next year, the NHS is under an obligation to audit the successful delivery of that approach. Today, I am publishing an audit pack designed to assist with that process. It has been developed by the NHS executive with the Royal College of Psychiatrists and constitutes an important reinforcement of our commitment to quality in those services.

A further reinforcement of quality is provided by the Government's decision to introduce a patients charter on mental health. A charter does not, of course, by itself improve standards. It does, however, state clearly the standards that the individual patient can expect to receive from the statutory services and it therefore constitutes a benchmark by which the quality of the service can be judged.

Today, I am publishing a draft charter and I am asking for comments by 26 April. The draft charter proposes standards for timely access to specialist services. It sets out the entitlement of a mentally ill person to have his illness explained; to have the effects of medication explained; and to be given information about advocacy and support groups, together with information about what to do in an emergency. It also establishes that a patient who needs continuing care outside hospital will not be discharged from hospital until appropriate arrangements, including a care programme, have been put in place.

There has recently been disquiet about the arrangements that allow hospital managers to discharge patients from detention under the Mental Health Act 1983, possibly against the advice of their responsible medical officer. It is clearly essential that a detained patient must have the right to have his case reviewed, and the Mental Health Act 1983 provides for mental health review tribunals for that purpose. The powers of the managers operate in parallel with those of tribunals, to allow a more informal consideration of individual cases. The operation of the system is currently being considered by the Royal College of Psychiatrists and the National Association of

Health Authorities and Trusts, with the Mental Health Act Commission. We expect to receive their advice in the spring of this year, and the Government will reach and act on a conclusion on the basis of that advice.

Finally, I come to the question of money. The Government are firmly wedded to the provision of sufficient resources to allow the continued improvement of our mental health services. In December, I announced the creation of a mental health challenge fund within the NHS, and I am today publishing the detailed criteria for applications to that fund. The fund will deliver £20 million-worth of improvements and development in addition to the £53 million of growth money that health authorities already intend to spend on mental health next year.

In December, I also announced an increase of £11 million in the mental illness specific grant for 1996-97, and a further £9 million for 1997-98, subject to parliamentary approval. Of that £20 million, £4.5 million will provide for a 10 per cent. increase in the existing specific grant programme; £2 million will virtually double the provision for the homeless mentally ill initiative; and the remaining £13.5 million will be committed to a target fund to assist local authorities working in areas where the strains on the mental health services are greatest. I have written today to the local authority associations, inviting them to join us in drawing up the detailed criteria for those schemes.

The combination of an extra £20 million through the mental illness specific grant; an extra £20 million through the NHS challenge fund; £53 million from health authorities' own plans; and a contribution of at least £2 million from local authorities' own resources, will bring the growth money for the mental health services under this programme to more than £95 million.

Our national health service has made great strides in improving mental health care. I pay tribute to all those working in health and social services who have achieved so much for mentally ill people. We are committed to supporting them, to securing the best standards for users and carers and to providing a service of which the public can be proud. The measures that I have announced today constitute a substantial contribution to the progress that we need to make. I commend them to the House.

Ms Harriet Harman (Peckham): Is it not the case that the Government have failed to ensure that mentally ill people get the care that they need when they need it, and that the price is paid by mentally ill people themselves and by the communities in which they live? Does not the Government's failure cause needless suffering to those who are unfortunate enough to have mental illness? Does not the failure cause despair to the relatives of mentally ill people, as they struggle to cope, and further demoralise the doctors, nurses and therapists—the mental health care team—who are stretched to breaking point as they run services that are stretched beyond breaking point?

Has not the Government's failure caused a breakdown of public confidence in our mental health services, as people hear report after report of assaults, murders and suicides committed by people who are desperately ill? Have not the Government created the worst of all worlds in relation to mental illness: too few beds for the mentally ill in hospital, inadequate and patchy services for the mentally ill in the community and staff shortages in hospitals and community services?

I join the Secretary of State in his tribute to the excellent work that has been done by the health care team. However, why does he not mention the chronic staff shortages in mental health services? Those services cannot run without the staff and, too often, they simply are not there.

The Royal College of Psychiatrists says that there are shortages of psychiatrists at all levels, consultants, registrars and junior doctors. So the risks increase, but no mention of that was made by the Secretary of State. Is he not aware that the Royal College of Nursing reports that there are now fewer community psychiatric nurses than there were five years ago, despite a huge increase in the number of mentally ill people in the community? Why was there no mention of that?

Is the Secretary of State not aware that in some areas whole wards are closed because sufficient staff nurses cannot be found to run them? Does not he realise that the huge turnover of very seriously ill patients in hospital means that doctors and nurses are providing only a custodial rather than a caring, quality service, with not enough time to talk to and get to know their own patients, let alone the patients' relatives? Will the Secretary of State admit and act on the problem of hospital bed shortages? Half of all acute beds for people with mental illness problems have been cut in the past 15 years.

Why does the Secretary of State announce £95 million of growth money when it is nothing of the sort? Why does he not admit to the House that it is existing money already allocated by health authorities? Does he not realise that people are fed up with hearing the Government announce new money or growth money and raising their hopes, only to have those hopes dashed when they discover that it is not growth money at all? Is not that yet another reason why this Secretary of State, like his predecessors, is not trusted by the public or by those who work in the national health service?

Does not the Secretary of State realise that his failed mental health policies mean patients committing offences and ending up in our police stations, courts and prisons? The number of mentally ill prisoners has increased by more than half in the past four years.

Is not the real story about Government failure on mental health revealed in a devastating secret report from North Thames regional health authority? The report shows that none of the health authorities in that region is providing a comprehensive adult mental health service and that two thirds of the health authorities will not be providing a comprehensive adult mental health service by 1997, even if they achieve all their existing plans and even if they take additional action.

The report, which the Government have kept secret, talks of organisational turbulence. It talks of a surfeit of first priority issues, pressures on staff and a range of attitudes, from anger to despair to desperation. It does not appear in the pack that comes with the Secretary of State's statement.

How can any hon. Member have confidence in what the Secretary of State tells the House when he has admitted that one in three health authorities will fail to deliver comprehensive adult mental health care services by the end of 1997? He says that 68 out of 110—he lists them in the pack—will provide a comprehensive adult mental health service by the end of 1997, but how can we believe him when we know that the list includes

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authorities such as Brent and Harrow, and Camden and Islington, whose own region says that they will not achieve a comprehensive service by then even if they achieve all their existing plans and even if they take additional action?

Will the Secretary of State accept Labour's challenge and introduce a four-point action plan to begin to tackle the problems of mental health? Will he halt further psychiatric bed closures until community services are in place? Will he ensure not only the immediate implementation in all areas of the care programme approach, but greater consistency in its development? Will he take action to address staff shortages? Will he change the mental health funding allocation formula, so that over time cash ends up going where it is most needed?

Against the background of Government failure, the Health Secretary's statement offers no new money, no new rights and no new policy directions. What he has done is to identify needs. We know what the needs are; we have known them for years. He has identified the service provision that is needed; we have known about that for years. He has not taken action to tackle the problems. The Tories have failed for years on mental health and they have failed again today.

Mr. Dorrell: I remind the House that my statement covered a range of subjects on which the Government have announced some proposals. We have announced proposals to redefine the spectrum of care; to heighten the commitment to nursed beds in the health service; and to strengthen our commitment to the care programme approach; and we have announced the publication of a draft charter for mental health patients. I talked about the changes that are being considered in managers' powers to release detained patients. I listened to what the hon. Lady had to say in her questions on my statement. I did not hear her mention a single one of those policy announcements. She picked on only one—that relating to money.

On money, the hon. Lady said that because today I announced the proposals that the health service was bringing forward for the use of next year's growth money, that somehow did not constitute new money. I am announcing how the health service will use the extra resources that have been voted to it, to improve the quality of health services during the next financial year. That is apparently not a subject in which she is interested.

The hon. Lady also spoke about staff shortages. I have good news for her on that. She said that the Government had nothing to say about increasing the staff commitment to mental health services.

Ms Harman: The right hon. Gentleman did not say anything about it.

Mr. Dorrell: The hon. Lady says that I did not say anything about that in my statement. That is true; my hon. Friend the Minister for Health announced some changes on that yesterday, when we announced the creation of 114 specialist registrar posts in the psychiatric disciplines, specifically to address the concerns that she raised. I would have hoped that she might welcome that.

The hon. Lady also spoke about an alleged decline in the number of community psychiatric nurses working in the health service. I have the figures with me. In 1984—I am not taking a date that is party politically convenient, but I will measure the numbers over a decade—there were 1,180; and in 1994, the most recent year for which figures are available, there were 4,760—an increase in community psychiatric nurses in post of 153 per cent. I would have hoped that she might welcome that.

Then there are the points that the hon. Lady made in her press release today, in which she said:

"I am calling on the Secretary of State to publish the true information on the state of mental health services in every region of the country."

She did not anticipate that I would publish the list in the document that was published at 3.30 pm. I am sorry to have shot her fox.

The hon. Lady also challenged me to agree to her four-point plan. I have had the advantage of a few minutes in which to think about her four-point plan. *[Interruption.]* I did not need them, as she rightly says, because all the points are covered in the statement.

The hon. Lady called for a halt to further psychiatric bed closures until appropriate community services have been developed. That has been the policy of the Government for some years. Existing bed space is not closed until acceptable alternative provision is in place. In my statement, I announced immediate implementation of the care programme approach in all parts of the country. I would have hoped that she might welcome that.

I have already mentioned action to address staff shortages. The press release also refers to

"changing the mental health funding allocation formula so that over time cash ends up going where it is most needed".

That is precisely the principle that underlies the funding changes that I announced today. The hon. Lady might have done better to listen and react to my statement rather than read out her press release.

Several hon. Members *rose—*

Madam Speaker: I am now seeking very brisk questions and answers.

Mr. Roger Sims (Chislehurst): As it happens, I met my local community health service trust at lunchtime and I know that its welcome for the prospect of increased resources will be reflected throughout the country. The important thing is how and where those resources are spent. My right hon. Friend listed a number of facilities that can be provided on a local trust basis, but others can be provided more effectively and efficiently over a wider area. Will he encourage trusts to co-operate with each other and co-ordinate their activities in providing those facilities, and ensure that resources are distributed accordingly?

Mr. Dorrell: I am happy to see such co-operation develop within the health service—and my hon. Friend knows that that is occurring. The key co-operation is between health authorities, to ensure that the needs of a particular locality are met. When those needs are best met by trusts in co-operation, I am strongly in favour of local partnerships developing.

Mr. Simon Hughes (Southwark and Bermondsey): I welcome the Secretary of State's statement as far as it goes. However, I should like him to inform the House

when he will be able to guarantee three things. When can he guarantee that there will be satisfactory co-ordination of health authorities and social services departments throughout the country? He is aware that that problem must be addressed. When can he guarantee that there will be 24-hour access to emergency admissions, to local support or to community care—the three options that a mentally ill person may need? Most importantly, when can he guarantee that urban areas—which have four times the incidence of mental illness compared with elsewhere—will be allocated the resources that they need statistically, as opposed to being dependent on the £13.5 million beauty competition that is the additional challenge funding that he announced today? It may mean that the places that are most in need will continue to go without.

Mr. Dorrell: Co-ordination between statutory authorities is part of the assessment for which regions are responsible when deciding whether comprehensive mental health services will be delivered. I agree with the hon. Gentleman: it is important to ensure that statutory agencies are co-ordinated properly. In the absence of that proper co-ordination, action will be taken to improve the situation. I agree with what the hon. Gentleman said about emergency access. In a supporting paper published today, the hon. Gentleman will find the statement:

"We intend to include a standard in the final document on the mental health patients charter on access to out-of-hours services and views on that will be particularly welcome".

The hon. Gentleman is quite right when he says that out-of-hours access is important. We intend to include details of our proposal in the final version of the mental health patients charter.

As to the hon. Gentleman's proposal that we should revise the capitation formula that governs all health service financing, he will know that it is subject to regular review. With regard to the funding mechanisms that I announced today, I shall ensure that specific local issues are addressed. We must not wait until the generality of funding delivers that objective. It is important to target resources at that issue, reflecting the priority that health and social services managers now give to improving the quality of services.

Sir Gerard Vaughan (Reading, East): My right hon. Friend's statement will be welcomed very widely. Will he confirm that today he has announced a new, high priority that will be on-going not only for mental patients in the community, but for mental patients across the board?

Mr. Dorrell: Yes, I can give my hon. Friend exactly that assurance. My right hon. Friend and predecessor announced last June that the health service intended to make the maintenance of high-quality mental health services a key priority. That is not a passing fad. Mental health services are a key part of an integrated national health service, and the management of the health service and the political responsibility for it will continue to reflect that long-term priority.

Dr. Jeremy Bray (Motherwell, South): The Secretary of State has accepted the difference between comprehensive plans and effective delivery. He has put forward specific proposals—such as the audit arrangements and the patients charter—to improve the quality of service. Does he agree that, with the best will in the world, long-term developments are needed in the care of the mentally ill, which cannot possibly be completed within two years? For example, first, I refer to the training of staff in the mental health services, from a basically institutionally based system to a community-based system. Secondly, I refer to the reabsorption of those who have been mentally ill into the normal life of the community. Finally, I refer to the effectiveness of mental health services being very much conditioned by public understanding of the nature of mental illness.

Mr. Dorrell: The hon. Gentleman is right on all three counts. He takes a distinguished interest in this subject, as the chairman of the all-party group. He has placed emphasis on the importance of training all the professional staff responsible for delivering that service, which I echo. That is why my hon. Friend the Minister for Health announced the extra commitment to the psychiatric medical disciplines yesterday, and it is something that will also be followed up in the training plans for the nursing profession.

The hon. Gentleman raised three important issues, and I agree with all of them. The Government will carry them all forward. The distinction between plans and delivery is one that I take seriously. It is important that the commitment to the standards that I have announced today is monitored year by year by the health authorities and by the social services inspectorate—and that is what will happen.

Mrs. Edwina Currie (South Derbyshire): Does my right hon. Friend realise that in his statement he has rendered a large chunk of my novel out of date? I am very pleased about that. In his efforts, will he also take into account the need to train general practitioners, to ensure that their services for mental illness are also improved? Is it not those people who will most likely first come into contact with someone who is depressed or suicidal, who will have to cope with their family and, in the long run, who will most likely be involved in their continuing care in the community?

Mr. Dorrell: I am sorry to have rendered my hon. Friend's novel out of date, but I am not sure that I am ministerially responsible for that. I agree with what she said in relation to the development of the role of general practitioners in the mental health services. That is a specific aspect of the work that my hon. Friend the Minister for Health is doing, on the development of primary health care. It is important that the role of general practitioners in that service is not allowed to cut across or to undermine the important role played by the specialist services in meeting the requirements of those whose needs are genuinely specialist in nature.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is the Secretary of State aware that the provision of extra registrars will be welcome, but without access to secure beds and to proper psychiatric staffing care, they are not as effective as they sound? Further, is he aware that the need is urgent for elderly constituents who are faced with the management of a psychotic and possibly dangerous member of their family? Those psychiatric services are falling apart now—not next week—and they need help now. What will he do to ensure that it is provided as rapidly as possible?

Mr. Dorrell: The hon. Lady raised the subject of secure bed space, which is interesting because that is an aspect of the delivery of mental health services that has been developed substantially in recent years. In the early 1970s, the Glancy report target for medium secure beds was set at 1,000, but by 1979 nothing had happened. The figure is now 1,200 beds provided, with more to follow. We are providing the medium secure beds that the health service needs, and that is something that marks today's health service apart from the health service of a decade ago.

Mr. David Martin (Portsmouth, South): Is my right hon. Friend aware that those providing mental health services in Portsmouth just would not recognise as an accurate picture of those services the catalogue of slurs produced by the hon. Member for Peckham (Ms Harman)? He mentioned in his statement that a key worker would be available for every individual—and that he would be known as that individual's key worker. Will he ensure that the individual's neighbours and family know who that key worker is, so that those who are receiving mental health treatment in the community know that someone can be contacted immediately to sort out any problems?

Mr. Dorrell: My hon. Friend makes an important point. The support of the carer working within the community is often critical in the delivery of a proper service to a mentally ill person. The support of neighbours who may not be formal carers can also be valuable. My hon. Friend will recognise that his proposal and the terms in which he makes it may raise concerns about confidentiality, but I agree with him that the name of the key worker is potentially important, not just to the mentally ill person but to that person's carer and community supporters.

Mrs. Alice Mahon (Halifax): If the Minister really believes that every bed that has been closed in the psychiatric sector has been replaced with a good community care place, why are so many mentally ill people in prison and homeless? Does he recall my sending him a letter about the closure of the psychiatric unit at Northowram hospital, from GPs who said that they already faced frequent difficulties in admitting psychiatric patients to Halifax general hospital? Has he any idea how much worse it will be when the psychiatric unit closes? Will he please put a moratorium on all bed closures until decent places are provided in the community?

Mr. Dorrell: The reason why I do not agree with those who say that we should have a moratorium on all bed closures is that it would create the implication that the existing pattern of provision in some of the old asylums should be sustained. I want to ensure that we provide an improved, modern mental health service that more accurately meets the needs of patients.

Mrs. Mahon: What is the Secretary of State doing about that?

Mr. Dorrell: The hon. Lady asks what I am doing about that. I announced in my statement the publication of a document on nursing home beds for those suffering from severe and enduring mental illness. All the professional opinion now suggests that it is a better way of meeting the residential care needs of those with such illnesses. Surely to goodness we should be able to agree across the Floor of the House that those needs are better met in that way than by keeping open a model of care which was a great breakthrough in the 19th century, but which is no longer regarded as a proper way of caring for people with a mental illness.

Mr. David Congdon (Croydon, North-East): Does my right hon. Friend agree that when mentally ill people are discharged into the community, it is crucial not only that are they provided with suitable housing by housing authorities, but that there is good liaison between housing and social services to ensure that social services provide proper support? Will the measures that he has announced today improve liaison and co-ordination not only between health authorities and social services, but with housing departments?

Mr. Dorrell: My hon. Friend is quite right to remind the House of the importance of the relationship with local authority housing departments. I specifically referred to that in my statement. In regard to people being discharged from hospital with continuing needs from the mental health services, I set out the proposition contained within the mental health patients charter, that people in those circumstances should not be discharged from hospital until proper arrangements have been made with the relevant authorities, so that those continuing mental health needs will be met.

Mr. Dennis Skinner (Bolsover): Does the Minister agree that, for a comprehensive care in the community policy to succeed, much attention and assistance must be given to individual carers who look after a great number of people in the community? Is he aware of the plight of some of those people? One of my constituents informed me that she was on incapacity benefit, but the moment she became an individual carer, the Department of Social Security took the book away and she lost not only her incapacity benefit, but her entitlement to rent and all other benefits. The net result is that she is worse off as a result of taking on an onerous task. She has saved the state £300 a week and she is getting absolutely nothing.

Mr. Dorrell: I prepared for a number of different questions for this session, but I confess that I did not include mastering the rules governing the social security system. I shall take the hon. Gentleman's question away and write to him with an answer.

Mr. John Marshall (Hendon, South): As one who has instigated a number of Adjournment debates on the care of the mentally ill, I welcome my right hon. Friend's statement and the fact that he has listened to the concerns expressed in those debates and outside the House. I also welcome the commitment to new long-term clients, because there has been an inadequate number of beds, especially in London, for the mentally ill. Can my right hon. Friend tell the House how Barnet health authority will be affected by his proposals?

Mr. Dorrell: I am grateful to my hon. Friend for his support for the announcements that I have been able to make, and I agree with him about the need to ensure that there is a proper understanding of the case for a full spectrum of care. Community care should be seen as part

of that spectrum and not as the totality. I hope that my hon. Friend will accept that his emphasis on the need to ensure the provision of residential places was covered in my statement.

Barnet health authority has a clear commitment and a plan to deliver—as the hon. Member for Peckham (Ms Harman) will see—a comprehensive mental health service. As my hon. Friend knows, Barnet health authority has to come from further behind than some, so it would be unrealistic, as the hon. Member for Motherwell, South (Dr. Bray) pointed out, to suggest that all the problems can be resolved overnight. The commitment is there to ensure that those services will deliver our objectives, and my hon. Friend's constituency will be able to benefit from the spending programmes that I announced this afternoon.

Mr. Jim Callaghan (Heywood and Middleton): I listened carefully to the order of priorities that the Secretary of State has just given to the House. Is he aware that one of my constituents, Mrs. Worsley, while on her way to work at the University of Manchester Institute of Science and Technology at 7 o'clock in the morning a fortnight ago, was savagely attacked by a man with a mental illness? As a result of the attack, she had nine stab wounds in her back, one stab wound in the back of her head and a gash in her face that required nine stitches. In the light of that and other savage and unprovoked attacks, what assurances can the Secretary of State give to Mrs. Worsley and other victims that that will not happen again?

Mr. Dorrell: Of course, no Secretary of State can give to any citizen the assurance that there will never be an attack in the street again, whether perpetrated by somebody suffering from mental illness or not. I can assure the House that we are specifically considering the discharge arrangements provided by hospital managers to ensure that there are adequate safeguards to command public confidence. In the context of the services that I mentioned today, that is the right assurance to give to the hon. Gentleman.

Mr. David Atkinson (Bournemouth, East): Is my right hon. Friend aware that the initiatives and extra resources that he has announced today will be warmly welcomed by the voluntary organisations involved with the mentally ill—MIND, the National Schizophrenia Fellowship and the Schizophrenia Association of Great Britain? Will my right hon. Friend ensure that the views of those voluntary organisations will be specifically sought by the Department of Health when it consults on the draft patients charter and on the management of the release of detained patients, which he has announced today?

Mr. Dorrell: The answer to my hon. Friend's question is yes. I will ensure that they are consulted and that their views are heard and noted.

Dr. Lynne Jones (Birmingham, Selly Oak): If everything is to be as the Secretary of State has explained, there will indeed be a dramatic improvement in mental health services. I wish the Secretary of State well, because I think that he believes in what he said. I hope that he will forgive some of us who are a little cynical about whether he has put the means to achieve his aims in place.

In Birmingham, there is 0.5 per cent. growth in the health budget and most of that will be spent on the waiting list initiative. The mental health trust in south Birmingham has been asked to make 3 per cent. efficiency savings and it has been reported that a project, which linked mental health services and the police, so that they could try to intervene when mentally ill people were arrested, will have to fold.

Will the Secretary of State give an assurance that when projects are funded through the challenge initiative and are successful, funding will continue and resources will be made available to ensure that the good practice that has been learnt can be disseminated throughout the country?

Mr. Dorrell: I entirely agree with what the hon. Lady said about the importance of disseminating good practice.

If the health authority in the hon. Lady's constituency is above target and, therefore, saw only half a per cent. growth in last year's settlement, it is precisely to that health authority that the challenge fund is addressed. The fund will provide resources that will allow the service to continue. The money will not be withdrawn after one year.

Mr. Nicholas Winterton (Macclesfield): I congratulate my right hon. Friend on his statement and on the direction that he is giving to mental health provision. Does he agree, however, that long-term care for the more severely and permanently mentally disabled needs to be provided not on a district general hospital site but on a site that is more conducive to therapy and the provision of long-term care? I am sure that my hon. Friend the Member for Hendon, South (Mr. Marshall) agrees with me on that. It is important that hospital sites that are ideal for what my right hon. Friend has in mind are not sold off prior to the new initiative being fully considered by him, with perhaps the new provision being provided on such sites. If he does not put his foot down, those sites may be sold.

Mr. Dorrell: I agree with my hon. Friend that it is important that any new provision that is planned within a health authority area is planned, so far as is possible, at a location that suits the type of service that is to be delivered. That will often not be on the district general hospital site, and my hon. Friend is right about that. It will not necessarily follow from that conclusion that the right place is on what was traditionally the mental health site of the asylum. It may be that a third site is more appropriate. My hon. Friend is right in his principle that new facilities should be located in the place that is judged to meet the needs for which the facilities are designed.

Ms Mildred Gordon (Bow and Poplar): Members of my local community health council tell me that they are worried about the increasing trend to treat all mental illness in elderly patients, especially those over the age of 75, as dementia, even when it might be a different form of mental illness. Will the Secretary of State assure us that steps will be taken to ensure that elderly patients who have mental or physical illness receive the specialist treatment that they need, rather than being dumped into a geriatric unit?

Mr. Dorrell: I entirely agree with the principle that the condition of any patient, whether young or old, should be accurately diagnosed and that the clinical care given

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should be appropriate for the clinical condition. I am sure that the House will not wish me to be drawn into questions of clinical judgment between one condition and another, something on which I am entirely unqualified to offer a comment.

Several hon. Members *rose—*

Madam Speaker: Order. We shall now move on. No doubt we shall be returning to this subject in due course.

Point of Order

4.19 pm

Mr. Nick Ainger (Pembroke): On a point of order, Madam Speaker. Since the rather optimistic statement made yesterday afternoon by the Secretary of State for Transport about the Sea Empress incident off the coast of my constituency, you may be aware that there has been a substantial turn for the worse. It appears that at least 50,000 tonnes of oil has spewed into the sea in a most environmentally sensitive area.

Bearing that in mind, I learnt this morning that those concerned have been unable successfully to salvage the Sea Empress because of lack of availability of the correct type of tug. That issue was taken up in the Donaldson inquiry in May 1994. Unfortunately, due to the Government's complacency, it has not been dealt with. Have you had any sign from the Secretary of State for Transport, Madam Speaker, that he intends to make another statement on those serious matters?

Madam Speaker: I have sympathy with the point that the hon. Gentleman makes, and I was glad that he was able to ask a question following the statement yesterday. I know that he is concerned about the matter as it concerns his constituency, to which he rightly needs to pay every attention, but I have not heard that the Minister is seeking to make yet another statement.

I shall give a little advice, if I may. If the hon. Gentleman believes that the matter is urgent—and I have no reason to doubt that it is not—perhaps he will seek a private meeting with the Minister without delay.

Mr. Ainger: I have already done so.

Madam Speaker: I am delighted to hear that.

Journalistic Corrupt Practices

4.19 pm

Mr. Quentin Davies (Stamford and Spalding): I beg to move,

That leave be given to bring in a Bill to make it an offence, subject to a public interest defence, for any newspaper or other media outlet to obtain or seek to obtain, by means of any financial or other inducement, information from a third party concerning the private affairs of an individual; to prohibit the making by newspapers and other media of payments, whether on a contingent basis or otherwise, to any actual or prospective witness in any court proceedings in return for information relating to those proceedings; and for connected purposes.

My Bill targets two aspects of cheque-book journalism that I believe to be obnoxious and altogether inconsistent with the principles which should underlie a free society.

The first of those activities is the practice of paying informers for information that relates to the personal and private lives of other people. The House will be familiar with the practice of which I speak. The victims, the targets of such journalism, are sometimes people who are already prominent in the public eye—members of the royal family, football stars, television stars, politicians—or sometimes people who are merely related in some way to people in those categories. Sometimes the victims are ordinary citizens. Recently, they have included headmasters, vicars and, in a case in my constituency, a land agent—a man who was not by any stretch of the imagination a public figure; nor had he ever had any aspiration to be so.

It is fair to say that the section of the tabloids which indulges in such journalism has moved steadily further down this particularly unattractive road, advancing at first hesitantly, perhaps a little shamefacedly, but in the absence of any constraint and in the presence of the commercial pressures of competition, such activity has gone further and further until the point has been reached—indeed, it has been exceeded—when Parliament should consider whether it is right to bring a legislative halt to it.

I emphasise that my Bill is not a privacy Bill. The House has had opportunities in the past to consider the merits of a privacy Bill, and I trust that we shall have an opportunity to do so in the future. My Bill would not make it illegal to reveal private or personal information without the consent of the subject: it would simply make it illegal to pay third parties for such information.

There are three reasons why it is important to move in that direction. First, the substantial amounts that can be made from some tabloids for such stories are, of course, an inducement to unscrupulous people to create the circumstances in which they can make those large sums of money. It is, perhaps, a little sinister that the informants or informers who have benefited from these large payments have sometimes included prostitutes and pimps. One sees all too easily where the trend in that sector of journalism may lead unless some constraint is applied.

Secondly, the practice of corrupting the friends, acquaintances, employers, employees or former employees, disgruntled former lovers or spouses of individuals to procure private information is generally associated with the practices of secret police in a totalitarian society. It is unacceptable that practices from which the populations of eastern Europe have now been emancipated after the end of the nightmare of communism should continue quite respectably to be applied in Great Britain by certain people in what used to be called Fleet street.

The practices to which I refer have replaced the ancient crime of blackmail. Our Victorian predecessors in the House rightly decided that blackmail was a heinous offence, and created stringent penalties; nowadays, however, no one but a lunatic would, if in possession of private information that might embarrass someone, think of risking criminal charges by engaging in blackmail. The rewards involved in taking the information to a Fleet street tabloid would be much greater, and the risks non-existent.

The second part of my Bill targets the different but equally obnoxious journalistic practice of paying, or reaching agreements to pay, witnesses in legal proceedings, perhaps on a contingent basis. A bad example came to light recently in the West case. This corrupts the whole system of justice, because it is essential to the good conduct of justice that witnesses are genuinely objective. No witness can be considered objective if he or she stands to make a small fortune—or perhaps a large fortune—depending on the verdict in the case. That practice, too, should be rapidly stopped.

I hope that the House will give my Bill a Second Reading, and will feel that the points that I have raised deserve detailed examination in both Houses, and I hope that, before too long, appropriate counterweights to unacceptable journalistic practices will be on the statute book.

4.26 pm

Mr. Denis MacShane (Rotherham): I oppose the Bill: not so much the second part, which concerns the payment of witnesses in judicial proceedings—that is probably a matter for judges and the courts, rather than one that merits a new law—but certainly the first part.

The hon. Member for Stamford and Spalding (Mr. Davies) ranged far and wide, but if I understood his argument correctly—I had not heard it advanced before—he was saying that it was all right to denigrate, blackmail or put someone down if the information is given free of charge, but not if money, lunch or some other journalistic inducement is offered.

We all know Humbert Wolfe's famous rhyme:

"You cannot hope
to bribe or twist,
thank God! the
British journalist.
But, seeing what
the man will do
unbribed, there's
no occasion to."

I note that the Bill attacks journalistic corrupt practices. Perhaps it should have been entitled "Proprietors' Corrupt Practices", "Editors' Corrupt Practices" or, indeed, "Politicians' Corrupt Practices". I note that the distinguished chairman of a midlands newspaper group, the right hon. Member for Sutton Coldfield (Mr. Fowler) has just entered the Chamber; I am sure that he would wish to take the rap for any activity that his journalists might get up to.

At the end—or, rather, the beginning—of the day, the proprietor is responsible. Journalists are hired hands: the proprietor—or, perhaps, the editor who ranks directly

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below him—must stand in the firing line. I do not think that we need new laws to attack journalism. If anything, we need new laws to strengthen it. As Wordsworth put it,

"Milton! thou shouldst be living at this hour"—

in this instance, to report on the fen of stagnant waters that is the government of our country at present.

I must declare a small interest, as a former president of the National Union of Journalists. The NUJ has a code of conduct which precisely covers the point made by the hon. Member for Stamford and Spalding. Clause 5 of the NUJ code of conduct states:

"A journalist shall obtain information, photographs and illustrations only by straightforward means. The use of other means can be justified only by over-riding considerations of the public interest. The journalist is entitled to exercise a personal conscientious objection to the use of such means."

However, had the hon. Gentleman suggested writing that into law, I would have opposed it because it is not the law's business to say what journalistic practice should be.

It would be better if that code of conduct were on every newsroom wall and part of the training of every journalist, and if all the journalists' and editors' organisations—not just the NUJ—were strengthened in our newsrooms instead of weakened. The hon. Member for North-West Leicestershire (Mr. Ashby), who knows not a little of this problem, will be aware that the newspaper which traduced him has destroyed the NUJ, ripped up the code of conduct and denied its journalists the right to uphold that code. In past years he has voted continuously for measures to destroy the rights of journalists and their union to enforce that code.

The law that we need is not so much one to attack journalists and to protect private lives as one to extend the public sphere of information. One reason why there is such obsessive interest in private affairs is that debate and news about the public sphere in this country is constrained by the culture of secrecy and news manipulation. That was shown recently with the publication of the Scott report, where the hon. Member for Havant (Mr. Willetts), a junior Minister in the Deputy Prime Minister's Department for Conservative propaganda, was given advance sight of the report well before other hon. Members—in flagrant violation of the Prime Minister's assurance that only senior Ministers would see it—in order to prepare a media spin defence.

The Bill refers incessantly to money. When we have a Government who know the price of everything, but the value of nothing, because their only sense of public duty is to manage the media, we cannot fail to understand why some journalists scurry after private tittle-tattle. The public sphere of information is so limited that journalists turn to private gossip.

I hope that, after his Bill is given due consideration, the hon. Member for Stamford and Spalding will support a freedom of information Act proposed by Labour Members. Before that, I shall give him and his supporters the opportunity to offer support on Friday week, when my hon. Friend the Member for Islwyn (Mr. Touhig) will introduce a private Member's Bill on whistleblowers which will give members of the public working for organisations the right to extend the public sphere of information. If the hon. Member for Stamford and Spalding and his supporters are serious about his Bill, I hope to see them in the Division Lobby on Friday week, supporting my hon. Friend's important Bill.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Quentin Davies, Mr. Julian Brazier, Mr. Alex Carlile, Sir Patrick Cormack, Mr. Nigel Forman, Sir Archie Hamilton, Mr. Andrew Hargreaves, Mr. David Hunt, Sir Jim Lester, Mr. Giles Radice, Mr. Richard Shepherd and Mr. Clive Soley.

Journalistic Corrupt Practices

Mr. Quentin Davies accordingly presented a Bill to make it an offence, subject to a public interest defence, for any newspaper or other media outlet to obtain or seek to obtain, by means of any financial or other inducement, information from a third party concerning the private affairs of an individual; to prohibit the making by newspapers and other media of payments, whether on a contingent basis or otherwise, to any actual or prospective witness in any court proceedings in return for information relating to those proceedings; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 10 May and to be printed. [Bill 61.]

Orders of the Day

Social Security

4.34 pm

The Secretary of State for Social Security (Mr. Peter Lilley): I beg to move,

That the draft Social Security B[illegible] Up-rating Order 1996, which was laid before this House on [illegible]nuary, be approved.

Madam Deputy Speaker (Dame Janet Fookes): I understand that with this it will be convenient to discuss the following motions:

That the draft Social Security (Contributions) (Re-rating and National Insurance Fund Payments) Order 1996, which was laid before this House on 31st January, be approved.

That the draft Social Security (Contributions) Amendment Regulations 1996, which were laid before this House on 31st January, be approved.

That the draft Guaranteed Minimum Pensions Increase Order 1996, which was laid before this House on 31st January, be approved.

That the draft Social Security (Incapacity for Work) (General) Amendment Regulations 1996, which were laid before this House on 31st January, be approved.

That the draft Child Support (Maintenance Assessments and Special Cases) and Social Security (Claims and Payments) Amendment Regulations 1996, which were laid before this House on 31st January, be approved.

Mr. Lilley: This is an important opportunity to debate the central issue facing every developed country: how to control welfare spending. Since the establishment of the welfare state after the war, social security spending has grown by 5 per cent. a year faster than inflation—twice as fast as national income. Social security has been the principal engine of rising taxes and burdens on employers. On average, it costs every working person £15 every working day.

Over the past three years, I have carried through a widespread programme of reform, and as a result I have reduced the planned growth of the welfare budget to little more than 1 per cent. a year. That is half the underlying growth of the economy, and will allow scope for lower taxes, lower burdens on employers and more job creation. The Labour party has opposed virtually all the reforms that I have introduced so far. It even attacked the £1 billion extra savings that I announced following the Budget. Moreover, every measure that it has proposed has involved extra spending.

Next year, planned spending on social security will be £90 billion, which is below the planned spending that I announced two years ago. It will include £3 billion to finance increased benefit rates. Benefits are increasing by 3.9 per cent., yet inflation has fallen to just 2.9 per cent. That is the largest percentage uprating for four years, even though inflation is running at the lowest level for more than two years.

In curbing spending, the fight against fraud remains my top priority. In the past, we had no way in which to measure the scale of fraud, so I developed a method of establishing the extent of fraud by detailed investigation of a representative sample of claimants. We are reviewing fraud benefit by benefit. The first survey showed that, in income support and unemployment benefit alone, fraud was costing the taxpayer more than £1.5 billion a year. I introduced a new strategy to prevent and deter that fraud.

The second review, which was of housing benefit, showed that fraud and errors were costing £1 billion a year. I am developing a comprehensive strategy to tackle housing benefit fraud. First, I have earmarked an £8 million challenge fund to develop local authority innovation against fraud. Secondly, I am giving local authorities greater incentives to pursue fraud. I am setting tougher targets with higher rewards and stiffer penalties. Thirdly, we will allow local authorities to make housing benefit cheques payable to landlords to stop tenants absconding with them. For all new claims and those who change address after October 1996, we will pay housing benefit, like most other benefits, wholly in arrears. That will limit overpayment of benefit and will increase recovery.

As well as cracking down on fraud, we are plugging benefit loopholes. Earlier in the month, I restricted access to benefits that were widely abused by bogus asylum seekers. More than 90 per cent. of those claiming asylum are eventually found not to be genuine refugees. While the number of asylum claims in the rest of Europe has been falling, it has been rising in the United Kingdom, partly because of the attractions of our benefits system.

Those problems have been recognised not only by the Government but by the Social Security Select Committee and Amnesty International. Only the Opposition have failed to recognise an abuse that involves about £200 million a year of taxpayers' money going to bogus asylum seekers. The reforms that I have put in place restrict benefits for economic migrants but meet our proper obligations to those genuinely seeking refuge in Britain.

Mr. Jeremy Corbyn (Islington, North): Is there any chance that the Minister will stop spreading the nonsense about the £200 million? He knows perfectly well that, if he removes benefits from asylum seekers who are appealing against a decision to refuse them asylum, the cost to local government of supporting those people under the Children Act 1989 is likely to be far more than £200 million. He is making a xenophobic attack on asylum seekers rather than dealing with the serious problems of poverty among people who have fled from fear and repression.

Mr. Lilley: The hon. Gentleman is simply mistaken. Local authorities will, of course, have an obligation to ensure that children in their areas do not suffer hardship, but they can do so by paying the same amount as would otherwise be available in benefits. There will therefore be no greater cost in such cases. However, only a small fraction of asylum seekers have children. There will be no loss in cases involving children, and a burden will be imposed on local authorities only when there is any risk of hardship. In most cases there is not; most asylum seekers do not have children.

While we have been reforming benefits in Britain, the hon. Member for Islington, South and Finsbury (Mr. Smith) has been off to Australia in search of better benefits for the Labour party. There he discovered Australia's JET—or jobs, education and training—scheme, which helps lone parents back into work. The hon. Gentleman recently said:

"I can give a pretty strong steer that one thing likely to be included in our policy review is the JET scheme. It does seem to work. It does seem to save money".

[Mr. Lilley]

The fact is that the Australian scheme has not saved money. Its cost has exceeded by £40 million the savings in benefits for all those who have returned to work. If those who would have returned to work anyway were excluded, the net cost would be even higher. Even that calculation excludes the cost of the Australian child care arrangements, which are essential for the scheme to work, and which would cost more than £1 billion to replicate in this country. Alas, the simple fact is that there are few self-financing options in welfare. The Labour party should not pretend that its expensive policies would come free of cost to the taxpayer.

The Government have long recognised the difficulties of lone parenthood, and the importance of helping lone parents back into work. That is why we have announced a major pilot scheme to help lone parents with skill training and job search, and why we have added 18,000 child care places to the 50,000 that we have generated over the past few years.

However, we also recognise that there are great costs involved in supporting lone parenthood. Total benefits for lone parents are expected to exceed £9 billion this year. That means that every working family, in addition to supporting its own children, is having to pay on average £1,500 in extra taxes to support lone parents.

My strategy for easing that burden is threefold. First, we must improve the incentives for lone parents to work, so I have improved family credit, which is of particular help to lone parents. I extended it to those who work part time, and from last July I boosted it by £10 a week for those working full time. I also introduced an allowance for the cost of child care, which I shall raise to £60 per week from next April. That will be especially valuable to those with more than one child, and to those who work full time. As a result of the changes already made, the number of lone parents who work is rising. About 270,000 lone parents are benefiting from family credit.

The second element in our policy on lone parents is to ensure that more of them receive regular maintenance from the absent parent. The taxpayer should help to support children only if parents have not the means to do so. The Child Support Agency, after a difficult start, is now proving increasingly effective, and is on target to collect and arrange 60 per cent. more maintenance this year than last year. Even absent parents on benefit ought to contribute to the cost of their children, and from April I propose to double the minimum contribution to 10 per cent. of basic income support.

Finally, I want to ensure that the benefit system does not put married couples at a disadvantage relative to lone parents. I can tell my hon. Friends, but Opposition Members may not like to hear it:

"For decades politicians would not talk about the issue. Tax and benefit policy was squeezed to help single parents and childless couples. Single parents gained more help than did two parents. The policy has got to be reversed".

Those were not my words but those of the Chairman of the Social Security Select Committee, the hon. Member for Birkenhead (Mr. Field). Of course, he was right.

There are two elements in benefits for lone parents that have no equivalent for couples—one-parent benefit and lone-parent premium. Together, those cost more than £600 million a year.

One-parent benefit was introduced in 1976, as a strictly temporary measure in advance of the main child benefit scheme. While the Child Benefit Bill was going through the House, the then Barbara Castle said:

"there is to be an interim benefit of £1.50 a week for the one-parent family for a year from April 1976 until the child benefit scheme comes into effect".—[*Official Report*, 13 May 1975; Vol. 892, c. 337.].

Since then, changes to the benefit and tax system have made it possible for a lone parent not only to be better off in work but to have a higher net income than a couple in similar circumstances with the same gross earnings, despite the fact that the latter would have an extra adult to support. That cannot be right.

I therefore propose no increase in one-parent benefit or lone-parent premium in April. The Government intend to narrow the gap between the benefits for lone parents and those for couples. I have referred to the Social Security Advisory Committee regulations to enable me to do that at a controlled pace, and in a way that does not produce cash losers.

Those proposals increase the opportunities to combine work and family responsibilities for all families. They improve incentives for lone parents to support themselves and to avoid the trap of welfare dependency, and they reduce the burden on self-supporting married couples.

I also intend to improve work incentives for all workers. From April 1996, employers will qualify for one year's remission from their national insurance contributions for each person whom they take on who has been out of work for two years or more. One of the measures before us cuts national insurance class 4 contributions for self-employed people by 1.3 per cent. from April. Finally, I intend to cut the main rate of employers' national insurance contributions by 0.2 per cent. from April next year.

The major success of Britain's welfare provision is the extent to which we have encouraged people to provide for their own retirement. Most countries finance their pensions schemes largely from tax. This year's tax is used to pay for this year's pensions, and nothing is set aside for the future. The system is "pay as you go". The more elderly people there are, and the fewer people of working age, the more crippling the tax burden that the latter will face as the years go by.

The jewel in Britain's crown is our system of largely funded compulsory second pensions. More than three quarters of employees who are eligible to do so have opted out of our state earnings-related scheme into private schemes. Their money is genuinely saved and invested. It goes into business, and finances the assets that will generate profits to pay for their pensions when they retire, without imposing a tax burden on the British economy. It also strengthens the British economy by injecting a huge and growing stream of long-term savings.

Those savings are immense. The total value of investment in British pension funds has reached nearly £600 billion. That is not only more than the figure for any other single country in Europe but more than that for all the other countries in the European Community put together. Moreover, it is £100 billion more than in the previous year. So although the state is spending nearly £90 billion a year on social security, the value of what the private sector saves for retirement has increased by even more than that in a year.

The Organisation for Economic Co-operation and Development recently contrasted Britain's position on pensions and other welfare services with that of other developed countries. It forecast each country's national debt, assuming that it continued with its present pensions system and levels of taxes and charges. That OECD comparison showed that, by the year 2030, the national debt in France and Germany will have more than doubled, and will exceed the national income. In Japan—a country that is aging particularly fast—debt will reach three times the national income. By contrast, Britain's second-tier funded pension places us in an almost unique position. The OECD forecasts that we will have paid off our entire national debt and will start to build up assets. That is an immensely important source of the strength of this country.

Mr. David Shaw (Dover): Is my right hon. Friend aware that, if unfunded pension liabilities were added to the national debt in each of our European partners, only the United Kingdom would get near to meeting the Maastricht criteria on the proportion of debt to national income? Every other country in Europe would be in a very bad state as a result of its massive unfunded pension liabilities.

Mr. Lilley: My hon. Friend makes a very interesting point. I have not done the sums; but if what he says is true, it leaves the interesting possibility that we would be the only member of a single currency—were we to opt to take part. It gives the words "single currency" a new complexion.

Mr. Corbyn: The Secretary of State would still be against it.

Mr. Lilley: Well, it is something to be borne in mind.

It is right to recognise that unfunded liabilities are a potential burden that countries must bear. We have taken steps to make sure that we have funded our provision, and we hope that others will belatedly follow our example, rather than suggest that we should help them with their difficult tasks.

Labour's policies pose a threat to our success in building up funded private pensions. Labour has proposed a guaranteed minimum pension which, of necessity, involves means-testing people's private pensions. That means that people will lose up to £1 of guaranteed minimum pension for every £1 of private pension income saved. Such a measure would be a huge disincentive to private saving and a savage attack on thrift and prudence. The hon. Member for Islington, South and Finsbury wrote to *The Times* today, denying that that is Labour's policy. He wrote:

"Sir, Contrary to the assertions in your editorial 'Lilley's Logic'"—

an excellent title, I have to say—

"Labour has *not* made a commitment to a guaranteed minimum pension."

Mr. Chris Smith (Islington, South and Finsbury): That is correct.

Mr. Lilley: The hon. Gentleman has reiterated that from a sedentary position. But Labour has proposed a guaranteed minimum pension. Let me remind the hon. Gentleman that the Leader of the Opposition said in his much-hyped party conference speech last October:

"We are looking at ways . . . to guarantee a minimum standard of living for our pensioners. The aim of the policy is to . . . guarantee a minimum income that provides dignity in old age. That is new Labour".

I challenge the hon. Gentleman to tell us who we should believe. Perhaps he might care to reconcile these two apparently divergent positions.

Mr. Smith: Clearly the Secretary of State is not as hot on logic as *The Times* seems to believe, as there is no inconsistency whatsoever between the two statements.

Mr. Lilley: I am sure that the hon. Gentleman had no duplicitous intent, but his letter to *The Times* is clearly apt to mislead, as it gives the clear impression that the Leader of the Opposition did not promise a guaranteed minimum pension. [HON. MEMBERS: "He did not promise that."] The right hon. Gentleman said "the policy"—he was referring to Labour's policy to provide "a guaranteed minimum income" in old age. If that is not a guaranteed minimum pension, what is?

Mr. Donald Dewar (Glasgow, Garscadden): It could be income support.

Mr. Lilley: Income support is a form of guaranteed minimum pension, but the hon. Member for Islington, South and Finsbury said that Labour did not promise to provide one. I repeat what the hon. Gentleman said in his letter to *The Times* today:

"Labour has *not* made a commitment to a guaranteed minimum pension."

Mr. Smith: Pensions and income are different.

Mr. Lilley: Well, now we know. This is a matter that would have provided Lord Justice Scott with some interesting opportunities to compare and contrast the intentions of the Opposition, and he would have been hard put to say whether their duplicity was deliberate or not.

In any case, the hon. Member for Islington, South and Finsbury does not just contradict the Leader of the Opposition; he goes on to contradict himself. He recently went down under to look at Australia's pensions policy, accompanied by a BBC journalist—Miss Rosie Barnes, I believe.

Mr. Smith: Rosie Waterhouse.

Mr. Lilley: I am sorry. The hon. Gentleman obviously has more information on who accompanied him down under than I do. The BBC, rather unusually, chose to issue a press release, the headline of which was "Labour plans a new second tier pension for all, announces Chris Smith on BBC Newsnight". Yet in his letter to *The Times* today, the hon. Gentleman says:

"We do not propose a second tier pension".

The third, and most serious, threat in Labour's proposals is its ambition to get its hands, the state's hands and even the trade unions' hands on private pension funds. Labour has always wanted to do that. Harold Wilson planned a state investment fund, and Roy Hattersley—as a Labour Front Bencher—planned to give the state powers to divert pension funds to finance projects deemed to be in the nation's interests. Even the normally

[Mr. Lilley]

admirable hon. Member for Birkenhead has proposed a "stakeholder corporation" on which the trade unions would be allocated

"the appropriate number of seats".

Recently, the Leader of the Opposition and the hon. Member for Islington, South and Finsbury went out to Singapore, and they expressed their admiration for Singapore's state-run central provident fund that the right hon. Gentleman, in his great "stakeholder" speech, said had "worked well". The right hon. Gentleman and the hon. Gentleman went on to say that Labour would draw lessons from Singapore's scheme in designing what they called a "stakeholder welfare system" for a stakeholder economy.

That should set alarm bells ringing, because the big difference between our system of pension provision and that of Singapore is that the state controls investments in Singapore. As a result, the central provident fund that the Leader of the Opposition thinks has "worked well" has yielded just 2 per cent. more than inflation as a return for pensioners since 1980. During the same period, the United Kingdom's private pension funds have yielded nearly 10 per cent. a year more than inflation. If the same amount were invested over a working lifetime at these yields in the British and Singapore pension schemes, the British scheme would provide a pension four times larger than that available from Singapore's state scheme. I am happy to say that the hon. Member for Islington, South and Finsbury, who praised the Singapore scheme to the highest out there, has today told *The Times* that Labour has

"specifically ruled out the Singaporean Central Provident Fund model"

that was to be the model for the stakeholder economy.

That should be good news, but the Opposition are now running down to Australia. After a brief holiday romance in Singapore in which they fell in love with the CFP, the Leader of the Opposition and the hon. Member for Islington, South and Finsbury flitted down to Australia and promptly fell in love with that country's system. The BBC press release goes on to explain why.

Mr. Dewar: What does this have to do with the orders?

Mr. Lilley: There is an order relating to guaranteed minimum pensions, and this is very germane to it. The BBC press release said:

"Chris Smith was particularly interested in Australia's Industry-wide superannuation funds, which are administered jointly by employers and Trade Unions, giving the Unions power over how they are invested."

The BBC press release continued:

"And, if Britain had a central or Industry-wide funds, Chris Smith said they would most likely be invested in a mix of the markets and job-creating schemes to improve the infrastructure."

That is the one positive element of Labour party policy that the hon. Member for Islington, South and Finsbury did not bother to tell the readers of *The Times* about this morning when he ran away from all the previous commitments. I will give him the opportunity to run away from that one now.

Mr. Chris Smith: The Secretary of State would do better to listen to what I said to the BBC, rather than what it wrote in its press release. The two are not necessarily the same.

Mr. Lilley: If the hon. Gentleman has a dispute with the BBC, I am prepared to row in on his side and seek a correction. I telephoned the BBC and protested about the press release on his behalf. I thought it improper of the BBC to send it out practically in his name. I also said that it read very much like a Labour press release, but if the hon. Gentleman disagrees and wishes to tell us in which respect he disagrees, we will be only too anxious to hear.

The pensioners of this country do not want their private pension funds to be controlled or influenced by the state or the trades unions. They want them invested in a way that maximises the return to them when they retire. They are very satisfied with the high rates of return obtained from schemes under our system since it was given a boost by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) some years ago. Our next priority is to build on our successful pension strategy, by encouraging more provision to meet the cost of long-term care for the elderly. Our arrangements have always involved a mixture of private and state provision. State provision has been means-tested since 1948 with the value of capital, including the home, taken into account.

Those matters have growing salience because more and more people are living longer and own their homes and have capital and pensions. I well understand the feelings of people who have been thrifty and prudent during their working lives and find themselves using up all their capital to pay for care that people in the same residential home are getting free.

The Chancellor responded to those concerns by allowing people to keep more of their assets. From April 1996, we propose to double the upper capital limit for income support for those in residential care to £16,000 and we are more than trebling the lower capital limit. We are consulting on important proposals to stimulate the development of attractive schemes for self-provision for long-term care.

The measures before us protect the most vulnerable, strengthen work incentives and control spending long term. We are fortunate in this country in that fewer people are out of work than in any other major country in western Europe, more people are in jobs and we have the lowest inflation for a generation.

Ms Mildred Gordon (Bow and Poplar): How will the measures protect the most vulnerable, when absent parents on income support who get £47.90 a week will now have to pay £4.80, bringing them below the subsistence level that the Government set and way below the level that the family budget unit suggested in its researches for the Rowntree Trust? Can the right hon. Gentleman also tell us how much an absent parent under the age of 25, receiving £37.90 will have to pay and how that family is going to live on the meagre amount that is left?

Mr. Lilley: It is the children who will ultimately gain from maintenance and it is right that they should be supported by their parents and not by the state. Even for someone on income support, the first priority should be

to pay at least a token amount towards support of the children. It is probably to the long-term benefit of children—whether or not the mother is also on income support—for them to know that some of their support is coming from the absent father, as well as the help from the state. The answer to the hon. Lady's second question is that it is the same for that group as for those on the basic rate.

Mr. Alan Howarth (Stratford-on-Avon): Is the House to understand from what the right hon. Gentleman said that he plans to introduce an income support disregard for child maintenance? Otherwise, it seems that the money goes to the Treasury and not to the family or the children, despite what he says.

Mr. Lilley: The hon. Gentleman works on the presumption that people are supported by the state unless someone voluntarily provides some support for themselves. Our basic presumption is that parents support their children and the state comes in only to supplement what they can provide, if they do not have the means to provide sufficient. The first call is on the parent and the state only supplements that, rather than the first call being on the state, with parental provision being almost irrelevant.

Mr. Howarth *rose—*

Ms Gordon *rose—*

Mr. Terry Rooney (Bradford, North) *rose—*

Mr. Lilley: I have given way to both the hon. Gentleman and the hon. Lady once, so I will give way to the hon. Member for Bradford, North.

Mr. Rooney: I admire the Secretary of State's concern for children, but is he aware that, as drafted, the nursery vouchers scheme will be counted as income for any parent who is in receipt of family credit?

Mr. Lilley: The Under-Secretary of State, my hon. Friend the Member for Gedling (Mr. Mitchell), cast doubt on that allegation. I will look into it and write to the hon. Gentleman, if I may. I should say that my hon. Friend cast doubt on it in the most emphatic terms.

Yet again, the debate has highlighted the contrast between our social security policies and those of the Labour party. Labour would allow spending to increase to unaffordable levels, which ultimately would betray the people who depend on the welfare system. We are determined to keep spending under control and to focus help on the people who need it most.

Labour flirts with costly schemes for lone parents, which it has picked up far away. We are implementing a three-pronged system to improve work incentives, secure more maintenance and remove benefit distortions. Labour would harm pensioners and taxpayers by extending state controls, raising costs and destroying incentives to save through wider means-testing. We are helping more and more people to provide for a comfortable old age by building up a third tier of personal provision.

In short, Labour seeks to con the electorate by a shadowy, costly and damaging set of proposals. By contrast, we have put in place a principled programme of reform, which is already delivering results. The measures continue our reform. They raise benefit levels for the vulnerable and are combined with reforms to enable us to afford that help. I commend them to the House.

5.7 pm

Mr. Chris Smith (Islington, South and Finsbury): I am glad that, in his final two sentences, the Secretary of State got to the orders and regulations. Perhaps I should begin by saying that I shall be advising my right hon. and hon. Friends to vote against the family law regulations and the child support amendment regulations. We shall not be voting against the general uprating order because it contains a large number of measures that will be of benefit, but we disagree with a number of proposals within it.

First, it may be worth looking at the Government's general record on social security. Since 1979, total Government expenditure on benefit has increased by £30 billion in real terms and the number of people dependent on benefit has doubled from one in 12 to one in six. At the same time, the Government have increased employees' national insurance contributions from 6.5 per cent. to 10 per cent. That is the real record of this Government on social security. So, when the Secretary of State talks, in rather regal terms, about "my reforms", he is ultimately talking about a record of failure.

The income of the richest tenth of the population has grown by more than 60 per cent. in the past 17 years, while the income of the poorest tenth has decreased by 17 per cent. The gap between rich and poor has increased more in Britain than it has in any other major developed country. The number of children in our country who are living in poverty has trebled, from one child in every 12 in 1979 to one child in every four. Even since 1990, when the Prime Minister took office, the number of people who are dependent on income support has increased by 2.85 million people, which is an increase of 40 per cent. That is the Government's record, and it includes the most recent figures. The soft soap that the Secretary of State occasionally gives us should be taken in that context.

The Government have succeeded in creating the worst of all possible worlds. They have made the social security system more brutal by cut after cut to particular benefits, affecting particular groups in our society, yet they have succeeded in massively increasing the bill to the taxpayer.

In the course of half an hour this afternoon, the social security budget increased by £3 billion. At Question Time, the Secretary of State told us that this year's social security budget will be £87 billion. Half an hour later, he told us that it will be £90 billion. If that was meant to be a clarification, and he was referring to one year in one answer and another year in another answer, we welcome it. I shall give him the opportunity to make that clarification.

Mr. Lilley: The earlier answer was in relation to the current financial year, while the statement in my speech was about the coming financial year, to which the regulations refer.

Mr. Smith: That is a very useful clarification.

[Mr. Smith]

The Secretary also said that the Labour party opposed the £1 billion of so-called savings that were announced in the Budget. We did not oppose the Government's proposals on fraud, and the lion's share of the claimed savings related to fraud. Clarification of that would be useful. On page 130 of the Red Book, the Government say:

"By 1998-99 social security anti-fraud measures are expected to save about £2.5 billion a year."

Is that figure correct? It does not tie in with other figures that they have given. It would be useful to know by the end of the debate whether that £2.5 billion a year of savings on fraud, which are expected in the next three years, is an actual figure. We should be very interested to know precisely what figures the Government are expecting.

The Secretary of State has also given us a statement that somehow, despite the fact that the bill has increased by £30 billion in the past 17 years, all is at last under control. What about the current year? Page 114 of the Red Book contains a very interesting little sentence. In talking about the control total for 1995-96, it says:

"Social security spending is forecast to be higher than planned, but this is more than covered by the unallocated Reserve of £3 billion within the Control Total."

At a time when the Government tell us that unemployment is falling, why is the social security budget for the current year projected to be higher than was planned at the start of the year? If that is the case, how can matters be, as the Secretary of State keeps telling us, substantially under control?

Should we believe the Secretary of State or the Chancellor of the Exchequer in relation to the future? The Secretary of State has told us a couple of times today that the social security budget is set to grow by 1 per cent. in real terms in the next few years. However, in a much publicised speech a few days ago, when he spoke of something called a strong welfare state—something that is not particularly recognisable under this Government's stewardship—the Chancellor said that the

"real growth in social security spending"

in the next three years will be 1.5 per cent. Who is right—the Secretary of State, who tells us that growth will be 1 per cent., or the Chancellor, who tells us that it will be 1.5 per cent.? This is not a semantic matter, because 0.5 per cent. of the social security budget is almost £500 million of public expenditure. We are entitled to know whether the Secretary of State's figure or the Chancellor's figure is the correct one.

Mr. Alan Duncan (Rutland and Melton): Perhaps the hon. Gentleman will tell the House who is right on a similar matter. My right hon. Friend the Secretary of State, in considering future years, plans to cut his Department's running costs by £750 million. The hon. Gentleman criticised that proposal, but he quickly had his wrist slapped by the hon. Member for Oxford, East (Mr. Smith). Which of those two Labour Front Benchers is right?

Mr. Smith: I entirely agree with my hon. Friend the Member for Oxford, East (Mr. Smith), who told me in a letter of 13 February—not 12 February, as incorrectly reported by the *Evening Standard*:

"There must be doubts about the wisdom of trying to achieve so much in so short a time",

referring precisely to the Government's proposals.

It is terribly interesting that the Secretary of State, in an exchange of correspondence with the Chief Secretary to the Treasury on 24 October last year, said to him:

"Your proposed settlement on running costs fills me with despair."

Now, a few months later, the Secretary of State is telling us that the settlement was all wonderfully well planned in advance and that it is a wonderful way forward for the Department. That is a slightly different version of events from the one we were given in October.

The motions propose freezing one-parent benefit and the lone-parent premium. The saving to the Government from each of those measures will be £5 million out of an overall budget of £90 billion. So the Government must have had some really important objective to include such a tiny measure within those proposals, and they have now told us what it is: an eventual equalisation of the position between single-parent and two-parent families. That is an entirely new doctrine for the Government this year, and it appears to rest on the view that the cost of raising a child in a one-parent household is exactly the same—there is no difference whatsoever—as it is in a two-parent household. One does not have to be a genius to understand that if someone cannot count on the unpaid labour of another member of the household, the costs of bringing up a child are bound to be greater. The Government themselves subscribed to that view at one time.

The 1985 Green Paper on the reform of social security—written, I believe, by the right hon. Member for Sutton Coldfield (Sir N. Fowler), whom I am pleased to see in his place—argued that one-parent benefit should be continued

"as a contribution to the additional costs faced by lone parents in bringing up children alone".

It went on to say that the lone-parent premium was introduced in order to recognise

"the extra pressures faced by lone parents."

In the subsequent White Paper, the Government emphasised:

"The principle of continued recognition of the need for specific further help for lone parents on top of that provided by the family premium has been welcomed".

In 1985, the Government and the right hon. Member for Sutton Coldfield were saying that lone parents clearly faced additional costs and had extra pressures imposed on them, yet the Government are now telling us that there is no difference between them and two-parent families. They said one thing in 1985 and another in 1995.

Lone parents are, of course, in general poorer than two-parent families, even taking account of the number of people in the household, and the gap between lone parents and couples is growing. In 1979, the average median equivalised income of lone-parent families was 79 per cent. of that of couples with children. By 1992, that had fallen to 64 per cent.

The Government ought to know that the comparative position of single-parent families had worsened in relation to that of two-parent families because the information is contained in the Department of Social Security's

"Households Below Average Income" report. The Social Security Advisory Committee told the Government the same thing in 1989. It stated:

"A key feature of these two benefits"—

one-parent benefit and the lone-parent premium—

"is their reliability. When problems are being experienced with maintenance, Income Support, Family Credit or wages (for example, when a child is sick or the care arrangements break down), Child Benefit and One Parent Benefit continue to be paid with unfailing regularity . . . these benefits are highly valued by lone parents".

I am afraid that the Government's tune has changed dramatically in only a few years. They are going down the wrong road in saying that the difficulties faced by single-parent families somehow do not matter—they do.

One-parent benefit in particular is a key part of any benefit-to-work strategy because it is carried through when a lone parent takes work—it is a through-train. It is one of the few parts of the benefit system that acts as a bridge between benefit and work. If we have learned anything in recent years, it has to be that we should be making it easier for people to move from benefit into work, out of dependency and into the work force. Yet the Government, by freezing this particular benefit for such meagre savings, are going in completely the wrong direction.

If the Government do not believe me, they should listen to what the Select Committee on Employment said in its report on mothers in employment. It stated:

"The difficulties caused by means-tested benefits are worse for lone parent families".

It went on to recommend that

"the Government establish a task force which would include representatives of all the relevant departments, to study the special difficulties that lone parents encounter in attempting to enter the workforce and escape the benefit system".

Instead of responding positively to that proposal, the Government want to freeze and eventually eliminate one of the key parts of the benefit that assists single parents.

The Secretary of State had one or two remarks to make about the jobs, education and training scheme—the JET scheme—in Australia. In fact, his assessment of the scheme was incorrect. Yes, the costs of the first couple of years of the scheme's operation were greater than the savings on benefit expenditure. If he doubts that, he should ask the permanent secretary at the Department of Social Security in Australia. I did precisely that only four weeks ago.

Mr. Lilley: The hon. Gentleman might be interested to know that I sent my previous and present permanent secretaries to Australia. They carried out a rather fuller investigation of the costings than the hon. Gentleman seems to have done. They took into account the two factors that I mentioned, which are not taken into account in anything that the hon. Gentleman has said or in the figures that he is now giving.

Mr. Smith: I am afraid that the information that has come back to the Secretary of State from Australia has been overtaken by events. In the current year—the Department of Social Security in Australia will confirm this—more money is saved from the benefit system, because of the number of people who enter the work force or full-time education or training and come off benefit, than is spent on administering the JET scheme. If the Secretary of State doubts that evidence, he should examine the basic figures. The average length of time that a single parent in Australia spends on benefit has gone down during the four years of the scheme's operation.

We need to examine the increase in the non-dependant deductions in housing benefit. The increase is over and above the rate of inflation. That is no small matter because the Government tell us in parliamentary answers that some 500,000 people will be effected by the increase in the non-dependant deduction. If someone living in a household is deemed by the system to be able to contribute to the housing costs, his housing benefit is accordingly reduced. The amount of that reduction is being increased by more than the rate of inflation. That will have two effects.

First, it is a further disincentive for family members to take work and exacerbates the difference between work-poor and work-rich households. It means that people will think twice before deciding to take a job opportunity. Secondly, it will act as a stimulus for family break-up. There is clear evidence that when the sons and daughters of a household reach adulthood, the pressure on them to move away from the family home because of the impact of the non-dependant deduction often increases the break-up of families. That policy comes from a Government who say that they believe in the family, but it will intensify the problem.

There are other housing benefit changes in the pipeline, not specifically in the orders but none the less flagged up in the uprating statement. We are told that there will be a cap on housing benefit payments for people under the age of 25; that they will have to live with housing benefit that represents the cost of shared, rather than real, accommodation. That will force many young people into unregulated, multiple-occupation accommodation. Its possible impact on young people coming out of care is especially worrying. It takes no account of the fact that there are many areas where shared accommodation is scarce, so it will place a serious burden on young people who cannot find shared accommodation.

The cap on housing benefit provides yet another disincentive in the system to people taking up work. If people under the age of 25 who are unemployed and in receipt of housing benefit take jobs that are temporary, or likely to be temporary, they will lose their housing benefit because they are earning money. When those jobs end after six months or a year, they will go back on to housing benefit but at a lower rate than when the employment was first taken up. For many people, that may mean losing not only their jobs but their homes. That is a powerful disincentive to people thinking of taking up temporary, or possibly temporary, work. Through their housing benefit system proposals, the Government will intensify that disincentive.

The proposals also act as a disincentive to moving to take up a job. If people on a higher rate of housing benefit move from their existing accommodation into a new area to take up employment, they may have that employment only for a short period. If they lose those jobs, they will immediately go on to the lower rate of housing benefit.

That measure comes on top of a series of measures that the Government have taken to make the entire benefit system harsher for people under the age of 25. On the introduction of income support in 1988, they withdrew income support from 16 and 17-year-olds. They

[Mr. Smith]

introduced a lower rate of benefit for the under-25s and aligned income support with housing benefit, thereby cutting help with housing costs for young people.

The jobseeker's allowance will be another blow for young people because people between the age of 18 and 24 who are currently eligible for unemployment benefit receive the same rate of benefit as all other unemployment benefit claimants. As non-means-tested jobseeker's allowance will be aligned with income support rates, benefits for under-25s will be reduced. For single people under 25, that will mean a 20 per cent. cut in benefit.

There is one other housing benefit change in the pipeline—the proposal that the payment of housing benefit should be made in arrears rather than in advance. The reason why housing benefit has been paid in advance is that rent has to be paid in advance. That is a simple proposition.

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans) *indicated dissent.*

Mr. Smith: The Minister suggests that rent does not have to be paid in advance. I do not know whether he has gone out looking for private rented accommodation in the recent past but he is living in more of a fantasy land even than most of the Government if he believes that rent will not be requested in advance by private landlords.

In addition, the Government should bear in mind the problems for local authorities, which will have to adjust all their computerised systems for the payment of housing benefit to take account of the changes that the Government are introducing. Despite all that, the Government make dramatic claims about the amount of money that they will save by the measure.

In a written answer to me on 29 January 1996, the Government said that the amount that would be saved by the change in the payment arrangements for housing benefit would be £105 million in the first year, 1996-97, and in the second year, £120 million. I would like the Government to tell us how they have calculated those figures because the only direct saving that they make by that change is to shift in the course of one year expenditure from one month into another. That will produce a cosmetic saving in the Government's accounts. They must be relying on the expectation that, somehow, the change will make a substantial difference to the fight against housing benefit fraud. If that is the case, I want to know how they intend to achieve those savings because they are considerable—the largest of any of the measures in the uprating statement.

Mr. Duncan: Will the hon. Gentleman give way?

Mr. Smith: No, I have already given way to the hon. Gentleman.

The Government have also announced in the orders that they are to freeze the level of cold weather payments for pensioners on income support. *[Interruption.]* The Secretary of State expresses some astonishment. The amount for cold weather payments in the motions is the same in cash terms as it was in the current year. I am surprised that he does not know the content of his own orders and regulations.

The issue is especially appropriate today because we are reminded by the cold weather of the great difficulty faced by many elderly people struggling to pay their heating bills. There are two things which at the very least the Government should do—quite apart from the relatively small amount of money that it would take to be more generous in uprating the payments in line with the broad uprating of other benefits.

First, the Government should pick up the point that was made at Question Time by my hon. Friend the Member for Croydon, North-West (Mr. Wicks). The Government, sensibly, have said that when cold weather for the specified period is forecast, people will be entitled to cold weather payments. They will not have to wait until after the cold weather to be sure that the benefit will be guaranteed. Why on the earth are the Government not more active about making sure that as soon as the cold weather is forecast, everyone knows about it so that those people in areas that will qualify for cold weather payments can be confident that they will get the money, and can put on their fire for a longer period than they would otherwise want to do? The Government have said that they are prepared to use forecasting but they do so with great reluctance. They ought to use it more often.

Secondly, there is the point raised by my hon. Friend the Member for Barking (Ms Hodge) in her question to the Secretary of State this afternoon. It does not make sense that the residents of Nos. 450 to 472 Lodge avenue have received one cold weather payment this winter, when the residents of Nos. 453 to 469 Lodge avenue have received four cold weather payments over the same period. I appreciate the Secretary of State's point that somewhere and somehow lines must be drawn. However, there are absurdities in the system, of which Lodge avenue is one example. The Secretary of State should examine the system of cold weather payments to see whether it is possible to eliminate those absurdities.

As I have said, I shall be advising my hon. Friends to oppose the child support regulations. We agree with the principle that both parents must accept a financial responsibility for the upkeep and welfare of children. However, the order increases demands on the absent parent who is in receipt of income support. In many cases, the child and the parent with custody will derive no real benefit from the order because the Treasury will get the money. That is the whole point of the Government's action: they have told us that they will raise £10 million in the first year as a result. In the majority of cases, the Treasury, and not the child, will benefit in real terms.

The absent parent will face a sharp reduction in what is already a breadline income. The Government propose to take money from absent parents and give it to the Treasury. Those absent parents presently get no needs allowance for the upkeep of children when their income support is calculated and, according to the calculations endorsed by the Government, that income support is intended to keep only one person together in body and soul. A further deduction will put those parents well below the poverty line. The Government must think about what they are doing. Both parents have a clear responsibility to ensure that their children are provided for, but the absent parent who is in receipt of income support should not be forced to live below the breadline. That is what the Government's order will do.

Ms Gordon: Does my hon. Friend agree that it would be damaging to children if absent parents were deeply distressed by being forced to live in dire poverty?

Mr. Smith: I agree with my hon. Friend, who takes a very keen, cross-party interest in the work of the Child Support Agency and in the operation of the Child Support Act 1991. The welfare of children is very important, but we should not forget about the welfare of both parents. In making a change, the Government are forgetting about the welfare of the absent parent.

Some of the orders before us tonight relate to pensions. They bring into focus two aspects of pension provision about which I shall press the Government. The first relates to the claims made by the Secretary of State—in this place today and elsewhere—about personal pension provision in this country. Conservative Members have made much of the £600 billion—it is a wonderful figure—invested by British pension holders, most of whom hold occupational pensions. The number of occupational pensions holders has decreased during the life of this Government and I shall deal with the reasons for that in a moment.

Mr. David Shaw (Dover): And private pensions and life insurance.

Mr. Smith: That is not what the Secretary of State says: he makes the claim for occupational and private pensions. The Government have deliberately encouraged people to opt out of occupational pensions and into personal pensions, and about 1 million people have done so. The Government commissioned an advertising campaign several years ago encouraging people to do precisely that. Between 4 million and 5 million people have also opted out of state earnings-related pensions schemes and into personal pension schemes. Many of those who have opted out of SERPS or occupational pensions and into personal pension schemes may now be worse off than before.

Everyone agrees that there was a problem with mis-selling. I believe that the Government bear a heavy responsibility for deliberately encouraging people to opt for personal pensions when we know that that was not a sensible step in many cases. The Government have made all sorts of complacent claims; I am staggered that they believe that personal pensions are the be all and end all of pension provision in this country. We know not only that a large number of personal pensions were mis-sold, but that personal pension holders often lose 25 per cent. or more of their pensions in administration and commission fees. About £1 in every £4 that savers invest in personal pension schemes disappears in administrative costs. That is not good value for the saver.

Mr. Nick Hawkins (Blackpool, South): I hope that the hon. Gentleman will not get so carried away with the Labour party's politics of envy that he runs down the enormous contribution of the financial services industry—in which we lead the world—to the United Kingdom balance of payments and to our national income.

Mr. Smith: Far from it—I shall ensure that the financial services industry flourishes still further under a future Labour Government. The pension products that are available to British savers should provide good value for money. People's hard-earned savings should not disappear in administrative fees and charges, which is what is happening.

Mr. Corbyn: In addition to the 25 per cent. administration charges, is my hon. Friend aware of another serious danger? The majority of personal pensions that have been sold are nowhere near maturity, but there is no guarantee as to who will support or bail out those individuals who have spent a large proportion of their working lives paying into pension schemes if the pension companies, institutions or funds collapse.

Mr. Smith: My hon. Friend makes an interesting point: we need a good and proper regulatory framework to protect all investors in every pension scheme.

While we are discussing personal pensions and the future of pension provision, the right hon. Gentleman has been peddling a myth for some weeks about Labour being interested in a Singaporean, state-directed, state-invested scheme—that is a complete fantasy on the Government's part. At no stage has the Labour party endorsed such a scheme. We have learned lessons from Singapore precisely because the scheme has not yielded a good return for the investor in Singapore. We have said on a number of occasions that we will not proceed down the road of the central provident fund when developing our policies for pensions.

Mr. Lilley: Is the hon. Member again denying the words of his leader, the right hon. Member for Sedgefield (Mr. Blair), who said in Singapore:

"For Singapore the Central Provident Fund has worked well".

The hon. Member has just said that it worked badly.

Mr. Smith: These days, the Government are very good at selective quotations from documents. In relation to the economy and infrastructure of Singapore, the central provident fund has been successful but for the individual savers of Singapore, the fund has not been a particularly good deal. Such a system would not be a particularly good deal for the people of Britain. If the Secretary of State or his researchers had been on the ball, four weeks ago they would have read a perceptive article, which appeared in *The New Statesman and Society* and was written by me. The article set out precisely what lessons we thought should be learnt from the Singaporean experience and clearly spelt out why we would not proceed along that road.

Sir Norman Fowler (Sutton Coldfield): I give the hon. Gentleman an opportunity to deny another rumour that is going around—that the Labour party intends to abandon its pledge to uprate pensions in line with earnings. Will he confirm that that is not remotely the intention of the Labour party?

Mr. Smith: If I spent my entire time responding to rumours put around by central office and others, I should be doing a better job at tilting at windmills than fictional characters have done in the past. If the right hon. Gentleman had read the comment that I made in response to that challenge in the *Sunday Express*, he would know that I said very clearly that we are in the process of looking at all our policies in relation to social security

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and, at this stage, no decision has been made. However, we shall make our policy clear within the next few months.

The Government are peddling another rumour—which also needs to be countered—that somehow the Labour party is interested "in getting the state's hands on your pension funds". Well, we are not. The Government have got their grubby hands on people's pension funds—they have reduced the value of the state earnings-related pension scheme for those people who are in it by more than half over the last eight years. The Government made a deliberate decision in 1987-88 and last year to reduce the value of SERPS to the people who had been paying into it. If people are looking for those who are interested in getting the state's hands on their pension funds, it is the Government and not the Labour party.

We know from what the Lord Chancellor said in the other place a few weeks ago that the Government were prepared to look at an amendment to the Family Law Bill that would ensure that, at the time of divorce, a pension held by one of the parties could be split as a pension rather than frozen as a pension, with the benefits of it being split at a subsequent time. This is an important issue for many people, particularly for women.

The Labour party, many Members on the Cross Benches and many members of the Government in the House of Lords, were pleased when the Lord Chancellor told the other place that he was prepared to look at instituting an amendment to the Family Law Bill to ensure that pensions could be split. In the past few days, we have read in the press that the Lord Chancellor is drawing back from that proposal. Will the Secretary of State tell us what the position is during the course of this debate—as this issue has transcended partisan lines in the other place? Is the Lord Chancellor still actively and sympathetically considering instituting an amendment, or has he ruled it out? I hope that he has not ruled it out, because if he has, it will be a sad day for many people. In summary, we will not be opposing the general uprating proposals.

Mr. Lilley: The hon. Gentleman has opposed every substantive reform and change in the benefits system that the Government announced in the Budget and in the social security uprating statement, and many that took place in the past. That is fair enough—if he wants to finance a more expensive system of social security, it is up to him to tell the House and the British people how much it will cost. Does he agree with the hon. Member for Birkenhead, who said that anyone who says that Labour's welfare objectives can be achieved without spending more has something wrong with him, and ought not to be trusted? Does the hon. Gentleman believe that it can be achieved without spending more money?

Mr. Smith: Yes, and if the Secretary of State will contain himself for a few weeks, he will learn how we intend to go about it. I also take him up on his claim that somehow the substantive reforms in his package are ones that we oppose. The main substantive reform relates to additional measures to counter fraud, claiming that £120 million in the first year and £235 million in the second year. We are not opposing him on tackling fraud in the system—indeed, we want him to deal with it more effectively and efficiently than he appears to intend.

I referred to the other substantive measure when I asked precisely how the Government are going to make the changes in payment arrangements for housing benefits that will amount to £105 million in the first year. If the Secretary of State wants to claim that we oppose every single substantive measure that he is putting forward, he should look at the substantive measures in the package. We shall oppose the unsubstantive, but none the less harmful, change to minimum maintenance in child support.

The measures before us are harmful to housing benefit and to the encouragement of single parents back into the work force. They are harmful in the demands that the Child Support Agency will make on those parents who are already on the breadline and they are harmful to elderly people in the freezing of cold weather payments. They are typical of the Government's salami-slicing approach to social security. With one cut after another, they are creating more dependency. They have no overall vision about the need to have a nation at work rather than a nation on benefit, and that is no way to provide real security for the people of Britain.

6 pm

Sir Norman Fowler (Sutton Coldfield): I do not regard the speech of the hon. Member for Islington, South and Finsbury (Mr. Smith) as the most exemplary illustration of open opposition. When I intervened to ask him whether his party would uprate the basic pension by earnings or by prices, he ran away from my question, but when my right hon. Friend the Secretary of State intervened a few seconds later, the hon. Gentleman gave the game away entirely: if he used the same envelope of costs, there is no way in which he could honour the pledge given previously. I shall return to that point in a moment. If the hon. Gentleman wishes to intervene and correct my assumptions, I shall be glad to give way.

I welcome what the Government have done in this uprating. Although public spending is tight, it is right that substantial resources should be devoted to some of the most vulnerable groups in society. I welcome a number of the increases, particularly the increase in family credit. The aim of family credit was to help low-income families in work. It now helps more than half a million people and has proved to be an excellent innovation.

I also welcome what is being done for pensioners and my right hon. Friend's announcement of the price uprating. Let me dwell on pensions for a few seconds. As my right hon. Friend the Secretary of State said, a debate is taking place not only here, but in every country in western Europe. As people live longer, there will be a greater demand for taxpayers' resources to be devoted to health, social services and pensions. That is why Governments everywhere are examining ways of providing options for people to save for their own retirement. That is why, not last year but 10 years ago, the Government began the process of reform. As a result, Britain is better placed than virtually any other country in western Europe to meet the emerging costs of pensions and social services.

The review of social security in the mid-1980s meant looking at the debt that we shall leave for future generations of taxpayers. In creating the state earnings-related pension scheme, the Labour party created not a funded scheme, but a pay-as-you-go scheme. There

is no fund of investments; it relies entirely on the willingness and ability of future generations of taxpayers to finance the second-tier pension promises now being made. The unfunded second tier would be in addition to the unfunded basic pension, so it is entirely sensible for any Government to consider what can be afforded. If Members want proof of that, they have only to look at the Labour party's so-called Commission on Social Justice.

Here I return to the crucial point about the consistency of the Labour party. For years past, Labour Members have argued that the big distinction between them and us is that they will uprate pensions by earnings rather than by prices. We have all fought elections—I fought two and my right hon. Friend the Secretary of State fought one—countering that argument. It was the basis of Labour's appeal to the nation in election after election. In my time as a Minister, the hon. Member for Oldham, West (Mr. Meacher) attacked the Government at every stage for uprating only by prices; yet now we see the unmistakable signs of the Opposition in the process of conducting a major U-turn on policy. There is no doubt about that. Labour's Commission on Social Justice makes it quite clear what they are about—dropping their earnings uprating promise. If that is what they are saying in opposition, the same pressures would have led them to exactly the same conclusion had they been in Government, so their pledge at the last general election, and at previous elections, were bogus and false. The nation needs to take that on board.

Mr. Chris Smith: Can the right hon. Gentleman tell us whether it was a bogus or false pledge at the general election when the Prime Minister said—I believe that the right hon. Gentleman was at his right hand—that the Government had

"no plans and no intention to extend the scope of VAT."?

Sir Norman Fowler: What my right hon. Friend said on tax stands on the record. He also said that income tax would be reduced when and if resources allowed. The hon. Gentleman now wants a debate on VAT. That shows the absurd bankruptcy of his position. We are having a debate on social security and pensions policy, but the main Opposition spokesman wants a debate on anything other than pensions policy. The fact of the matter is—and the hon. Gentleman knows it—that the Opposition's policy is in total shambles. They are now in the process of reneging on a promise that they made year after year to the British electorate. That point needs to be taken on board by the nation, because people need some means of valuing other promises and pledges that the Opposition may make.

There is one very sensible reason why the public want to rely on rather more than state provision. The hon. Member for Islington, South and Finsbury talks about the security of the state. I remind him that in not-too-distant history, under the last Labour Government, the people who lost out most were the state pensioners when Barbara Castle changed the uprating system in mid-stream to make a public spending saving of more than £1 billion. She moved from historic validating by past inflation to forecasts of inflation when inflation was falling. It was a crude device and the people who missed out and suffered as a result of her action were the pensioners.

My own view on the pensions approach that we should be adopting is quite clear. The first duty of any Government is to ensure that present pension provision is adequate. That is why I welcome what the Government have done over the years. I welcome what they have done for war widows, to whom we owe a particular debt. It is right the Government should devote extra resources to them, but the issue is wider than that. It is undoubtedly good news that about 60 per cent. of retired people now have some form of additional provision. We should recognise, however, that some of the additional pension provision will be modest, and 40 per cent. still have no additional provision.

One problem is that a group of people currently living in retirement have been unable to build up occupational pensions, through no fault of their own, for a variety of reasons. Perhaps their firms had no occupational scheme. They may have been members of occupational schemes, but because of the scandalous early leaver rules—which again the Opposition did nothing to reform when last in government—they were deprived of the true value of their savings. They may have been caught by historic employment practices. For whatever reason, they have ended up depending on the basic pension. Those people are probably now in their 80s and 90s.

I mentioned family credit earlier. We introduced it because we were unable to help the families that we wanted to help through the general benefit of child benefit. It is open to us to help those pensioners that we want to help through a pension credit system. In other words, we could add to the basic pension of those whose incomes most urgently need supplementing. Instead of relying on a general increase in the basic pension, we could direct resources to where they are needed. Clearly, the basic pension would remain price protected, but those who have no other retirement income, or only a limited amount, could receive pension credit as an additional weekly payment. If the public are concerned about the effect on incentives, the scheme would not need to go on in perpetuity, but would last for today's generation of 80 and 90-year-olds.

The hon. Member for Islington, South and Finsbury sought to lecture the Government in his speech. I remind him of the position that we inherited from the Labour Government. The limit of their ambitions was the state earnings-related pension scheme. They did nothing to improve the rights of those with frozen pensions—those people forced to leave their pension entitlement frozen in value with their previous employer. That was a scandal and the Labour Government did nothing about it. They did nothing to make it possible for members of occupational schemes to transfer their rights, which was another scandal. Those entirely beneficial changes to occupational schemes were introduced by the Government.

The pensions revolution was carried out by the Government during the past 15 years. The result is that occupational pensioners get a better and fairer deal today than they have ever had previously. Those measures were not forced on us by eager pension funds and even less by the Opposition. The Government put the interests of members of schemes first, and that is the sensible way to carry out any pensions policy.

We also sought to give the public more options. Occupational schemes had made the most enormous contribution, but in the mid-1980s they had ceased to

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grow and expand. They were stuck in the mud and some of the attitudes to members' rights were stuck with them. It was clear that many people wanted an individual pension separate from state provision. Every opinion poll showed that fact, so we introduced the extra option of personal pensions.

I do not defend for one moment the actions of those insurance companies which have mis-sold policies—indeed, I feel more strongly about it than most people. Ironically, several of those companies were prominent in their opposition to the introduction of personal pensions. It is no part of my brief to defend wrong advice, but we should distinguish between the personal pension product and the methods used by some companies to sell the product. Andrew Large of the Securities and Investments Board said in relation to personal pensions:

"I want to emphasise from the outset that our concern is not with personal pensions products themselves, but with how they were sold. I would add that, because of the action that regulators and the industry have already taken, people can now have greater confidence that personal pension products are being properly sold. They do offer an efficient and flexible way of saving for retirement for many people, provided they are marketed, advised on and sold properly."

That is exactly the position. Even the Opposition now say that there is a place for personal pensions in pension provision.

Mr. Corbyn: The right hon. Gentleman will recall that as a Minister he did much to undermine the state earnings-related pension and to promote the private pensions industry. Does he feel one iota of remorse about the sales methods that have been used by some companies to sell private pensions? What has he to say to those people who find themselves in a rather insecure private pension scheme which may not fully pay out? What guarantees are available for those people?

Sir Norman Fowler: There are no guarantees, in the hon. Gentleman's sense, because personal pensions are money-purchase schemes. Money-purchase schemes cannot provide the kind of guarantee that a two thirds final salary scheme can, but they can provide an additional top-up to an occupational scheme or, if entered early enough and everything else being equal, they will provide a better investment than staying with SERPS. I will deal later with the hon. Gentleman's point about advice, because that is a crucial part of the story.

The Opposition's case so far is a thousand miles from the attitude displayed by the hon. Member for Oldham, West, who opposed the introduction of personal pensions, not because he feared the activities of the insurance companies, but because he was entirely opposed to private provision. His opposition had nothing to do with insurance companies, but everything to do with ideology. The view now being put forward by the Opposition is the exact opposite.

The Secretary of State and the hon. Member for Islington, South and Finsbury both referred to the action being taken to put matters right by those companies whose advisers gave wrong advice. I support the action that has been taken, but a number of additional points should be made. We need to make it clear to the public that personal pensions are an entirely sensible option for many people. It is ludicrous to suggest that all people who have taken out personal pensions have been wrongly advised. Some have been well advised and will benefit greatly from what they have done. There are some exceptionally good and reputable companies providing such pensions.

I feel strongly that we need to review and improve the independent advice that is available to the public generally. It must usually be the wrong decision for someone to come out of an occupational scheme and take out a personal pension. I cannot speak for what happened after I left the Government, but I never intended in any of my speeches to try to persuade people to come out of occupational schemes to join personal pension schemes. It is obvious that if the employer's contribution does not remain the same, there is little or no chance that the returns will be comparable.

It is not just the private sector that gives bad advice on pension provision. One of my constituents is 69, married and still working. He has not yet drawn his basic pension and he is contributing to a larger pension for when he retires. He has been told about his entitlement, but, because his wife received a graduated pension, she will not benefit in any way. Her graduated pension is 6p per week, or £2.60 per year, but the result of her decision to accept the graduated scheme, which she should not have made, is that the family will lose about £500 per year. If that had been a private scheme, there would be demands for explanations. I hope that I may again send the case to the Department of Social Security with a view to ascertaining what can be done. Justice is not served by such cases. There is no point in banging the table and saying that the private sector is wrong when the public sector has also failed to give the right advice or warnings.

A problem with personal pensions is the level of employers' contributions. If employers' contributions were greater, entitlements would be greater. As a former Secretary of State, one must be careful not to encroach on the territory of one's successor. However, when I was Secretary of State I tried to persuade the public sector, including local government, to give a lead and to contribute a little more than the minimum contribution. Every public sector employer in the country united to resist that proposal. Nevertheless, there is much to be said for those who have personal pensions to have a greater contribution made by the employer, including the public sector employers, than the current one.

It is surely beyond doubt that over the past 10 or 15 years the agenda for the reform of pensions has been set by the Government. The hon. Member for Islington, South and Finsbury seeks to make policy, but it was pretty obvious this afternoon that he does so uneasily, glancing over his shoulder to ascertain what he can get past his colleagues. That explains the lack of frankness.

We look forward to the new policy announcement that the hon. Member for Islington, South and Finsbury wishes to put before us in the next few months. I hope that the announcement will be made a few months prior to the general election. We are banking on that, at any rate. I am not putting forward new points. Indeed, I put them to the predecessor of the hon. Member for Islington, South and Finsbury and to earlier Opposition social security spokesmen. In the run-up to the general election, the time has come for the Opposition to come clean on their pensions policy. After all, many things depend on that policy. Opposition spokesmen cannot come to the Dispatch Box and lecture private schemes, personal pension providers and occupational pension providers without coming clean on their own ideas and policies.

The Government can claim to have price protected the basic pension. They have also reduced inflation. That was a social evil for pensioners, who saw their savings eroded. The reduction of inflation was a substantial step forward. The Government have reformed occupational pensions to the undoubted and unquestioned benefit of millions of people. In addition, they have provided more options for the public, such as personal pensions.

Against that background, I believe that we are in a better position to face the demands of the first 25 years of the next century than virtually any other country in the western world. A great deal still needs to be done, but we have taken giant steps forward. I congratulate the Government on what they have done in the areas of pensions and social security generally.

6.23 pm

Mr. Alan Howarth (Stratford-on-Avon): Incapacity benefit has hardly been referred to so far. When it was set up, Ministers expected that about 220,000 people would come off benefit over about three years. It was part of a quest to reduce public expenditure in that area. How is it that, under the administrative arrangements that have now been established, Ministers will know that that is the position—if it is? Their computer programme makes it impossible for them to distinguish between present incapacity benefit claimants so as to determine who were previously claimants of invalidity benefit. Surely that is not a responsible way to proceed in an important and sensitive area. I believe that responsible Ministers would wish to monitor the impact of their new policy on the long-term sick and disabled as well as on public expenditure.

It seems that Ministers' expectations of the number of claimants falling away, as it were, will not be met. I understand from a parliamentary answer that, over the first six months, only 19,188 claimants were refused incapacity benefit, of whom 6,520 appealed. In terms of administrative costs, the Benefits Agency's medical service has found it necessary to recruit another 220 doctors.

That brings me to my second point on incapacity benefit. We understand that it is the Government's intention to privatise the Benefits Agency's medical service. Private health care firms are tendering to get their hands on a budget of £6.9 billion involving 1.6 million people. What is the rationale for that? The results of a survey of doctors indicate that they do not think that it would be useful for the service to be privatised.

I understand that one of the organisations tendering is a well-known disability insurance group, which ran advertisements during the week of the introduction of incapacity benefit urging people to take out private insurance. It suggested that the benefit would be insufficient. It seems that there lies a considerable vested interest. I hope that Ministers will be careful when they evaluate that group's tender.

I understand also that another bid comes from two civil servants who were involved in the design of the scheme. It is suggested—I am happy to be corrected—that those civil servants have been on paid leave while preparing their bid. I hope that Ministers will consider carefully the propriety and suitability of the civil servants' tender.

I move on, perhaps more substantively, to a proposal for improvement. As Ministers review the operation of the scheme, I hope that they will find justification for introducing a sliding scale of eligibility for people in the 55 to 65 age group. We all know that the real prospect of employment for people in that group who have suffered industrial injury or face continuing disability is extremely poor. Those who do not score the full 15 points know that to be a blighting reality in their life. I hope that Ministers will be able to find the generosity of intention and of fiscal margin to allow people after the age of 55 to qualify for benefit if they score fewer than the 15 points.

I have in mind the sad case of one of my constituents who saw me recently. He had been off work for two years with a spine and neck problem. He took early retirement at the age of 55. His employer enhanced my constituent's pension on medical grounds because he recognised that he was no longer capable of work. Under the old system, my constituenty was able to receive invalidity benefit. As he took the new test, however, with the Benefits Agency's medical service and scored only 14 points, his benefit stopped. It stopped on 3 November, but he did not receive the courtesy of being informed of that until 8 November. In the case that I am outlining, my constituent's wife works. As a result, he receives no benefits. His wife's income is modest and they face a grim future. I fear that all too many people are in the same predicament.

When unemployment was rising, the Government were content over the years that people should go on to the old invalidity benefit. It was presentationally advantageous to keep down the unemployment figures. It suited the Government well enough that people should be able to claim invalidity benefit during the traumatic period of the restructuring of some of the old, heavy and labour-intensive industries. It saddens me that, after those events, the Government reneged on the previous commitment, despite the fact that some six volumes of research commissioned by the DSS contained no evidence to justify the assertion, frequently made by Ministers, that far too many claimants of invalidity benefit were bogus.

The reality is that, as the Government mismanaged the economy, they ran up a borrowing requirement of £50 billion. They needed to rebalance the public finances, and one of the ways in which they did so, to some significant extent, was by cutting contributory benefits for the long-term sick and disabled. They compounded the injury by increasing employees' national insurance contributions by 10 per cent. That is a sad history and I hope that Ministers will be able to alleviate the conditions under which the new incapacity benefit may be claimed.

I now come to the Government's decision not to uprate one-parent benefit and the lone-parent premium. Lone parents have been among the principal sufferers of the widening inequality in society. The uprating—the policy context of the regulations that we are debating—is intended, as the Secretary of State told us, to save £5 billion by 2000 and to make room, as he explained quite explicitly, for tax cuts. We have already seen the 1p in the pound reduction in the basic rate of income tax, which is to be paid for by lone parents, young people and the old and the cold.

In his speech, the Secretary of State did not provide the House with any thorough rationale—let alone a persuasive one—for the decision to freeze one-parent benefit and the lone-parent premium on income support. I do not believe that the policy has anything to do with the growth of social security expenditure, which is an issue—a problem—that he has been right to address systematically.

[Mr. Alan Howarth]

In July 1993, the Secretary of State said that the Government were looking at ways to use the social security system to ensure more responsibility in young people by making the option of single parenthood less attractive. He is indeed fulfilling that pledge.

At the October 1993 Conservative party conference, we witnessed a hideously orchestrated campaign of vilification against single parents, which was one of the most shaming episodes in modern politics. I wrote an article in *The Guardian*, which was published on the first day of the Tory party conference, in which I asked my former party not to play that game. The difficulty is that my former colleagues do not read *The Guardian*. I dare say that if they had read it and seen my advice, they would have heeded it and history would have been very different, but that was not to be the case.

We are seeing one more instalment of the policy in the order that we are debating. As my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) pointed out, it is fiscal tokenism. In the year to come, the Government will save only about £5 million by freezing benefits for lone parents. We are seeing the expression of a certain set of values and social and moral purposes that are harsh, unjust and smack of scapegoating. That would certainly seem to be so, given the disproportion of the policy and the fact that the number of unmarried teenage mothers, against whom Ministers' ire was directed in October 1993, had been falling since 1987. It now stands at about 44,000 out of 1.3 million lone parents.

As all the surveys show, the vast majority of lone parents want to work—they are not the feckless or undeserving poor of scapegoat mythology. The Government's survey shows that 90 per cent. of unemployed lone parents want to work—and a growing number are doing so, thanks in no small measure to the Government's policy of family credit, which has had its positive uses. How right it has been—because we should help lone parents.

If some hon. Members so disapprove of lone parents that they do not want to help them, surely they should at least want to help the children of lone parents. Lone parents and their children have a claim on all of us, being—as they are—poor and disadvantaged. That is a moral position, but it is improvident in terms of the economy not to support them because poverty begets poverty, and the burden on social security and the taxpayer grows all the time.

Mr. Hawkins: Although I understand the hon. Gentleman's concern, I would have expected him—particularly with his background as a schoolmaster—not to use "scapegoat" as a verb.

Mr. Howarth: If that is the only point on which the hon. Gentleman differs from me, I should be pleased, but I am not sure that it is.

The poverty of lone parents is demonstrable. Forty per cent. of lone-parent families have an income of less than £100 a week, compared with only 4 per cent. of two-parent families. Almost six in 10 lone-parent families live in poverty, which is defined as income below 50 per cent. of average income after housing costs. The Government use that measure in certain publications. Relative poverty matters very much indeed, because it means exclusion, alienation, demoralisation and, in all too many cases, under-achievement.

The cost of help through the social security system to lone parents is not excessive by any reasonable standard. As we learnt today, out of a social security budget of £90 billion, some £9.5 billion is spent on lone parents, of which some £5.6 billion goes on income support and another £1 billion goes to lone parents who are in low-paid work. Do the Government really think it wrong to help people who are in poverty? The one-parent benefit is worth £6.30 a week; the lone-parent premium is worth £5.20 a week. These are, if we reflect on them, pitifully small figures. Together, they cost the taxpayer some £600 million a year, and that is eminently affordable. The £5 million that the Government hope to save is almost invisible in the public accounts.

It would be right if the Secretary of State's objective were to provide equivalent opportunities and incentives for lone parents to match their circumstances—as nearly as he can—with those of two-parent families and to ensure them a decent standard of living. If those are indeed his purposes, he should not freeze the two benefits and embark on his strategy of removing the differential in benefits between lone parents and couples with children.

The Secretary of State said that the benefits system gives special assistance for lone parents that couples do not have. It is absolutely right that it should do so. The costs of lone parenthood are higher. A study published at the end of last year under the auspices of the Rowntree Foundation, entitled "The Cost of Children and the Welfare State", found that the costs of a child relative to a single adult in a one-parent family are substantially higher than in a two-parent family. The cost of a child under the age of 11 is 30 per cent. of the cost of a single adult in a one-parent family, but only 20 per cent. in a two-parent family. When a child is over the age of 11, the differential is wider—the figures being 51 per cent. and 33 per cent. respectively.

The freeze will, over time, increase child poverty. As it is, a lone parent cannot adequately or decently bring up children on income support. Research by Elizabeth Dowler and Clare Calvert for the Family Policy Study Centre, entitled "Nutrition and Diet in Lone Parent Families in London", concludes that, on current levels of benefit, lone parents

"cannot afford to eat healthily."

In 1992, 78 per cent. of lone parents were living at or below income support level, compared with 18 per cent. of two-parent families. "Evaluating the Social Fund", a study commissioned by the Government and published in 1992, found that 35 per cent. of lone parents on low incomes lacked adequate bedding, that 31 per cent. lacked hot water, that 58 per cent. had problems with heating and that 38 per cent. had problems with damp.

Lone parents, of all people, should not have their benefits frozen; arguably, indeed, their benefits should be increased. Lone parents already bear a stigma—a stigma that was abating before the Government revived it. Inevitably, child care is a problem for many of them. The Government's disregard in relation to family credit, disability working allowance, housing benefit and council tax benefit is helpful as far as it goes, but it does not extend to children aged over 11—notwithstanding the higher relative costs associated with such children—or to second or subsequent children.

We must approve of the requirement to use registered child minders or nurseries, but it means that those lone parents who most need work often cannot be helped by the disregard because they cannot find work whose hours match the requirement relating to child minders and nurseries. Supermarkets, for instance, often tell those applying for work that they must do evening work at first, before being able to work hours that match school or nursery hours or the hours during which registered child minders are available.

If a claimant is on full family credit, the disregard will not help: it is, after all, a disregard rather than an allowance, and cannot raise the level of benefit above family credit.

I feel that there is a case for increasing the disregard of child care costs, and, indeed, for extending it to all benefits. The Government would do that if they were serious, but at present the disregard does not apply to claimants of income support.

I hope that the Government will carefully monitor the nursery voucher pilot scheme. If the pessimists are right, it may take places away from local education authorities and subsidise private nurseries, whose fees could well be beyond the capacity of lone parents on low incomes.

In framing the policy on benefits for lone parents, Ministers—Conservative Ministers certainly—should bear in mind the fact that it may not be appropriate for many lone parents to work. I understand that 63 per cent. of children of single mothers are under five, and it may be in the emotional and intellectual interests of the children for their mothers—or, perhaps, fathers—to stay at home.

All too often, the circumstances of lone parenthood are sad: someone may have become a lone parent recently through bereavement, separation or divorce. Benefits policy should not drive such people out of the home and into jobs until they are ready to take such action.

Lone parents face a Kafkaesque maze of benefits, child care interactions, grants and loans. However helpful the whole policy apparatus may be, many become baffled and dispirited as they try to thread their way through that maze.

According to paragraph 12.2.2 of "Evaluating the Social Fund",

"loan recipients are less likely to own their own homes, more likely to live in more crowded accommodation and on average have lower equivalent incomes than people given grants."

Certainly at that time, the administration of the social fund appeared to give less help to the least well off, including many lone parents.

Mr. Corbyn: My hon. Friend is making an excellent speech. Is he aware that the disgraceful attacks on lone parents made by the Secretary of State and others at successive party conferences have been very damaging to the self-esteem of those parents and their children, and have led to the stigmatisation of a group that ought to be recognised and supported in the way that my hon. Friend proposes?

Mr. Howarth: I agree with my hon. Friend.

The Government are keen to provide work incentives in the benefits system, but it is hard to cross the bridge between income support and paid employment. Too many lone parents fall into unemployment and poverty traps created by means-tested benefits. They have a cash-flow problem: while they wait to be paid by their new employers, they are losing benefit and probably incurring additional child care costs. The Government's new rule that housing benefit must be paid in arrears will exacerbate that difficulty for those who are doing their best to obtain work.

It is commonplace for landlords to ask for a deposit and a month's rent in advance. I fear that it will be harder for lone parents, and others, to make a move if they receive housing benefit in arrears. In any event, because of other changes in housing benefit policy—which are the subject of other regulations—a shortfall between the required rental payment and the housing benefit that is available will become more likely following the introduction of a local reference rent.

Moreover, in the Housing Bill, the Government propose to allow landlords to evict tenants when rents have been in arrears for eight rather than 13 weeks. That will add to lone parents' insecurity and practical difficulties. The lone-parent premium on housing benefit is now less generous than it was in 1988, when the benefits system treated lone parents as couples. That was right: after all, lone parents need accommodation of virtually the same size, and their housing costs are comparable to those of couples.

As my hon. Friend the Member for Islington, South and Finsbury emphasised, one-parent benefit helps people to move from welfare into work. It is disregarded against family credit and disability working allowance. It is perverse, in the Government's own terms, to embark on an erosion of its value; a similar perversity characterised the introduction of a means-tested jobseeker's allowance after six months instead of 12. I assume that both policy shifts result from Treasury short-termism rather than vindictiveness. I hope so, anyway.

Which is a better employment promotion policy? Is it better to take 1p off income tax—as the Secretary of State contended—or to address policy scientifically to the unemployment and poverty traps and redesign the interaction between the tax and benefits systems, over time and as resources permit, to make it easier for people to move from welfare to work? That is what the Labour party proposes. I do not think that there can be any doubt. It is extraordinarily simplistic to suppose that there is some mechanistic and inevitable connection between modest reductions in income tax and the generation of more jobs in the economy. That policy of freezing one-parent benefit runs against any rational welfare-to-work strategy and will compound other labour market difficulties faced by lone parents.

We know from the Government's evidence published in November 1992 in the *Employment Gazette* that lone parents tend to be less well qualified for the labour market. They lack work experience because of the circumstances in which they have found themselves. Again, because they are caring for children, they cannot so readily accommodate themselves to employers' requirements. They need flexibility to be able to attend to their children's needs, to visit schools, to take their children to the doctor and to look after a sick child. Less flexibility is available to them in terms of travelling to work.

[Mr. Howarth]

Lone parents confronted with those constraints as they enter the labour market face a growing number of employers who insist on irregular hours contracts to suit themselves and who aim to recruit more and more people in temporary work. It therefore becomes harder and harder for lone parents to plan and organise domestic life in manageable relation to work. What may be just in time for employers is all too frequently too late for lone parents.

I welcome of course the Government's new pilot scheme to help lone parents to find jobs or training, and the extra 18,000 after school hours child care places. If only that were more representative of the character and thrust of policy, I would be much happier. Lone parents need sympathetic and intelligent policies to enable them to sustain an adequate and decent existence with their children, and to take their place in employment and in society with confidence and dignity. I fear that the policies that are needed to achieve those ends are not in place.

6.51 pm

Mr. David Shaw (Dover): I first bring the House's attention to the fact that today many of my constituents, including those affected by the uprating statement, have had an absolutely miserable day. The headline in tonight's *Evening Standard* is that Dover has been cut off. According to the contacts that I have made, it has been cut off by the snow and by the weather conditions. I hope that I shall not be stretching your indulgence too much, Mr. Deputy Speaker, if I say that we desperately need to upgrade the A2 road link to Dover and to have the snow cleared. It has been especially bad in Deal, where the high street has been flooded by the sea. The council and emergency services have done wonderful work. I join, I hope, other hon. Members in paying tribute to the emergency services that have had a difficult day in Dover and Deal.

I shall return to the subject of social security before pressing you too far, Mr. Deputy Speaker. Social security uprating is an important annual event. Social security costs £90 billion—one third of Government expenditure. As we all know, that system can easily go out of control. Compared with other European countries, however, our social security system is much improved. We have better funded pensions and significantly lower unemployment.

Sweden used to be the Labour party's model when it came to social security, but Labour has been forced to abandon that model. Sweden's national debt is about 125 per cent. of its annual income. There are doubts as to whether, in the current circumstances, it can repay its national debt. In comparison, the United Kingdom's national debt is about 56 per cent. of its annual income—about half and considerably less than Sweden's debt. We are in a much better position than Sweden.

How did Sweden achieve that? It achieved it through unrealistic upratings of its social security system—we are not going down that path, thank goodness—and by paying for that system from borrowing. One third of its national debt is owned by foreigners. It has borrowed from every capital market in the world that it could. Our borrowing is tiny in proportion to Sweden's. It has got away with it only because it is a relatively small country borrowing on the international money markets. Sweden, the Labour party's previous model on social security, has failed totally and utterly with regard to "socialist" security.

Mr. Corbyn: During our memorable visit to Sweden—it is hard to forget it—the hon. Gentleman and I disagreed on just about everything and still do, but will he concede just two points? The social security and the welfare state systems in Sweden have led to it having the highest living standards in the world and being in the best position to weather economic storms created from outside, and there is a consensus that the state has an enormous role to play in ensuring that people do not go destitute when out of work and when they pass the normal retirement age. That is in sharp contrast with his ideas and with what his Government have achieved.

Mr. Shaw: I still disagree with the hon. Gentleman, even in the House of Commons at Westminster. Sweden's standard of living owes a lot to its hydro-electricity industry and cheap electricity costs, and, as I said, to the fact that one third of its national debt has been financed from abroad. Individuals in other countries have loaned the money to Sweden so that it can have that standard of living, but the day of reckoning has arrived. Its national debt is more than its national income in a year and it is in a grave financial position.

The pensions issue is one of the most important in social security and in the uprating statement. The impact of both private and public pensions and today's uprating statement is critical. In this country, we are encouraging the building of funds for retirement so that, one way or another, people have their own pension fund, whether it be a communal pension fund through the occupational pension scheme or an individual pension fund through private arrangements. We should never forget that many people save through life insurance with profits policies and that, through those savings, they enjoy another means of income in retirement.

Sir Donald Thompson (Calder Valley): Does my hon. Friend realise that the amount that people are saving through pension schemes—£100 million a year—is greater than Government spending on social security? He and I would agree that that must be protected, but it is a huge amount of personal saving.

Mr. Shaw: I agree with my hon. Friend that people are saving a phenomenal amount of money through private and personal pension schemes, through occupational pension schemes and through life insurance. As a result, many more people will find that their retirement is securely financed by equity investments in British industry. In the past 16 years, that has been one of the key points in the Conservative approach that all hon. Members should support.

We have transformed the incomes of people in retirement. Under Labour and even some previous Conservative Governments, people in retirement relied too much on the state system, which has not funded or served them well, but private pensions, private savings and private life insurance are giving them a much better retirement than before. I am delighted that today 70 per cent. of people retiring have extra income sources other than the state pension. I want more and more of the remaining 30 per cent. to be brought into private pension

schemes and into other saving schemes, which can give them the opportunity to have additional sources of income.

In the main, Governments do not operate pension schemes other than a "pay-as-you-go" state pension scheme. Singapore has been mentioned, and it is a bit of an exception, but there is a question mark—even the Labour party recognises this—over the way in which its scheme operates and investment returns are achieved in it, and whether those returns are adequate. "Pay-as-you-go" schemes, however, are a disaster. No fund builds up and the state must still meet the liabilities. That is fine if a country has a young and increasing population, but if it has an aging and decreasing population, it is disastrous. Many European countries are faced with that disastrous position. We have ensured, however, that we shall not be faced with that, even though our population is aging and even though, in recent years, the population increase has levelled out—it is not increasing at the previous rate. We have a much better funded system than other countries in Europe.

I am pleased to say that the uprating does not follow European pension policy. Other European Union states have given commitments to their populations that they simply cannot meet; they cannot afford them. In many European countries, public sector workers have been given extraordinarily generous pension arrangements that are more favourable than those in the private sector. That has led to strikes in France and protests in Germany about pension schemes. Indeed, Germany has had to amend some of its retirement ages. France has still to face up to the problems.

One of the reasons why I am against a single currency is that, as part of the arrangements, we would end up having to foot the pension liabilities of France and Germany. I do not see why British taxpayers and pensioners should have to suffer as a result of the problems in France and Germany, which have been created by their Governments' unrealistic pension commitments.

The United Kingdom has an affordable pensions system, which the Government have made more affordable. Labour's plans for pensions are disastrous. There is a question mark over whether the Labour Front-Bench team wants state direction of pension fund investments. At every general election and in every Labour party policy document on industry that I have seen, the Labour party has referred to short-termism, long-termism and the role that the state can play in guiding investment in the economy. That, to my way of thinking, is a form of state direction of pension fund investments. It would be a disaster. It would reduce the yields on our pension funds and reduce our pensioners' yields from their pensions.

Sir Donald Thompson: If inflation is to continue falling or remains stable, as we hope it will, the yield on pensions must be low unless there is a capital injection or an injection as a result of the fund's expansion. That can happen only in the private sector. The public sector always sucks out; the private sector enables things to grow. Consequently, the yields on pensions can increase only if most pension funds are in the private sector.

Mr. Shaw: My hon. Friend makes a valid point. In my view—judging from what my hon. Friend is saying, it seems that he shares it—the next general election should be fought on the basis of which party has the policies to increase capital value within pension funds. That ability will be vital to many pensioners. The Labour party has never shown an ability to increase the yields and capital values of investments in the stock market, which determine the level of pension funds and returns on pensions.

That is why the stakeholding policies of the Leader of the Opposition and the Labour party, which many people in the Labour party do not even seem to understand, are rubbish. Stakeholding would kill the dividend returns of British business. It is designed to promote the interests of trade unions and creditors—all very fine and wonderful. Yet the shareholders put the capital in business, and in most of British industry those shares are in pension funds, life insurance policies and private pensions. It is vital that those pension funds should maintain their investment returns and that the Labour party's stakeholding policies should be stopped from damaging those returns.

Labour would definitely attack pension fund moneys. One has only to look at Wobbly Thursday—as it was nicknamed—just before the previous election. When the markets took fright at the possibility of a Labour Government, £6 billion was knocked off share values overnight. Our pension funds were hit to the tune of £5 billion of that £6 billion. The National Union of Mineworkers pension fund lost £500 million in value on Wobbly Thursday, when it was thought that there would be a Labour victory. That is why every mineworker with a pension should vote Conservative if they want a decent pension in future. Their pensions depend on a Conservative Government.

Today we have heard Labour policies—or rather we have not heard them.

The Minister for Social Security and Disabled People (Mr. Alistair Burt): What policies?

Mr. Shaw: As my hon. Friend says, we all wonder what Labour's policies on pensions are. What are the guidelines? If Sir Richard Scott had been asked to examine Labour's pension policies and the guidelines, would he have found anything out? How long would the report have been? It would have had to be more than 1,900 pages if he was to find out every approach to policy that Labour is trying to take and every guideline—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I do not recall Sir Richard Scott being asked to look into the Guaranteed Minimum Pensions Increase Order 1996. Will the hon. Member get back to the order? He is straying pretty wide from it.

Mr. Shaw: I am grateful to you for your strictures, Mr. Deputy Speaker. I was concerned to contrast the Opposition's policies and how they would impact on the uprating statement with what the Government have achieved through it and the way in which many pensioners will benefit.

Mr. Hawkins: Does my hon. Friend agree that it is a matter of record that in 1985 Labour proposed to repatriate investments held by pension funds overseas and

[Mr. Hawkins]

said that the repatriated investments would be placed in a new "national investment bank", which would be used to subsidise and control industries unable to attract investment under normal commercial criteria? The hon. Member for Islington, South and Finsbury (Mr. Smith) was contrasting Government policy in 1985 with that in 1995. Is it not more relevant for the British people to look at Labour's policy in 1985 and ask whether it is still the same today?

Mr. Shaw: My hon. Friend has pre-empted my next point. I was just about to point out that not many Labour councils back Labour party policy in that regard. Twenty to 30 per cent. of Labour councils' pension funds are invested overseas. They must therefore be extremely grateful that we abolished exchange controls in 1979 and enabled them to get returns, so that council employees and former council employees could enjoy good pensions. Conservative policies on pensions, which give rise to the uprating statement, have been backed by Labour councils. Our privatisation policy has been backed by many Labour councils' pension funds, to the extent that 10 to 20 per cent. of their investments are in privatised industries. That has meant that the uprating statement could be much more favourable than it would otherwise have been.

Whether run by Labour councils or Conservative councils under the Government, pension funds have enjoyed much better rates of return as a result of our policy of encouraging privatisation and abolishing exchange controls, to enable many investments to be made overseas. Conservative policy on the nation's pension funds has worked.

I should also like to draw the House's attention to fraud in social security and the impact that it has on the uprating statement. There is concern about housing benefit fraud. The Social Security Select Committee has undertaken an inquiry into fraud in the £10 billion housing benefit budget. The situation is absolutely horrendous. The evidence that we have received so far is worrying. Tenants are at it, landlords are at it, and in some cases, council staff are at it.

Sir Donald Thompson: And some councils.

Mr. Shaw: Indeed, I believe that even some Labour councillors have been at it as well. Fraud in housing benefit is at a record level despite the fact that many people are working to try to prevent it and local government has slowly been waking up to the extent of it.

I must tell my hon. Friend the Minister how worried I am by the evidence to the Select Committee, which suggests that discovered fraud is running at 6 per cent. of housing benefit. Some people who have come before the Committee believe that fraud could easily amount to 12 per cent. of housing benefit, because obviously not every fraud is discovered, and it has even been suggested that the fraud level could be as high as 18 per cent. That would take the total to almost £2 billion. That is a horrendous level of fraud—equivalent to a penny on income tax or, as I should like to see it, a penny off income tax. We must get housing benefit fraud down, and we must work harder at doing so.

I went to my local council to discuss the issue last week. In Dover council, officers are worried because there are many pressures on seaside towns with guest houses, and we are going through a difficult time. I understand that there are concerns about criminals trying to buy certain guest houses, and other criminal landlords trying to buy up properties. It is believed that some of them may be laundering drug profits. They seek to get hold of properties and put in tenants at unrealistic rents, which involve in addition the possible supply of drugs.

Mr. Hawkins: My hon. Friend will know that that problem affects my constituency too, as well as many other seaside towns. Would he be interested to know that a sitting Labour councillor in my constituency has been heard boasting that he intends to become a millionaire with the profits that he makes from the "DSS hostels" that he owns and operates?

Mr. Shaw: That is worrying. I am glad that my hon. Friend has expressed his concern on that subject. Someone came to my constituency surgery who felt that he should be paid full housing benefit of £100 a week rent in Dover. I realise that that is the sort of rent one might have to pay for a flat in London, but even in London one would get a considerable flat for £100 a week. It is certainly not the sort of rent that a housing benefit claimant needs to pay in Dover. Plenty of them live on less.

I am seriously worried about the sort of landlord who may try to charge such a rent, and whether such people are being wholly honest and reasonable in their demands or whether they are part of the alleged criminal fraternity that worries my council officers in the east Kent area. We must do a lot more to discover where the frauds are, and to reduce the present level of fraud.

The other day we heard evidence that there are as many as 77 million national insurance numbers in existence, for a population of only 59 million. We know that there must be some additional national insurance numbers, because widows are entitled to benefits based on their dead husbands' contributions; there will always be more national insurance numbers in existence than the current population of the United Kingdom. In addition, millions of people who have worked here and paid contributions here, but who now work abroad, have a claim on our social security system through their national insurance numbers.

None the less, it is incredible that there should be 77 million numbers for a population of 59 million. The system that has grown up under Governments of all political persuasions started as a manual system, and although it has now been computerised, it still has all the weaknesses of a manual system, with the result that many of the current national insurance numbers should not exist. For example, married women appear under their former national insurance numbers, and some people manage to get hold of numbers to which they have no right. When police and fraud investigators go into houses, they sometimes discover 30 national insurance numbers in a briefcase—fraudulent numbers obtained by sophisticated fraudsters.

We must stop those frauds and gain control of the national insurance number system. We must have social security identity cards, and we must have them soon, because the level of fraud is too high. The Government must use every possible method to ensure that the proposed new system is set up as fast as possible.

A clear message comes across from social security—that welfare can easily discourage work, and that it can encourage fraud and abuse. The House must consistently keep up the pressure to ensure that that is not allowed to happen.

The uprating statement represents a fair increase, which in many cases is above both current and forecast levels of inflation. The uprating is taking place at a time when the social security system is more affordable than ever before—certainly more so than those of our European partners. We must thank the Conservative Government and the Secretary of State for ensuring that we have such a good social security system today. It is much better than the system that we had in 1979, and the Government are to be congratulated on reshaping it so successfully.

7.15 pm

Ms Liz Lynne (Rochdale): I shall not speak at length on all the orders and regulations, but shall concentrate on a few. Of course, any uprating of social security benefits is welcome, but I am worried about the exceptions—the one-parent benefit and the lone-parent premium. I gather that in the long term the Government may be thinking of merging one-parent benefit into a special rate of child benefit and lone-parent premium into a special rate of family premium. I do not believe that those benefits should be frozen before we know what will replace them.

Let me give the House a few facts about lone parents. The DSS's own research, entitled "Changes in Lone Parenthood 1989 to 1993", says that one third of lone parents without paid work experience severe hardship, that lone parents are generally worse off than anyone else and that poverty is commonplace. Indeed, 40 per cent. of one-parent families live on less that £100 a week, compared with only 4 per cent. of two-parent families. We must judge the Government's failure to uprate those benefits in line with inflation against that background.

To the Government and the Minister it may seem that we are talking about small amounts of money in real terms, but those sums are of real significance to the lone parents who are trying to stave off debt, hardship and sometimes great poverty. I do not know whether the Minister has experienced that level of poverty, or had to try to manage on the sort of money about which we are talking. A cut of even a couple of pounds a week in benefits can seem enormous to people trying to manage on such incomes. Many people cannot afford to put 50p in their gas meters, so they and their children have to wear extra clothes because they cannot afford to have the gas fire on all the time. That is what living on benefits really means.

To cut one-parent benefit in real terms—that is what is happening—is incredibly foolish. That benefit is effective against benefit dependency, because it is not means-tested, so if a lone parent gets work it is not taken away.

I understand that the present Government introduced lone-parent premium. The Minister can correct me if I am wrong, but surely they did that in recognition of the fact that lone parents face extra costs. Household bills are not halved just because someone lives on her own. I believe strongly that both these real-terms cuts in benefits are wrong.

I shall now briefly mention pensions, and particularly the low take-up of income support among pensioners. A recent Department of Social Security report said that one third of pensioners who are entitled to claim income support do not do so. They must be encouraged to claim, especially at this time of year because they will lose their entitlement to cold weather payments if they are not on income support. I honestly wonder how many of those 305 pensioners in 1994 who had hypothermia listed as the cause of death on their death certificates died as a result of missing out on income support and on cold weather payments. We cannot address in isolation the level of the basic state pension and ignore those who will lose out, and the Government must make sure that all pensioners who are entitled to claim do so.

We are debating the Guaranteed Minimum Pensions Increase Order 1996, which will mean that individuals on salary-related schemes are guaranteed a payment this year as good as the state earnings-related pension that they would have received had they not come out of that scheme. I welcome that, but I hope that the Government do not change the rules next year or the year after. I suspect, however, that that is what they will do.

I turn now to the Child Support Agency and the regulations relating to it. The maximum that the CSA can deduct from a person on income support is currently £2.35, but that will rise to £4.80. Between April and August 1995, some 45 per cent. of the 46,000 full assessments—a staggering proportion—were for £2.35 or less. In other words, 45 per cent., or 20,700, of the assessments were made of those on income support.

There is a misguided view around that large amounts of money are being taken from rich fathers who have never paid, but that could not be further from the truth. Everybody wants liable fathers to pay, and nobody disputes that. But let us not pretend that hiking up maintenance from the group of liable fathers to whom I have referred—those on income support—is anything more than redistributing poverty. The Minister must explain how parents will be able to manage from April if he doubles their maintenance payments. At present, they pay £2.35 out of £46.50. In April, the payment goes up to £4.80 from £47.90. I thought that income support was uprated in line with inflation because it was paid to people living on subsistence levels, and that they could not manage on anything less. How can a liable father expect to pay double from his income support when he is on subsistence levels at the moment?

Mr. Nigel Evans (Ribble Valley): Is the hon. Lady saying that people on income support should pay nothing to the Child Support Agency for the upbringing of their children? What is she saying, exactly? Surely those men have the same responsibilities as every other father in the land.

Ms Lynne: I agree that all parents are responsible for their children, but to double the payments for those on subsistence levels as the Government are doing is totally wrong and will force liable parents into even more poverty. The hon. Gentleman is right that every parent should pay for their children, and I do not dispute that. But the Government cannot get away with trying to make liable fathers suffer more. Those fathers often suffer because they are not able to visit their child as regularly as they would like, and the child from that family is already suffering emotional damage. We do not want those parents to suffer unnecessarily. Yes, the Government should go after fathers who have never paid a penny—

[Ms Lynne]

all of us would welcome that. But targeting those fathers on income support and increasing their maintenance is totally wrong. The emotional damage that that does to children is horrendous.

Let us look at the costs of the Child Support Agency. The CSA costs £192 million to run and has raised £76.4 million in new maintenance. The regulations are an attempt to improve those dismal and damning figures by resorting yet again to targeting those who are least able to afford to pay.

Turning to some of the other orders and regulations, the Social Security (Incapacity for Work) (General) Amendment Regulations 1996 propose merely an uprating in line with inflation from £44 to £45.50, which is the amount that people on incapacity benefit can earn by voluntary or therapeutic work, which is restricted to 16 hours. The trouble is that few people are aware of the exemptions, and some people again are afraid to take them up.

Another problem is that the measure is inflexible. If a person earns more than over £44, or £45.50 from April, he will lose all benefit for that week. His benefit is not reduced pound for pound. Despite that, I am pleased that the amount is going up in line with inflation, but we must make sure that more people are aware of the exemptions.

We must also make sure that people do not lose incapacity benefit at the rate they are doing at present. On Saturday a man came to my surgery who had been receiving invalidity benefit, and later incapacity benefit. He was seen by a Benefits Agency doctor a year ago and told that he would never work again because of his medical condition. He then went for the new medical test for incapacity benefit and was told that, despite the Benefits Agency doctor saying one year before that he would not work again, he could not receive incapacity benefit and would have to go to an appeal.

That is happening time and time again. People are being denied incapacity benefit, and are refused money because the medical test has not been strictly adhered to or for various other reasons. That money is later reinstated on appeal. That is a waste of money to the DSS, and it causes a great deal of distress and pain to those who are denied incapacity benefit for a short time. Although I welcome the general uprating, the Government have to look seriously at the damage that their legislation is doing to individuals—not just incapacity benefit legislation, but the Child Support Act 1991. I shall be voting specifically against the child support regulations.

7.27 pm

Mr. Nick Hawkins (Blackpool, South): I shall begin by talking about the importance of the campaign against benefit fraud. My constituency has been fortunate enough to be the beneficiary of substantial operations by the anti-benefit fraud squad, and I have been able to participate in dawn raids with the DSS fraud squad. Two operations in two or three years—Operation Sea Breeze and Operation Gold Coast—have made substantial savings for the taxpayer. In seaside resorts all around the country, there has been a continuing campaign by the DSS anti-fraud squad to cut the vast amount of fraud against the taxpayer. As my right hon. Friend the Secretary of State said in opening the debate, it is crucial that we save money by cracking down on fraud so that that money can be spent on those who really need it.

There is nothing worse than Labour councillors participating in and assisting the ripping-off of the housing benefit budget. I warn Labour Members that, until they rid their party of the freeloaders—some of whom have been on final shortlists for Labour parliamentary candidacies, although it is acknowledged that they participate in what most ordinary voters and I would regard as an evil trade—they can never be taken seriously in dealing with this or any other matter to do with the public purse.

The Government rightly believe that the best way to help people in need is to stop money going to those who are not entitled to it. Last year, my right hon. Friend the Secretary of State announced an investment of £100 million in the campaign against benefit fraud, which will save at least £400 million in fraud this year. The programme of visits to the homes of benefit claimants and the reviews of claims introduced in July 1995 have already saved £70 million. One can judge from that the huge amount of benefit fraud that is going on.

On a dawn raid, as I was fortunate enough to see, one often finds that the landlord is submitting housing benefit claims for perhaps 12, 14 or 20 residents, but that every single room is vacant. All the names are fictitious. That is the sort of rip-off that is happening in seaside resorts around the country.

Unscrupulous landlords are advertising in magazines that are circulated free in inner-city areas, such as Glasgow, Leeds and Birmingham, and throughout the industrial parts of the country. In effect and sometimes in so many words, they are saying, "Come and claim your dole by the sea." It is an outrageous abuse and it is changing the nature of our seaside resorts.

Not only is there benefit fraud but damage is done to the tourist trade. I will not try your patience, Mr. Deputy Speaker, by extending too far beyond the subject of social security, but when calculating the costs of benefit fraud it is important to assess the damage that is done to the legitimate tourist trade. Once a house in a holiday street in a tourist area, such as Blackpool, Brighton, Bournemouth or Margate, is in multiple occupation or becomes what is known in common parlance as a DSS hostel, the legitimate hotels soon go out of business. Often, the few residents in the hostels are on drugs. Often, the hostels are locked early in the morning and the residents are out on the streets injecting themselves with drugs or drinking. They accost genuine holiday makers and their children. Of course, the hotels go out of business, because they lose bookings as a result.

That is an important matter and I pay tribute to many of my hon. Friends who have done so much work with me and my colleagues in the campaign to change the law and crack down on DSS hostels. My hon. Friends the Members for Blackpool, North (Mr. Elletson), for Scarborough (Mr. Sykes) and for North Thanet (Mr. Gale) are at this moment trying to change the law in a Committee upstairs.

It is important to note that, since April last year, the Benefits Agency has undertaken data matching to cross-check all benefit claims for consistency. In that initiative alone, £16 million has been saved for the taxpayer since last April. A further investment of £230 million is being made this year, which will increase the savings to almost £900 million next year. Measures will focus on preventing fraud and deterring people from attempting fraud.

I welcome the steps that are being taken on asylum seekers. This country has always been a haven to those in genuine need of asylum and long may that continue. From January next year, however, only genuine refugees will be entitled to benefits. Those who claim asylum immediately they enter the United Kingdom will be entitled to benefit, but only until the immigration authorities have decided on their case. Those who are already in the UK—

Mr. Chris Smith: Is the hon. Gentleman seriously trying to tell us that there is a new definition of a genuine asylum seeker, which is someone who puts in his application at the port of entry, rather than subsequently? If that is the case, he is ignoring the evidence of the facts, which show that the Government accept as genuine refugees a higher proportion of those who put in their applications subsequently.

Mr. Hawkins: I acknowledge that, but it is important to note that many people who come to this country initially as students or tourists decide to claim asylum only after many months, if not longer. Often, they are the freeloaders, as the hon. Gentleman knows only too well. Those people will not be eligible until after their claim has been decided. If they are then found to be genuinely entitled to asylum, as many are, as the hon. Gentleman suggested, of course they will be eligible for benefit if they cannot get work.

Given that 70 per cent. of people who claim asylum originally entered the country on tourist or student visas, or as illegal immigrants, surely the hon. Gentleman would not claim that they are all genuine asylum seekers. I see the hon. Member for Islington, South and Finsbury (Mr. Smith) shaking his head and I am glad that he acknowledges that point.

Ms Lynne: Does the hon. Gentleman agree that a number of genuine asylum seekers will lose out? As Labour Front Benchers have pointed out, many genuine asylum seekers apply in-country, on the same day as they arrive, the next day or perhaps a week later. They are genuine asylum seekers and they will not receive social security benefits. They will be destitute.

Mr. Hawkins: Those who apply the same day, the next day or a week later, will not suffer. [HON. MEMBERS: "They will."] No. I am talking about the important need to crack down on bogus asylum seekers. It is important that the British taxpayer is not ripped off by bogus asylum seekers. Most voters and most of the people support that view. If the hon. Lady and Labour Front Benchers are suggesting that they would carry on paying out benefit willy-nilly to people who apply for asylum, even if those people turn out to be bogus, they will not have the support of the country.

Ms Lynne *rose—*

Mr. Hawkins: No, I must make some progress, and I have given way to the hon. Lady once.

In the continuing crackdown on benefit fraud, it is important to increase home visits. I am delighted that the Benefits Agency staff will follow up at least 30 per cent. of new benefit claims next year with home visits and that other checks will also be increased.

It is also important to develop new technology and I am pleased that, next year, the agency expects to award a contract for the automation of services at post office counters, which will include testing of the benefit payment card, and that, in a separate initiative, local authorities will also be able to use a computer system to cross-check benefit claims. The people will be looking carefully at Labour and Liberal Democrat-controlled local authorities to find out whether they use that system. Once the initiative has been introduced, there will be much criticism if only the Conservative authorities use it.

I am pleased that, since 1993, local authorities have been able to earn funds by detecting fraud against housing and council tax benefits, although Labour-controlled Blackpool council has not been at all prominent in using that opportunity to earn funds for the people of Blackpool. It has a particularly abject record in cracking down on fraud, no doubt for the reasons on which I touched earlier.

I am pleased that my right hon. Friend the Secretary of State has said that the subsidies will be increased for local authorities that detect fraud in housing and council tax benefits in 1996-97. Local authorities will also be able to bid for new money to pay for innovative schemes to combat fraud and no less than £18 million will be made available for such schemes.

On housing benefit, local authorities will have the discretion to make the first payment payable to the landlord, which will undoubtedly stop tenants running off with it before it reaches the landlord. From October, all new claims for housing benefit from private sector and housing association tenants will be paid in arrears. Where payments are made directly to landlords, they will be made four-weekly in arrears, saving £40 million in the first year.

It is important to examine how the Opposition Front-Bench spokesmen approach the need to make savings in our social security budget. I was absolutely fascinated to see the letter from the shadow Chief Secretary to the Treasury to the hon. Member for Islington, South and Finsbury. I am sure that he and the shadow Chief Secretary will have some interesting discussions with the civil service trade unions—many of which, of course, sponsor Labour Members—particularly when the shadow Chief Secretary has clearly acknowledged in his letter many of the measures that my right hon. Friend the Secretary of State has spoken about in this debate, particularly under the heading "Changes to Location".

Mr. Chris Smith: I have been listening with care to the hon. Gentleman. Can he tell me the name of one member of the parliamentary Labour party who is sponsored by a civil service trade union?

Mr. Hawkins: I am not able to give the hon. Gentleman a particular name, but I have no doubt that research will enable me to answer that question. Perhaps, in the time-honoured phrase, I could write to the hon. Gentleman.

Mr. Corbyn: Before the hon. Gentleman gets completely carried away with next week's headlines in the Blackpool local press, I should tell him that no civil service union is affiliated to the Labour party. It would, therefore, be quite difficult for a civil service union to

[Mr. Corbyn]

sponsor a Labour Member of Parliament. The only way in which such a union might be involved in such a sponsorship would be if it obtained a consultancy with an hon. Member from the Tory, Labour or any other party; so perhaps the hon. Gentleman should desist from this rather ludicrous line of inquiry.

Mr. Hawkins: I understand that the hon. Gentleman is sponsored by Unison, which is a public sector trade union. I do not see—and nor will the people of this country—a huge distinction there. The hon. Gentleman is seeking to make a distinction without a difference.

In his letter, which is of great interest, the shadow Chief Secretary says:

"There may be scope for rationalising the location of various DSS activities. The development of the site at Longbenton on Tyneside under the PFI clearly points in this direction and the the"—

this is perhaps not literate English—

"closure of other sites".

Some proof-reading is required there, but the point is clear.

When Labour Front Benchers examine this issue, they will have to consider what they are going to do about their previous proposals for a flexible decade of retirement. I am fascinated that so many Labour party spokesmen have said that they support a flexible decade of retirement, but that they have unaccountably ignored the fact that the vast majority of people would choose to take retirement at the earliest possible date to which they were entitled. If Labour Front Benchers' proposals for a flexible decade of retirement were to be introduced and allowed everyone who chose to claim a full pension from the age of 60, and of course most people would, the practical effect is that it would cost £13 billion a year.

Have the Labour Front-Bench spokesmen cleared those proposals with the shadow Chancellor? I suspect that they have not. Similarly, the hon. Member for Islington, South and Finsbury refused to say whether the measures that he mentioned in his speech would be reversed by the Labour party. Unless Labour Front Benchers are prepared to answer those questions, their criticisms of the measures cannot be taken remotely seriously.

It is crucial to recognise how strong is our position on pension provision. As my right hon. Friend the Secretary of State recently said, in the inaugural Politeia lecture:

"The OECD recently contrasted Britain's position on pensions, health and education with that of other developed countries. The OECD forecast each country's national debt assuming they continue where their present pension systems and levels of taxes and charges. By 2030 in France and Germany"—

as my right hon. Friend pointed out—

"the national debt will have about doubled and will exceed the national income. In Japan, where the population is aging particularly fast, debt will reach three times national income. By contrast, Britain's second tier funded pensions place us in an almost unique position. The OECD forecasts that we will have paid off our entire national debt and started to build up assets."

My right hon. Friend was quite right to highlight that crucial success of Conservative policy.

7.44 pm

Mr. Jeremy Corbyn (Islington, North): So that the hon. Member for Blackpool, South (Mr. Hawkins) does not get too excited, I am happy to say on the record, as it is on the record, that I am sponsored by Unison and have been a member of that union for more than 20 years. I am proud to be a member of that union, and I am not paid anything by it. I am happy to support it in what it does because we need trade unions to deal with the type of Government that we have, who are introducing slave labour conditions in hospitals and many other places, as the current dispute at Hillingdon hospital shows.

Mr. Nigel Evans: Is the hon. Gentleman saying that Unison pays nothing towards his local Labour association? If it does, does he not benefit from that?

Mr. Corbyn: The hon. Gentleman knows full well what the arrangements are; nothing is paid personally to any Member of Parliament. If he cares to read the declarations of interest, he will note that a sum of money, which is listed, is paid in each constituency to the local Labour party to undertake electoral campaigns. Unfortunately, the same transparency does not apply to the Conservative party, which finds itself unable even to publish its annual accounts or to tell us from which overseas dictator or commodity stockbroker its money comes.

Before I incur your wrath, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. We are discussing regulations, not sponsorship.

Mr. Corbyn: Thank you, Mr. Deputy Speaker.

The subject of this debate should be the levels of poverty that exist in our society, and what is being done to eliminate those levels of poverty. If the few hon. Members who are present in the Chamber to discuss this issue asked you, Mr. Deputy Speaker, to adjourn the House and chose to decamp to the Strand for half an hour, to walk up Charing Cross road or to look under Waterloo bridge, they would find several hundred people literally on the verge of freezing to death because they have no homes to go to. We would find that they are lacking benefits; those desperate people are the under-class of the so-called successful free market society that the Government have created.

In every city in this country one will find beggars, young people who have been thrown out of their homes because their parents can no longer afford to keep them, and all the degradation that exists in a society in which the welfare system is breaking up, as ours is currently doing. Perhaps tonight, when the Secretary of State goes home to his house in the borough where I also live, instead of going in his ministerial car, he will take the bus or, better still, he will walk so that he can see the consequences of the Government's policies.

If we look back and consider the so-called economic success, in 1992-93, there were 14.1 million people who were officially classified as poor, in comparison with the 5 million who were so classified in 1979. In 1979, one in 10 children were living in poverty in Britain. By 1993, one in three children were living in poverty. By the beginning of the 1990s, the fact that a quarter of Europe's poor people were in this country was the Government's great achievement.

If we look at the other end of the scale, we find that the richest 10 per cent. of the population—this will probably please the Secretary of State, who apparently

finds this so amusing—have increased their wealth by 67 per cent. The poorest 10 per cent. are 18 per cent. worse off than they were 15 years ago. We have the largest growth in the disparity between rich people and poor people of almost any industrial country in the world, and the Secretary of State is proud of it. He is proud of the levels of poverty; he is proud of the aggrandisement of wealth among the speculative minority. Those issues need to be addressed very urgently, but the uprating statement and the Government's social security policies do nothing at all to achieve that.

The Secretary of State told us that he is proud of the Government's achievements. Every year it seems that he has to find a new scapegoat. First, some years ago, we had the attack on 16 to 17-year-olds: "Take away their benefits; take away their board and lodging allowance; make them dependent on their parents." I will tell the Secretary of State the consequences of that. A young girl came to my advice surgery. She was desperate to get through her A-levels at school. The only way that her family was able to afford to keep together was by her working three evenings a week and two days at the weekend in a supermarket to make ends meet. School children are being forced into part-time work. Students at the university of North London, which I represent, are all hard up and most of them are being forced into one sort of part-time work or another just to survive. That is not a successful society but a desperately unhappy one.

The Secretary of State started off by blaming such people before moving on to blame single parents. He blames them all the time. The hon. Member for Dover (Mr. Shaw) excelled himself when he told me that single parents were the sole cause of Britain's economic decline relative to Japan. When Conservative Members mount Goebbels-like attacks on single parents, they do not realise the damage that it does to those people and to their self-esteem. They do not know about the stigmatisation that happens the next day in school playgrounds. It seems that every year a new enemy has to be uncovered.

The Government moved on to asylum seekers—people who uproot themselves to flee to another country because they are terrified. When they arrive in Britain, they are scapegoated for all our economic ills by the Secretary of State. It is the same Goebbels-like attack.

The hypocrisy of Conservative Members is unbelievable. Like me, they have probably all had letters from British people, residents or nationals who have earned their pensions by working in this country and gone to live abroad. They may have gone back to the Caribbean or to live in Australia or Spain. That is all perfectly legal and legitimate. Hon. Members had the opportunity to restore those people's rights to a full pension at the same rate as was paid in this country. What happened to all the brave Members who signed the early-day motion and wrote to pensioner organisations all over the world that they were with them and recognised all that they had done in two world wars? Those hon. Members did not come here to vote for what they had promised to support—promises that they had no doubt released to their local papers. The hypocrisy is breathtaking.

The Secretary of State moved on to a new enemy a year or two ago. He went for Italian students, who he claimed were coming to Britain to claim benefits falsely. Perhaps hon. Members remember the speech. It was another Goebbels-type speech made at the annual Nuremberg rally—"Let's have a go at these benefit tourists." Who has that hit? It has hit people who for various reasons have worked abroad for more than two years. It has hit people who have gone back to family connections in the Caribbean. It has hurt ordinary people born in this country who have gone to work abroad for a short time. The result is misery.

People come to my advice surgery in desperation and tears because they come back to this country and cannot get a job or benefit. They are being evicted from their houses because they cannot get housing benefit—because they cannot get income support in the first place. The Secretary of State should read the National Association of Citizens Advice Bureaux report on the subject. I know that a copy has been sent to him.

The biggest con is the treatment of pensioners. The Government are keen to say that pensioners' income has gone up by 33 per cent. since the Tory Government came into office, that every pensioner is so much better off. The real increase in the state pension is 40p since 1979, as the Secretary of State told me in an answer not long ago. The Government broke the link between pensions and earnings in 1980 to reduce taxation and short-change pensioners. That is an absolute scandal. Every pensioner has been robbed of more than £20 a week by that one decision, which Geoffrey Howe claimed as his greatest political achievement. Personally, I thought that his only political achievement was when he accused the then Prime Minister of sending him in to bat with a bat she had broken in half before he set out—that was one of the high points of my parliamentary life.

The Government, and others in western Europe, perpetually promote the idea that the only way forward for economic growth is to reduce taxation and costs. We hear the same right-wing nonsense from the Adam Smith Institute and from other institutes all over Europe. They promote the destruction of the post-war consensus that society as a whole has a responsibility to remove people from poverty and to guarantee people reasonable sustenance after they have passed retirement age or if they fall desperately ill or suffer some comparable misfortune. That is all under threat from the philosophies that those institutes promote.

Those ideas are promoted on the basis that we have to live in a global economy and compete with low-wage economies elsewhere. The Government promote the free market economy and promote—indeed, invest in—slave labour economies and companies and multinational corporations which use them and then say that we must cut costs in western Europe to compete. They supported the general agreement on tariffs and trade, which was part of the process of creating a global free market economy. That is what the British people are being offered.

Mr. Bernard Jenkin (Colchester, North): They keep voting for us.

Mr. Corbyn: There is no evidence of that on the doorsteps at the moment. If people are so keen to re-elect the Government, I assume that the Prime Minister will leave on a high point, call an early general election and be returned with a resounding majority. If that is the case, he is slow to seize the moment.

Some awful changes are proposed in the benefit arrangements. The Secretary of State's philosophy is wholly appalling. To return to the subject of pensions,

[Mr. Corbyn]

I mentioned that the link with earnings had been broken in 1980 and that pensioners' proportion of average earnings is below 14 per cent. and falling rapidly.

Specifically to promote private pensions, the right hon. Member for Sutton Coldfield (Sir N. Fowler) and the Prime Minister—I remember this well because I served on the relevant Standing Committee—reduced the value of the state earnings-related pension scheme by up to half. It was all done to destroy SERPS and promote the private pensions industry.

Belatedly, the Government admit, as my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) pointed out, that up to 25 per cent. of the cost of private pension schemes goes in administration and they have little long-term security. The Government have no plans to deal with the consequences of collapsing private pension schemes. They say that the Organisation for Economic Co-operation and Development has given Britain a clean bill of health because of all the money that we have in private pension schemes. Where is all the money invested? Has it gone into housing or socially useful projects? Or has it been invested in speculation, often overseas?

Secondly, is not forcing people into private pension schemes, in effect, a privatisation of taxation? People are forced to spend money on private pension schemes with all the costs that go with them when a properly funded state scheme and a proper increase in the state pension would do much to eliminate poverty among retired people.

The poorest people in the country are often women over 75. Tragically, they are often widows living in desperate poverty. The Government have no plans to do anything to help them. Likewise, the Government have no plans to assist people who seldom have the opportunity to work throughout their working lives.

What about the equalisation of pension ages? The Government are short-changing all the women who thought that they could retire at 60 and who are now told that they have to retire at 65. Surely to God, at the end of the 20th century, we should be able to look forward to a retirement age of 60 for both women and men, rather than forcing people to go on longer.

Many other issues need to be dealt with, but I shall mention only a couple. The Government have a new obsession with single parents and their problems but do little to help them to get work. They make no improvement in child care facilities and are trying to take away the small single parent benefit that is paid. They ignore the experience of nearby countries. There was no need to go to Australia or Singapore to learn how to deal with the problem. If they went to the Netherlands, they would find considerable Government investment in local authority-generated job creation specifically to ensure that single parents are able to get work because it is associated with good-quality, reliable child care facilities.

My hon. Friend the Member for Bow and Poplar (Ms Gordon) mentioned the Child Support Agency and the way in which the Government planned to penalise absent parents or non-custodial parents on income support. I fail to see what the Child Support Agency is achieving, apart from spreading the misery between parents. So far as I can gather, none of the money that it has collected has assisted any children. A massive bureaucracy has been created and very few people have benefited from it.

Many hon. Members mentioned housing benefit and the fraud that is associated with it. I was amazed by the remarks of the hon. Member for Blackpool, South (Mr. Hawkins) on that subject. I did not realise that the Tory Government had allowed such dreadful things to happen for so long. Why does the hon. Gentleman believe that housing benefit is so expensive? Why is it open to such abuses and fraud? As the Government have deregulated rents and refuse to register houses in multiple occupation but just automatically pay housing benefit at whatever level of rent landlords request, housing benefit is clearly on a permanent accelerator. Housing benefit is very expensive and it is essentially a subsidy for landlords rather than a benefit to tenants.

The Social Security Select Committee inquiry into housing benefit has found that massive fraud is occurring. It is being perpetrated largely by landlords because local authorities are underfunded in their administration of housing benefit. The London local authorities spend up to £300 million administering housing benefit and local authorities are not paid the full value of the benefits that they have to pay out. There is a positive disincentive to pay out housing benefit when it is needed and there is no incentive to administer it properly.

Mr. David Winnick (Walsall, North): Rachman should be living now.

Mr. Corbyn: It would be much easier for Rachman if he were alive today because he could simply write to the local authority and claim the money—he would not need to use dogs and the other horrific methods that he employed. The Government should be realistic about housing benefit. Perhaps they should consider re-regulating rents so that private sector rents do not continue to go through the roof. In most parts of London, £100 per week would hardly pay for a bedsit and people are paying more than £150 per week for a flat. That is one of the consequences of a housing benefit strategy designed to subsidise landlords whom Government policies have freed from any controls.

One could discuss many issues in the debate, but I shall conclude on one important point. Those of us who grew up secure in the knowledge that the welfare state provided guarantees against unemployment and sickness and guaranteed some degree of dignity in retirement are seeing those guarantees being taken away. Future generations will not thank us for allowing all the gains of post-war consensus to be sacrificed by the Government on the altar of a free market economy.

I believe in the principle of a state-run welfare system. Where the welfare state has operated elsewhere—for example, in Sweden, and in most other parts of western Europe—people enjoy greater security, higher living standards and higher levels of achievement. In this country the living standards of the poor are continually being reduced and too many of our children are under-achieving in under-funded schools because the Government believe that public spending is a dirty word.

I believe that the only way to begin to eliminate poverty is to introduce a national minimum wage and a benefits system which provides real opportunities. The free market offers only the slavery of the competitive economy and the misery of poverty for the many who fail to achieve within it. Conservative Members may feel cocky at

present because they have been in office for a long time, but they should recognise that many people do not accept the amoral society that the Government are attempting to create. They must recognise that all over the world the tide is turning rapidly against the principles of the free market economy in favour of a society that cares for everyone—irrespective of his or her birthright—and ensures that all are able to live a decent life. That is something that the Tories simply cannot recognise.

8.3 pm

Mr. Nigel Evans (Ribble Valley): I am grateful that I have caught your eye, Mr. Deputy Speaker, in this important debate about uprating the orders. I believe that those who receive Department of Social Security benefits are not spongers or wasters—the vast majority of recipients are in genuine need. Many people find that situation extremely stressful and would prefer to have a job rather than rely on benefit. However, I also believe that we should take fraud very seriously. It is corrosive and we should not turn a blind eye to it.

I enjoyed listening to the contribution from the jurassic hon. Member for Islington, North (Mr. Corbyn). He is perhaps not new Labour, but he is certainly real Labour—so much so that the Labour spin doctor, the hon. Member for Hartlepool (Mr. Mandelson), who was standing to one side, could not remain in the Chamber for a second longer. No doubt he has gone to cry into his avocado dip. The contribution from the hon. Member for Islington, North was vintage old Labour—it is the sort of politics that we could expect if the nightmare became reality and the Labour party formed the next Government.

The hon. Gentleman banged on time and again about the difference between those who have no money and those who have it. He and his party will never learn that one cannot make the poor rich by making the rich poor. It is the politics of envy and we hear it time and again whenever Labour Members open their mouths. The hon. Gentleman said that the Conservatives need a new enemy every year, but the Labour party sticks with its old enemy: those who happen to have some money. The Labour party cannot wait for an opportunity to take that money away.

Mr. Jenkin: I agree with a great deal of what my hon. Friend has said about the speech by the hon. Member for Islington, North (Mr. Corbyn). Did my hon. Friend notice that, at one or two points during the hon. Gentleman's speech, the hon. Member for Islington, South and Finsbury (Mr. Smith) nodded his head? That suggests that the hon. Member for Islington, North has more in common with his Front-Bench colleague than the spin doctor from Hartlepool would have us believe.

Mr. Evans: I am extremely grateful to my hon. Friend for pointing that out. While we hear the silence of the lambs on the Front Bench when we ask any questions, I have no doubt that many Labour Members are in agreement. During the summer, the hon. Member for Islington, North said that more than 100 Labour Members do not agree with the leadership style of the right hon. Member for Sedgefield (Mr. Blair). A growing number of Labour Members simply do not agree with his rhetoric—I refer only to his rhetoric because I believe that his policies are completely different again.

We were treated to some sheer humbug from the hon. Member for Islington, North this evening. He talked about caring for pensioners, but the Labour party would not know how to care for pensioners. He referred to the fact that pensions are no longer linked to earnings, but to inflation. If pensions had been linked to inflation under the last Labour Government, pensioners' savings would not have been savaged when inflation reached 27 per cent. That was the cruellest tax of all: it indiscriminately whittled away the money that people had saved for their old age. They could not go out and find jobs.

Under the last Labour Government, people's savings were quickly whittled away over five years and their lifestyles and livelihoods were severely damaged. I do not think that the elderly will quickly forget or forgive the Labour party for the way in which they were treated by the last Labour Government.

Mr. Jenkin: The last Labour Government committed the great sin of not only allowing inflation to eat into pensioners' savings, but changing the method of uprating so that pensions increased very little during a time of very high inflation. The last Labour Government cut the real value of pensions—that should never be forgotten.

Mr. Evans: I am sure that that will not be forgotten. I can at least be charitable to the Labour party and say that it did not single out pensioners for the rough treatment—everyone received rough treatment when the Labour party was last in government. Those who were in work suffered when inflation was at 27 per cent.—for example, those who worked in the national health service had their take-home pay cut in real terms.

The hon. Member for Islington, North talked about single, elderly ladies—for whom he has found some new compassion. However, when the old rating system was in place, single, elderly ladies—who had lost their husbands, who were living alone in their large houses and who wished to stay there because all their memories were there—had their rates shoot up through the roof. No regard was paid to them whatsoever, and many of them had to move out of their homes simply because they could not afford to stay.

We have heard from the hon. Member for Islington, North the old Labour rhetoric of tax and spend—that is exactly what he was advocating today. I am sure that the shadow spokesman, the hon. Member for Islington, South and Finsbury (Mr. Smith), will have an opportunity to come to the Dispatch Box to answer some points about the benefit system generally, about how much more money a future Labour Government would commit to the social security budget and about where they would get that money from.

We must continue our battle against fraud—all hon. Members would want to see it combated and whittled away. The Government are taking action against fraud, and I hope that they receive support from all hon. Members. We have heard about the £100 million that was invested last year to combat fraud, which saved £400 million. However, it has been estimated that as much as £1,000 million could be fraudulently taken away from the £90 billion budget for social security.

People visit our surgeries and tell us stories about people whom they know, who are either working and are claiming, or who are fit and well and are receiving support

[Mr. Evans]

for invalidity. I urge people to give such information to the Department of Social Security so that it can be properly investigated. There is nothing wrong with that—it is not snitching; it is ensuring that the taxpayers' money is effectively spent and targeted at those who really need it. If the money is going to people who do not need it, less money is available for everyone else.

I welcome the fact that visits to the homes of benefit claimants are being stepped up—that has already saved £70 million. Approximately one year ago, I visited my local social security office in Preston, and we discussed a range of issues relating to benefit claimants. One thing that I had paid little attention to in the past was the fact that a lot of people who work for the Benefits Agency have to make home visits, particularly when someone has reported that his cheque has gone missing or when someone has claimed benefit for the first time—such matters must be investigated properly.

We do not appreciate the danger into which such work puts some who work for the Department of Social Security. I ask the Minister to pay tribute to each and every member of the staff of the Department for the work that they do—some of them face violence on a daily basis, and some of them live in fear. They do a tremendous job and they are some of the unsung heroes of those who are cracking down on fraud. They deserve credit for the work that they are doing.

Mrs. Teresa Gorman (Billericay): Is my hon. Friend aware that in the days when the friendly societies administered most of the welfare in this country—they were used by the state until 1945 to deal with benefits that the state administered—the incidence of fraud was practically zero? We cut out the moral hazard of people cheating the system because the members of each society were self-monitoring it, and those people who were likely to be defrauding the system would be dealt with through the society. There was practically no fraud at all.

Mr. Evans: I am grateful to my hon. Friend for pointing that out. I do not think that we will ever get back to a position where everyone is honest—we have to recognise that there is a dishonest element in society. We have to do as much as we can to detect fraud and stamp it out where possible. In a moment, I shall mention areas in which we are doing that. The people—many of them are women—who have to take measures against those who are trying to defraud the system deserve credit for the work that they do. Like my hon. Friend, they are very brave and tough people.

We have heard a lot about asylum seekers. Soon after I was elected, I served on the Committee that examined the Asylum and Immigration Bill. The number of people who were coming into this country, seeking asylum and applying for benefit was growing at such a massive rate that, if the Government had not taken action, the bill would have been absolutely astronomic. I applaud the measures that were taken in trying to crack down on fraud by those who were coming in to seek benefit in the first instance.

A number of people are quite obviously not genuine asylum seekers—they come here as economic refugees because they think that life and conditions in this country are better than they are at home; I could imagine that to be so for a number of reasons. We have to be fair to the genuine asylum seekers; we must ensure that they are treated quickly so that they know where they stand and so that they get the benefits to help them live in this country.

Ms Lynne: I agree with the hon. Gentleman that there are bogus asylum seekers, and no one would like to encourage them. However, does he agree with me that genuine asylum seekers will be caught in this net because a lot of them apply in-country, not when they arrive at the port of entry? As the hon. Gentleman was on the Committee, he must own up and accept that genuine asylum seekers will be disadvantaged as well.

Mr. Evans: I do not accept the hon. Lady's contention—in fact, the vast majority of those who go on to appeal are not successful.

Ms Lynne: What is the figure?

Mr. Evans: It is 4 per cent. People who come into this country and seek asylum are not always from the traditional countries that one might expect; often, they have decided to come here to better their economic livelihoods. If they are genuine asylum seekers, they must go through the proper procedures. They must not come to this country, spend a couple of months here and then decide—when it is almost time to go home—to seek asylum. I welcome the measures that have been taken.

I welcome the introduction and the utilisation of new technology in the crackdown on fraud, wherever it exists. We have already heard that next year the Benefits Agency expects to award a contract for the automation of services at post office counters. We all remember the debate about the post offices that has raged in the House for a number of years. I welcome the fact that those who wish to have their pensions paid at post offices will still be able to do so.

I recently spoke to one of my local postmasters—they are the front-line staff as well. A lot of the postmasters and mistresses know the people who come to their counters and they know whether they are who they say they are. Over a year ago, one of the postmasters at the Barracks post office in Fulwood was able to help detect somebody who was trying fraudulently to cash a giro cheque. That is the sort of help that we get from post offices. I again applaud the work of our postmasters and mistresses who operate on a daily basis, who help those who genuinely need the money and who help to detect fraud. They also need some help.

There is much debate about ID cards. It cannot be that I mix with only a certain type of person; it seems to me that the vast majority of people would welcome the introduction of an ID card containing a photograph and a laser-etched signature. Time and again, when I speak to groups of people—not just party political groups—they agree that ID cards could help to crack down on crime, including fraud.

When such cards have been utilised by banks and building societies, they have proved to be tremendously successful in reducing credit card and cheque guarantee card fraud. Why is the system not extended generally? I cannot understand why all banks and building societies do not introduce cards with photographs and laser-etched

signatures. Why is the system not adopted generally for people who access benefits, so that they can prove who they are? It would assist them as much as anyone else.

We all have ID cards for our own security to get access to the Palace, as do our researchers. We do not mind carrying ID cards. Why cannot we extend the scheme generally so that others can benefit from it? I hope that my hon. Friend will say something about the utilisation of new technology, including ID cards, to help crack down on benefit fraud.

I was delighted by the speech of my hon. Friend the Member for Blackpool, South (Mr. Hawkins). My hon. Friends the Members for Blackpool, North (Mr. Elletson) and for Scarborough (Mr. Sykes) have been working extremely hard to address the benefit fraud in the DSS hostels that are damaging tourism in their constituencies. I hope that, either in the Social Security Committee or at a later stage, the Government will introduce measures that will help to crack down on such fraud.

Almost in conclusion, I welcome the incentives that have been introduced for those entering employment. People who have been out of work for two years or more are now being encouraged to take employment by the one-year national insurance holiday that starts in April. The longer people are unemployed, the harder it is for them to return to work. I welcome that incentive.

I also hope that we can do more to counter agism. After people have reached a certain age—despite the aging population, that age is getting lower—they feel that they are on the scrap heap and that employers do not want them. What a wonderful resource we have out there in people over the age of 40. They can contribute a great deal, and I hope that the Department for Education and Employment will introduce measures to help change our culture so that those people can find work.

Finally, we have to find ways of reducing the amount of money spent on social security generally. In any event, we want fewer people claiming benefits. We must ensure that Britain's enterprise economy continues. It has been developing for the past 16 years and it is still growing apace. We must maintain low inflation as it helps elderly people and those on benefits and provides security for everyone. We must not introduce the social chapter and the minimum wage in Britain. They would be disincentives to firms employing more people because social on-costs would be higher.

The Opposition have to answer certain questions, and we shall be listening carefully. Their carping is pointless. We want to know how much extra money they would spend and from where they would get it.

8.24 pm

Mr. Harry Cohen (Leyton): First, in relation to fraud, which we all agree must be tackled and which no one condones, I wonder whether an individual who is accused of fraud can now ask for a Scott-like inquiry. Perhaps he could use the defence that he designedly made off with the money without deliberately intending to deceive. Perhaps such an individual should have the chance to pressure the judge, get an advance copy of the case against him and have it rewritten. Perhaps that is a cynical way to start, but if deception by those at the lower end of the scale is to be punished, the same punishment should apply to Ministers—but that is an argument for another day.

The Government have a poor record on social security. The number of people dependent on benefit has doubled from one in 12 of the population in 1979 to one in six. Despite the cuts in benefit, the benefits bill has increased by £30 billion since 1979. There has also been a substantial increase in inequality. According to the Joseph Rowntree Foundation report, the income of the richest tenth of the population has risen by more than 60 per cent. while the income of the poorest tenth has fallen by 17 per cent. The number of children living in poverty has trebled from one child in 12 in 1979 to one child in four today. That is a real scandal for the Government. At the next general election, they should be called to account for forcing so many children into poverty.

The cost of benefits to top up low pay has grown to £2.4 billion a year and mass unemployment now costs the Exchequer £20 billion a year.

I should like to draw attention to the topping up of low pay. We are in danger of getting into the same situation as America, where wages are not always enough and families have to rely on the state. That is a very bad path to follow, but it is the one we are going down as the Government support employers who pay low wages. Low wages are a chronic burden for many of my constituents. They are also a burden on taxpayers who have to pay for them. It costs every taxpayer some £750 a year to top up the wages of people in work. That is a scandal.

Mrs. Gorman: I do not for a moment doubt the hon. Gentleman's sincerity, but I want to ask him two questions. Is not a low wage better than no wage? Is not it true that some occupations simply cannot produce enough profit to pay high wages? The hon. Gentleman appears to be decrying the Government's policy—which is to be commended—to top up low wages with income support.

Mr. Cohen: In my opinion, a low wage is not good enough. That is why I support a national minimum wage. The real answer to the hon. Lady's question is that many people do not agree that a low wage is better than no wage at all so they stay on benefit because there is absolutely no advantage in getting a job. That is the poverty trap. It is no good taking the Conservative option of cutting their benefits altogether. That throws more families into poverty and punishes their children. That is not just my opinion, but the opinion of people who live in the real world who have to balance their budgets.

We must have a proper level for wages. More than 1 million people now earn less than £2.50 an hour. It is hard to imagine how they can support themselves and their families on that. Two thirds of that number are women. Many youngsters are exploited, which gives them a bad start in life. Often, they have to do menial work. Although that is only to be expected because they are just starting work, it is demoralising to get poverty pay. That also makes it difficult to encourage young people into the world of work.

Poverty pay is also damaging to the middle-aged—the 40 and 50-year-olds who still want to work—because increasingly they are told that if they want to work they must accept the same low wage as a young person would accept. If they do not, they are forced out of the labour market and their skills are wasted. Low wages are a burden and that is reflected in the business before us.

[Mr. Cohen]

A high proportion of people in the dole queue are long-term unemployed and, when they look for work—many of them are still trying, despite being demoralised—they are told that, because they have been out of work for a long time and have nothing worth while on their curriculum vitae, they must be bad workers, so they are not taken on. That is what employers tell them. If the long-term unemployed take work, they are taxed and the marginal rate comes into play. It is hardly worth their while—because they lose their benefits—especially if they move to a low-wage job.

I apologise in advance to hon. Members, but I want to tell a personal story. My foster son, Mark, is a lovely lad and a good father to his children. He is a young man, just 21, and has a second family. He is caught in the poverty trap. He is on benefit, but if he got a job to support his second family he would be caught by the child support rules. I am not disputing that principle, but the poverty trap is so great that I cannot see him being able to get a job that pays enough to make it worth his while after loss of benefits. That is my personal experience; many other families have the same problem. I ask the Minister to address that point and tell me whether anything in the upratings will make it possible for people such as Mark—there are many of them—to get a job. The Child Support Agency's actions lead to just one of the poverty traps that keep people out of work when they want to get a job.

A programme of welfare into work is crucial, and it is the policy of the Labour party. The environmental task force support for small businesses—to help them to take on young people at a wage which is at least the benefit level plus £20 a week—will help those who are trying to break out of the poverty trap that affects so many young people.

It is terrific that the Labour party has proposed a national minimum wage that will tackle the problem of low pay. That will be an issue at the general election. The Government can huff and puff about the effect of a minimum wage on unemployment, but if it is set at sensible level it will have no effect on unemployment whatever. On the contrary, it will lift many families out of poverty. That is crucial.

Mr. Nigel Evans: The hon. Gentleman's comrade, the right hon. Member for Kingston upon Hull, East (Mr. Prescott), said that there would be a shake-out if the minimum wage were introduced. How many jobs is he prepared to lose to introduce a minimum wage?

Mr. Cohen: The shake-out will be of people who are unemployed back into work. That is what will happen.

Mr. Jenkin: Come on, Harry.

Mr. Cohen: Yes, it will. The discussion of that point will continue in the build-up to the election, but the arguments in favour of a national minimum wage are overwhelming.

Mr. Deputy Speaker (Mr. Michael Morris): Order. I am sure that the hon. Gentleman will return to that argument on another occasion; I am not quite sure that it is relevant to the motions on social security before the House this evening.

Mr. Cohen: I was making the point that, if people were paid a decent wage, they would not be dependent on social security. I am sorry that I did not make that clear.

Mr. Alan Simpson (Nottingham, South): Does my hon. Friend accept that many employers are now increasingly concerned about their obligation to pay tax to pay for the benefit system? The good employer, who pays a decent wage, also subsidises the awful employer, who pays a lousy wage. In that sense, disproportionate, unfair and unequal burdens are placed on the best employers to support a social wage that many lousy employers do not pay.

Mr. Cohen: My hon. Friend makes an excellent point. The Government's low-wage approach subsidises the worst employers. We must change that approach. I noted your earlier comments, Mr. Deputy Speaker, and I shall move on.

The Government broke the link, which existed before 1979, that ensured that pensions would rise in line with earnings or prices, whichever went up the most. As a result, a single pensioner has lost more than £20.30 a week and a married couple have lost more than £32.70 a week. The Government have robbed pensioners of £10 billion a year by breaking that link.

I received a letter, dated 16 January, from Age Concern, which has recently produced a report called "Short Change"—although £10 billion a year is not short change. The letter states:

> "The report . . . shows that half of pensioner households depend on pension and benefits for at least 75 per cent. of their income and that two thirds of pensioners have incomes so low they pay no income tax. Though the number of pensioners who receive an occupational pension has increased, only 30 per cent. of all single pensioners receive more than £20 per week from them. A low state pension, inadequate benefits and the 'poverty trap' all conspire to create increasing financial hardship among many older people . . . Age Concern welcomes the Government's belief that the state pension is 'the cornerstone of retirement', but we believe that it should be raised to 33 per cent. of average earnings for single pensioners and 50 per cent. for a couple . . . We also want to see more encouragement of take up of benefits. About one third of eligible pensioners did not claim income support to which they are entitled."

On that point, the amount of unclaimed benefit is still more than the amount lost through fraud. The Government should be working to ensure that those who are entitled to benefits get them.

Just as in society as a whole, the gap between the poorest and richest pensioners is growing. The gap between the pensions of those who are fully reliant on a state pension and those who have occupational pensions is getting wider. The Government have relied on the occupational element and claimed that more people will have private pensions. That will happen over time, but many people will have gaps in their employment. Some people might have seven or eight gaps in their working lives, and in those gaps their pension contributions will suffer.

The Government's reliance on private pensions to top up pensions to a decent level overall is misguided. That is shown in the statistics that are set out in this month's *Labour Research*, which I bring to the attention of the House. It states:

"An opinion survey carried out by the European Commission in 1992 found that 66 per cent. of all adults in the UK thought that the main problem facing older people in the UK was 'not having enough to live on/financial difficulties'."

That percentage

"was well above the average for the whole of the European Union—48 per cent."

The article continues by pointing out that

"if you depend on the state, or on a minimal personal pension, you will be badly off in the UK, and certainly worse off than in other European countries . . . UK pensioners who depend entirely on the compulsory element of the pension system . . . are the worst off in Europe when comparing their pension with previous earnings".

Another interesting passage tells us that UK workers benefited from occupational pension schemes. That is where the gap with the Europeans begins to close, but even with an occupational pension scheme UK pensioners receive 77 per cent. of their previous net earnings compared with the EU average of 88 per cent., which includes 92 per cent. in Germany, 87 per cent. in France and 90 per cent. in Italy.

In other words, those who rely on the basic state pension are extremely badly off. Even with the occupational element, pensioners in the UK are much worse off than their counterparts in the rest of Europe. That is especially true of women, who have often had a working life disrupted.

Figures from the Department of Social Security show that, in 1993, only 57 per cent. of single pensioners and 72 per cent. of pensioner couples received occupational pensions. Men are more likely to have one than women. Those who worked for large employers are much more likely to be covered than those who were employed by smaller concerns.

There is an alarming growth of inequality among pensioners. In 1979, the poorest 20 per cent. of pensioners had net incomes of about a third of those of the wealthiest 20 per cent. By 1990, the pensions of the poorest had fallen to only a quarter of the richest. If inequality is growing alarmingly, the Government's case that it can be rectified by relying on private pensions to fill the gap is not proven. Growing unemployment drives a hole through that argument. Unless we increase the basic state pension, many of our pensioners will be condemned to live many years in poverty.

The Government should think again, as should the House, about pension provision. We should increase the basic state pension to a reasonable level to ensure that people can live on it.

8.42 pm

Mr. Bernard Jenkin (Colchester, North): As always, I enjoyed listening to the hon. Member for Leyton (Mr. Cohen). Before he spoke, I enjoyed listening to the hon. Member for Islington, North (Mr. Corbyn), who entertained us much with his approach. Perhaps the voice missing from the Opposition Benches—I regret that I did not hear the opening speeches, but I was attending to other matters as a member of the Committee that is considering the Finance Bill—is that of the hon. Member for Birkenhead (Mr. Field). There is a difference in emphasis between the approach adopted by those who occupy the Opposition Front Bench and that of the hon. Member for Birkenhead.

With your permission, Mr. Deputy Speaker, I shall explore what the Select Committee on Social Security has been working on: containing social security costs and the development of a genuine social security system that can bring genuine social security, in its fullest sense, to everyone. I would appreciate the opportunity to do so.

Before leaving the remarks of the hon. Member for Leyton, however, I take up his remarks about comparative pensions across the European Union. There is a little phrase in the tail of his comparisons, which rather exposes them for what they are. He was talking about percentages of average earnings, and the key feature of what we have achieved is that the relatively high percentage of average earnings that most pensioners in the United Kingdom can achieve is based on saved income that is fully financed. That is especially the feature of second and third-tier pensions.

In the EU, however, although even higher percentages of average earnings are paid, they are funded by a completely unsustainable financial system. One of the reasons why economic and monetary union in Europe is becoming such an unstable prospect is that the fundamental gearing of such an economy is so high that it is unlikely that it will be able to fund the promises that have been made.

The hon. Member for Islington, North and other Opposition Members seemed to be describing a failed welfare system. They appeared to be describing a system that was very much the creation of the Labour party. In fact, it is a system that has been expanded beyond anyone's dreams. We are spending a huge amount of national income on the welfare state. Yet according to the words of the hon. Member for Islington, North, we have seen a catastrophic failure. The traditional Labour party's great failure of imagination is that the greater the failure, in its eyes, that the welfare state becomes, the more money it insists should be spent upon it, and then the worse the problem becomes.

The hon. Member for Islington, North gave a great accolade to Sweden and its welfare state, which is what the hon. Gentleman wishes to see in the United Kingdom. His opinions underline the failure of that line of argument. Sweden having joined the European Union, the issue is not whether it will qualify for monetary union, but whether its currency will survive. If a Government are taxing well over 50, 60 or 70 per cent. of the national income and recycling or redistributing much of it through a welfare system, they destroy the wealth-creating process. There are examples throughout the world. The higher welfare state costs rise, the lower is the propensity to grow and the more social problems are created.

The great truth that right hon. and hon. Members on both sides of the House must embrace, if we are to contain welfare costs and create a welfare system that serves the people instead of imprisoning them in the poverty traps described by the hon. Member for Leyton, is to accept as a first principle that there are limits to the taxation that people are prepared to bear. As it becomes increasingly evident that the taxation and recirculation of wealth by the state tends to be a vain exercise that destroys all the

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natural incentives that should exist in a market economy, it becomes clear that the intolerance of taxation becomes stronger and stronger.

If evidence were ever required of what I have just described, it is the Government's unpopularity. The Government were determined to maintain public services and, especially, the growth of the welfare state. At the same time it was felt necessary to maintain humanity and decency in our society. It may be argued, however, that those qualities have not been maintained. To maintain the expenditure of the welfare state, we froze the indexation of personal tax allowances. We removed other income tax allowances and increased the burden of personal taxation. We even added to the value added tax system items that were not included before.

If that action had been a success, we would be popular, but increasing taxation to maintain high spending has proved extremely unpopular. It may still be necessary and worth while, but the British people do not wish to tolerate it in the long term, and they are delighted that we are returning to a trend of falling taxation. The Government are to be commended for getting Government finances back on track.

Mrs. Gorman: Is my hon. Friend aware that the late Lord Joseph, who served as Secretary of State for Social Services in the Tory Government before the little Labour interlude and our taking office in 1979, was amazed to find what an enormous proportion of welfare spending went towards paying the salaries of the middle classes who ran the system, which did not relieve poverty at all?

Mr. Jenkin: There is a great deal in what my hon. Friend says. The system is designed and operated by middle-class people. It provides salaries for middle-class people, who return home in the evening to the leafy suburbs, their two cars and their two kids. It does nothing but maintain an increasing underclass in a state of subservience, ensnared by the poverty traps to which the hon. Member for Leyton referred.

The success of the Government, first and foremost, has been to contain the growth of social security expenditure. My first substantial work on the Select Committee on Social Security was our report on the growth of social security. In the cross-party atmosphere of a Select Committee, it was quite remarkable how members of all parties subscribed to the premise that the endless growth of social security at a faster rate than the growth of the nation's economy was unsustainable. Opposition Members have shown this evening that they still do not accept that basic premise.

The Opposition's response to every measure that the Government have taken to contain the growth in social security—the introduction of incapacity benefit, reforms of the state earnings-related pension scheme and indexation of pensions—has been to fail responsibly to confront the issue that has confronted every party in government: that the state has made promises that simply cannot be honoured indefinitely, and it is honest and responsible to contain those costs.

The most blatant example is, perhaps, the most recent—asylum seekers. I was as concerned as anybody when I heard that we were cutting another aspect of growing social security, so I took the trouble to visit Stansted airport, which is not in my constituency, but is nearby. I did so because of an immigration case in which I had been involved at that airport. It was an open-and-shut case of abuse of our immigration system, and the official at the other end of the telephone, whom I had called during my surgery, explained to me chapter and verse why that was so. He said, "Don't worry. You needn't feel responsible for sending him out of the country, because he's bound to claim asylum." That is precisely what he did and he immediately became eligible for the benefit payments of which my right hon. Friend the Secretary of State is trying to deprive bogus asylum seekers. By enacting that measure, we shall reduce excessive social security expenditure of about £200 million a year to a much lower sum. In doing so, we are merely putting asylum seekers on the same footing as other benefit claimants.

Mr. Chris Smith: The hon. Gentleman mentions a figure of £200 million. How much will local authorities now have to spend to pick up the pieces of the Government's decision?

Mr. Jenkin: The important message that will be sent to the increasing community of people who decide to come to this country to live off the asylum application and benefit system is that they should not be in this country. The appeals system has become so choked and overloaded, with so many delays, that when I visited Stansted, the immigration service told me that it knew of people who had applied for asylum, had been turned down, were on appeal but had returned to their country of origin before returning to Britain to pursue their claim for asylum. The front-line official to whom I spoke told me—

Mr. Deputy Speaker: Order. The hon. Gentleman initially related his remarks to benefits, but he is now going way beyond that; we have been to Stansted three times in the past 60 seconds. Perhaps we could return to the Chamber.

Mr. Jenkin: I fly back instantly, Mr. Deputy Speaker.

My visit to Stansted airport demonstrated that the vast majority of asylum applications are bogus. It is absolutely right that we should remove the temptation for people to abuse the asylum application system, by removing the eligibility for benefits for those on appeal.

The problem with which we are confronted in the debate is the failure of state welfare, the ever-rising bill, the ever-rising expense and the increasing social problems. If we installed effective anti-fraud systems in the Department of Social Security and in local authorities that administer housing benefit, they would do a great deal to pay for themselves simply by being effective. I look forward to persuading my colleagues on the Select Committee that, ultimately, we should have a single on-line benefit system, whereby someone who applies for a benefit is already on the system and has only one national insurance number instead of the several that he seems to acquire at the moment. At the touch of a button, an official anywhere in the country could discover his claims history. Duplication and mismatching and the need for complicated and expensive data matching could be removed by a proper on-line database.

The real failure of the system, however, lies in the personal fraud that it encourages, and the effect of extensive means-testing on society. The flip side of targeting—ensuring that the money reaches the people who really deserve it—is our creation of so many perverse incentives that it is difficult for people to get out of the system once they are in it.

I do not think that any hon. Member could underestimate the corrosive effect on individuals and families who find themselves trapped in that system. It must be the duty of every party in the House to try to find ways of delivering welfare to those who need it without creating the painful conflicts of interest that lead claimants—for the sake of the very survival of their families—to be less than scrupulously honest about their circumstances, and about what they are doing to try to improve their families' living standards.

We should remind ourselves that Beveridge's original intention was to provide a system that would encourage people to look to their personal resources and talents, and to make an effort to work. The aim was not to discourage that. We need a much more savings-based welfare system—a system that will create personalised savings, and on which people can depend in the future.

9 pm

Mr. Alan Simpson (Nottingham, South): I congratulate my hon. Friends the Members for Islington, North (Mr. Corbyn) and for Leyton (Mr. Cohen) on their speeches. I suspect that one thing we have in common is that we are all children of the welfare state—but the welfare state with which I grew up is not the welfare state with which I am presented today. It is in that context that I welcome the fundamental review being undertaken by my hon. Friend the Member for Islington, South and Finsbury (Mr. Smith), the shadow Secretary of State. I hope that my hon. Friend will develop at least two of the points raised by the hon. Member for Colchester, North (Mr. Jenkin). I shall deal first with the point with which I disagreed. I shall then turn to the one with which I agreed.

The hon. Member for Colchester, North was right to point out that, when Beveridge wrote about the welfare state, he assumed the existence of a safety net that was not a replacement for employment but an adjunct to full employment. That safety net, however, was designed to ease the transition from benefits to work. Today, the welfare state has been distorted. For many, it has become a permanent alternative to employment.

It is wrong to suggest that the concept of the welfare state is necessarily an undermining and destructive influence on the wealth-creating capacity of a nation. It is clear from the Government's economic record that nothing has destroyed our manufacturing base as much as their economic policies: Hitler's six years of sustained attack and bombardment failed to do the same damage to Britain's manufacturing and wealth-creating base.

The sad double whammy is that the Government have also changed a welfare state based on the presumption of universality of entitlement into one obsessed with means-testing. That obsession is a degrading and demeaning aspect of the welfare state with which the country is now saddled.

I still live in the middle of an inner-city estate which, I feel, carries many of the burdens of the Government's approach, and where people must bear the heaviest marginal tax rates in the land. Those who seek to escape the benefits trap find that the marginal rate that they must pay on every £1 they earn is at least 97p. That is the combination of the payment of basic rate tax and the clawback of benefits—the loss of housing benefit and income support.

For some, the trap is even worse. If those who are entitled to passported benefits such as free school meals or school bus passes lose that entitlement, they may lose up to £1.17 for every £1 that they earn. That will hardly entice people to move from dependency on benefits to work. It is a huge millstone, which has turned the poverty trap into a poverty pit. We are told, however, that the only way out of this is more means-testing. That is the essence of all the regulatory changes that the Government have introduced. They aim to tighten the network of means-tested benefits and to reduce the availability of universal entitlements.

I hope that, in its fundamental review, the Labour party will take on board a number of different considerations. The first is in relation to pensions. We are told that the number of pensioners is growing and that the restoration both of the state pension's value—linking it to increases in earnings or prices, whichever is the greater—and of the state earnings-related pension scheme is unaffordable and unsustainable. If one projects the Government Actuary's figures last year for the next 50 years, one finds that the cost of the restoration of the basic pension would amount to only 0.4 per cent. of gross domestic product. The restoration of SERPS over that period would amount to a further 0.8 per cent. of GDP. The total cost over the whole period would amount to less than the cost of the recession borne by this country in the past three years. It is simply not true that restoring decent pensions would place an unaffordable burden on this society.

We are told, too, that the only way of doing this is if we somehow move to a personal insurance base for pensions. Again, it is worth considering the Government's figures. The most efficient way of delivering a pension is the state pension. The administrative costs involved in the state pension scheme amount to 1.2 per cent. of total pensions—60p per pension recipient per week. Any means-tested benefit, however, has an administrative cost of at least 10.2 per cent.—the cost of income support administration—amounting to £5.45 a week per recipient. My hon. Friend the Member for Islington, South and Finsbury pointed out that the average administrative cost of private pension schemes is now 25 per cent. of contributions. The shift away from a state, comprehensive pension scheme to a series of private personal insurance-based schemes would mean paying considerably more to receive considerably less.

I say that just as a piece of friendly advice to my colleagues on the Opposition Front Bench. If we believe that the answer is to be found in Singapore's stakeholder economy, it is worth consulting the International Monetary Fund report at the end of last year. It points out that the Singapore scheme reaches only 67 per cent. of the work force and that the level of benefits, which incidentally are not index-linked, is extremely meagre.

We will not find a solution to the United Kingdom's problems in relation to poverty or the poverty gap in Singapore. We can, though, find real answers to the problems in many of the conceptual models originally set out by Beveridge. One of the most profound and

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important of those is enshrined in the social insurance pay-as-you-go approach. The importance lies in the fact that it embodies the principle of acts of solidarity from one generation to another. The presumption is that people in work pay social insurance into a common pot that meets the needs of today's pensioners. It explains why pensioners' rights organisations, with which I have worked in my constituency and nationally, are increasingly voicing arguments in favour of a policy that will restore full employment and deliver universal pre-school education facilities.

Why do those organisations support such a policy? They say that it is simple. Unless we have a properly employed adult population, who will earn wages to pay social insurance into the common pot, out of which we must draw our pensions? If we do not invest in our children's education, who will have the earning, industrial, design or technology skills that will deliver jobs and earnings that will again allow people to pay into the pot? If we do not invest in future generations, why should we expect them to accept a responsibility to make provision for us? It is very simple. The pay-as-you-go principle restores the link between the welfare system and commitments to full employment.

It is enormously important to me that the pay-as-you-go principle allows us to return to the notion that benefits can be provided on the basis of universal entitlement, which are then linked to progressive taxation in ways that also offer a more equitable method of paying for the provision. Pensions are not cheap. About £29 billion is needed to meet the current cost of state pensions. It costs another £38 billion to make additional means-tested provision for pensioners. We must find ways to remove the bureaucracy associated with those undeclared costs to make it possible to deliver a full entitlement to stakeholding in a less cumbersome and costly way.

If one is a pensioner, stakeholding means having the ability to pay one's own eating, heating and housing bills. If one is unemployed, it means having a job through which one pays taxation and into the social insurance fund. Britain pays one of the lowest rates of employer-based contributions in the whole of western Europe. In the United Kingdom, employers pay 3.6 per cent. of earnings into the social insurance fund. In France the figure is 8 per cent., and in Germany it is 9.6 per cent. In cash terms, out of every £100 an employer in the UK pays £10 in social insurance. In Germany an employer would pay £33; in France, £40; and in Italy and Sweden, £50.

We need to return to the concepts of a welfare state based on universal principles. We need a progressive personal taxation regime matched with a progressive industrial tax regime, so that we tax more progressively those who earn not by producing goods but by speculating against wealth. We need to find ways in which to redistribute just a third of the extra £35 billion a year in tax handouts given to the top 10 per cent. of the population. This could be put to much better use paying for proper universal provision for all.

9.11 pm

Mr. Keith Bradley (Manchester, Withington): As always, the uprating measures have given us the opportunity for a wide-ranging debate, and this year has been no exception with its 10 very interesting speeches. This year the debate has ranged from Tory pensions policy in 1959, raised by the right hon. Member for Sutton Coldfield (Sir N. Fowler), through to snowbound roads in Dover, which I do not think relate to any part of the uprating measures.

Last year's debate was dominated by proposals for the habitual residence test. I do not intend to refer to that; suffice it to say that the latest available figures show that in December 1995 more British people failed the test than either European nationals or people outside Europe. I would be grateful for the Minister's comments on how the test is working in that respect.

I especially commend the speech of my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth), in which he raised points about incapacity benefit, particularly the introduction of the medical test. I should like to add to questions on the privatisation of the medical service queries about the application of the test for mental illness. There seems to be great evidence of inconsistency in the test across the country. I would be grateful for the Minister's comment. Although the new medical test for incapacity benefit is meant to focus the benefit more precisely, we should always remember, having passed the measure, that the amount of benefit one receives is less than one received on invalidity benefit.

The planned expenditure on social security benefits for 1996-97 will be £90 billion, which includes almost £3 billion to finance increased benefit rates. As the Secretary of State said, that is £600 million higher than he expected because the rate of inflation was higher than he expected—or perhaps hoped.

Although obviously we welcome the fact that many benefits have been increased by the full rate of 3.9 per cent., I must stress the fact that the income of the bottom 10 per cent. of people still fell by 18 per cent. between 1979 and 1993, although average income rose by 37 per cent., and the income of the top 10 per cent. rose by a staggering 61 per cent. People on benefit have clearly suffered from the increased inequalities that have arisen over the years of Tory Government. It should also be pointed out that, yet again, many elements in benefit calculations have not been uprated. Those include capital limits and earnings disregards for means-tested benefits.

At Question Time today, my hon. Friend the Member for Croydon, North-West (Mr. Wicks) mentioned cold weather payments. I remind the House that in June 1991 the right hon. Member for Chelsea (Sir N. Scott) told the House in a written answer:

> "I propose to assure eligible people that if very cold weather arrives, they can turn up their heating. The Meteorological Office can now supply daily a forecast for each of the weather stations which we use which will indicate, with sufficient accuracy, the likely average temperature over the next seven days."—[*Official Report*, 14 June 1991; Vol. 192, c. 697.]

That was supposed to enable people to know whether they would be eligible for the cold weather payments. But will the Minister comment on the way in which forecasts, rather than actual weather conditions, have been used, in a way that denies many people benefit?

The social fund maternity grant has been frozen again, at £100, and the limit governing recovery of benefits from compensation payments has again been frozen at the 1990 level of £2,500. In the debate on last year's uprating order, I asked the Secretary of State why that item had been

excluded. I did not receive an answer last year, but now I ask the question again, and I hope that I shall receive an answer this year. A bone of contention for many people is the fact that, as benefits have risen, the clawback when compensation is paid has become even harsher, because the limit has not been increased. Will the Minister explain why that relationship has not been restored?

Before considering further key elements in the Social Security Benefits Up-rating Order, I shall touch on two of the other instruments before us. The first is the draft Guaranteed Minimum Pensions Increase Order. In last year's debate, I suggested that 1995 would be the last year in which such an order would come before us, but I was wrong because the Pensions Act 1995 does not come into force until 1997.

I did not receive an answer to the question that I asked then either, so I shall ask it again: under the new pension arrangements, will there be a pension guarantee similar to that provided by the Guaranteed Minimum Pensions Increase Order? I ask a more specific question too: how many people who are currently protected by the pensions guarantee will not be so protected under the new arrangements?

My hon. Friend the Member for Islington, South and Finsbury (Mr. Smith) asked about pension splitting on divorce. I too press that question, and I ask the Minister to tell us tonight whether the Government support pension splitting, and what timetable they would like to introduce to ensure that its benefits come through to the country as fast as possible.

The amendments to the child support regulations increase the minimum amount of child support payable by the liable parent from £2.40 a week to £4.80 a week. We accept the principle that the liable parent, often the father, should make a contribution, but recent changes to the child support formula have limited the liability of absent parents not on benefit, whereas the doubling of the sum payable by those on benefit hits those on the lowest level of subsistence, who are probably the fathers least able to pay.

The fact that the increase will be paid largely for the benefit of the Treasury rather than paid to the parent with care, or more specifically for the benefit of the child, is important. The extra payment will be deducted pound for pound from the income of a lone parent on benefit. I therefore take the opportunity to urge the Government yet again to consider a child maintenance disregard, so that children really benefit from any additional payment to the parent with care.

Three main areas of concern in the uprating order have been highlighted in speeches tonight: lone parents, housing benefit changes and fraud. First, on lone-parent benefit, the Secretary of State claims that he is concerned neither to penalise nor to promote lone parenthood and, to this end, he proposes to freeze one-parent benefit and lone-parent premium. He has further signalled his intention to narrow the gap between the benefits for lone parents and those for couples. However, one-parent benefit and lone-parent premium together cost £600 million a year—a small fraction of the £9.4 billion spent on benefits generally for lone parents. It has been clearly pointed out that freezing the benefits will produce tiny savings of no real benefit to the Treasury. Although the weekly gain from the benefits for lone parents may appear small, such sums are very important to people with low incomes. Although no direct cut is to be made this year, lone parents will be worse off as the value of the benefit will be eroded in real terms because it has been frozen.

We heard tonight about the research evidence that outlines the extra costs of lone parenthood. In particular, the research published by the Joseph Rowntree Foundation in December 1995 showed that one-parent families face substantially higher costs in relative terms than two-parent families. The research concluded that both the lone-parent premium and the one-parent benefit should be retained.

In contrast, there is no evidence to suggest that benefits for lone parents are so generous that they more than meet the extra costs of lone parenthood, thereby leaving lone parents materially better off than couples with children. Crucially, one-parent benefit—because it is not means-tested—helps lone parents out of the poverty trap and into work. To freeze the benefit appears to run counter to the Government's stated desire to help lone parents back to work.

The Child Poverty Action Group has pointed out that the risk of poverty for the children of lone parents is greater than the risk for children with two parents. Some 78 per cent. of children of lone-parent families are living on or below income support levels in 1992, compared with 18 per cent. of two-parent families. It is hard to see how reducing lone-parent benefits will do anything other than increase child poverty. I urge the Government to reconsider the proposal.

Clearly, we welcome measures that help lone parents back to work, and obviously we welcome the extension of the child care disregard. But it must be pointed out that it is a disregard, and not a payment, that has been extended from £40 to £60 a week. The amount that a person receives will depend on the benefits to which he or she is entitled, so in many cases the amount he or she receives will be substantially less than the £60 disregard. It must be pointed out that those parents who are already fully in receipt of benefits such as family credit will gain nothing at all from the increase in the disregard because there are no benefits to offset against that disregard.

Secondly, it is clear from the debate that our concerns fall in two particular areas: the changes to housing benefit administration and the changes to the eligibility for housing benefit for people under the age of 25. First, on administration, we heard that housing benefit will in future be paid in arrears rather than in advance, with the aim of reducing the incidence of overpayment. However, many housing associations and organisations such as the National Federation of Housing Associations have expressed grave concern about the proposals. Despite the Government's argument that such a move would be to the advantage of claimants, the opposite appears to be the case. Given that most landlords require at the start of a tenancy both a deposit and a payment of rent, the move is likely to create considerable difficulties for those on benefit or low incomes. There are strong arguments for housing benefit to be paid in advance, therefore, although most other benefits are paid in arrears.

Added to that change will be a proposed reduction in the preconditions for eviction from 13 weeks' to eight weeks' rent arrears and shortfalls in rent caused by the reductions in housing benefit following the January 1996 changes. Clearly, the implications of the Government's

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changes have not been fully thought through. They will cause considerable problems for people trying to take up their first tenancies.

Secondly, on the policy that housing benefit for single people under 25 should be restricted to the average cost of local shared accommodation, the Government clearly believe that there is some difference between 24-year-olds and 25-year-olds. The under-25s are already discriminated against in that they are entitled to lower amounts of income support and housing benefit. That discrimination will shortly be reinforced when young people who have paid contributions will none the less receive lower benefits through contributory benefit under the jobseeker's allowance.

The effects of the proposed measures will add to the discrimination. Furthermore, because their income is lower, it will be more difficult for young people to top up their housing benefit from other sources. That situation will be further exacerbated by the increase—yet again—in the non-dependant deductions for housing benefit. Recent evidence submitted by the Child Poverty Action Group to the Social Security Advisory Committee shows that nearly half those affected are aged over 60 and about five out of six non-dependants were adult children of claimants.

The emphasis on non-dependant deductions is worrying, given the possible interrelationship with the measures to reduce housing benefit for the under-25s. Clearly, the consequences will be increased homelessness and vulnerability for young people, who will have to seek inadequate and inappropriate accommodation.

On the third issue, fraud, the Secretary of State says:

"to be able to help those in need we have to stop fraud".

No one would argue with that, but does that imply that the savings are to be ploughed back into improving benefit levels? There has been no sign of that to date.

Similarly, how much money is going to be saved though anti-fraud measures? My hon. Friend the Member for Islington, South and Finsbury highlighted the apparent discrepancy between the uprating statement and the Red Book—either it is an annual amount of £2.5 billion, or £2.5 billion spread over three years. I have written to the Secretary of State asking for clarification, but I have not received a reply to date. Perhaps the Minister will be able to tell us clearly tonight how much he expects to save on fraud in the next three years.

It is also important to highlight the take-up of benefits. It is estimated that between £1.5 billion and £2.3 billion in means-tested benefits alone were not claimed between 1992 and 1994.

In respect of the anti-fraud measures that we welcome, the proposal to increase home visits to 1 million a year is interesting. Is it not ironic that they were originally reduced and even abandoned in parts of the country because they were too costly? When they take place, at the same time as the investigations into fraud, there could be investigations to ensure that the claimant is receiving all the benefits to which he or she is entitled and that those are promptly and accurately assessed.

We have had a wide-ranging debate on the facts of the changes. We have seen that, although many vulnerable groups may have been protected through the uprating statement because benefits have been uprated in line with inflation, no real measures have been taken to modernise the benefit system and to strengthen work incentives.

Key vulnerable groups, particularly lone parents and young people under 25, have been significantly further disadvantaged by the proposals in the uprating statement. Labour Members believe that the welcome measures which may help lone parents back to work, which I have supported, will be significantly outweighed by the measures to devalue the lone-parent premium and the one-parent benefit and by the significant cuts in housing benefit to people under 25.

Overall, there is absolutely nothing in the uprating system to suggest that the Government wish to reverse the damaging trend of increased poverty and inequality. The facts and figures in relation to that trend are overwhelming. One in three children in the United Kingdom now live in poverty, and nothing that the Secretary of State has announced tonight will alleviate that situation or truly take people out of poverty traps and unemployment traps and ensure that there is a genuine attempt to distribute resources to those most in need of them.

The Secretary of State claims that his approach to the reform of the welfare state is radical and far-sighted. It is in fact no more than the salami-slicing of one benefit after another. The reforms are not targeted, as he has suggested, but are genuine cuts in benefit for those in the greatest need. There could be no clearer evidence of the effect of the cuts than the suffering and horror of disabled people who have been on sickness benefit—they come to our advice bureaux, one after the other—after the introduction of incapacity benefit.

Clearly we shall not vote against the uprating order, because we do not want to deny to many people the uprating of benefits by the rate of inflation, but there are many difficulties with the benefits in the uprating order. We shall certainly oppose the regulations dealing with family law and child support because they do even more damage to families who are in the greatest need.

9.32 pm

The Minister for Social Security and Disabled People (Mr. Alistair Burt): As the hon. Member for Manchester, Withington (Mr. Bradley) said, this has been a long and well-informed debate, with many useful speeches from hon. Members. Some of my hon. Friends' speeches, in particular, have got to grips with some very difficult social security issues. I shall make reference to those speeches shortly.

We have also had some illuminating speeches from some Opposition Members. We shall have to wait to see whether the British public like them as much as Opposition Front Benchers did. I shall also return to those speeches.

First, I should like to set this debate in context. At the heart of these measures is the annual increase in benefit rates, which will once again provide general protection for the purchasing power of benefits, with increases in line with inflation at September 1995. The cost of the measures will be £2.7 million in 1996-97. However, as most hon. Members have said, this debate is about more than a mere catalogue of benefit changes. It is an annual opportunity to contrast the way in which the Government approach a crucial sphere of public policy—with foresight

and decision—and the pleas of Opposition Members, which are long on analysis but woefully short on commitments.

In recent years, three things in particular have characterised social security debates. The first has been the growing realisation among all of us that social security is no longer the Cinderella of politics. The sheer size and scale of the social security budget commands at least our awed respect, as we recognise that without determined control, often involving difficult judgments, unchecked social security expenditure could monopolise the Government's expenditure options.

The second characteristic has been the quality that my right hon. Friend the Secretary of State has brought to the deliberations on social security as he has sought to pursue a policy of measured reform. Social security is not solely about budgets. It has profound effects on how people live and organise their lives, on how much they can plan for themselves, for their health and their retirement and on the extent to which it is right and proper that the rest of society should be part of those plans as a support in times of trouble. My right hon. Friend the Secretary of State has moved social security into the modern era and taken the intellectual case for reform to the public frequently and boldly.

That debate has been met on occasions by thoughtful responses, often from the hon. Member for Birkenhead (Mr. Field), whose absence was noticeable today—we are sorry for that, and the debate will have suffered accordingly—sometimes by political commentators and, in rare flashes, by timorous soundings from Opposition spokesmen.

The third characteristic of these debates has surely been the growing gap between a Government who are prepared to think and to do, in terms of social security, and an Opposition who find it difficult enough to think of anything practical on the subject and are scared stiff of being called on to do anything.

I deal now with the meat of some of the issues raised today. The first aspect on which I shall dwell is total social security expenditure. My hon. Friend the Member for Colchester, North (Mr. Jenkin) and my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) made especially thoughtful contributions. They put some thought into the very nature and structure of social security and brought out very well the way in which we have grappled with some of the problems. They appreciate that what has happened on the continent and, indeed, in this country since the last world war, could not be sustained for ever in the changing circumstances. They, at least, were prepared to deal with the difficult problems.

By contrast, the most illuminating speeches made by Opposition Members came from the unholy trinity of the hon. Members for Nottingham, South (Mr. Simpson), for Leyton (Mr. Cohen) and for Islington, North (Mr. Corbyn). As I am sure my colleagues realise, what we heard from them was really Labour in action. It was what we know and love from the Labour party. The depth of our enjoyment was matched only by the depth of misery on the faces of Members of the Opposition Front Bench as they realised that, in the unlikely event of their ever coming to office, their hon. Friends on the Back Benches will either be the tail that wags the dog or, more dangerously for the British public, the very dog itself. We certainly enjoyed their contributions. All the way through their speeches, I was waiting for confirmation from Opposition spokesmen of the variety of suggestions gallantly put forward by their colleagues.

The hon. Member for Nottingham, South, whose pieces I occasionally read in *New Statesman and Society*, set out a coherent socialist philosophy. I am sure that it must be as much a matter of despair to him as it is to the rest of us that his contributions are received wordlessly by his Front-Bench colleagues. I cannot see much of what he has to say that his Front-Bench colleagues should not be prepared to own up to.

I sometimes wonder which hon. Member who represents Islington will really control social security policy in future. The hon. Member for Islington, North gave us his solution to the problem, which is the abandonment of capitalism and the reinstatement of socialism everywhere. As for the hon. Member for Leyton—don't you love him? There is only one Harry. He is a straightforward, decent man whose sincerity everyone properly respects and understands because he cares. I do not agree with his solutions, but he cares.

One of the points that the hon. Member for Leyton raised and which I most want to take up, to show that we recognise the problems that he mentioned and that we want to assist, relates to work incentives. He talked about his foster son. The problem that he mentioned is very real. Our unemployment situation is far better than that of many of our neighbours. The hon. Gentleman might like to incorporate that fact in his thinking when contrasting economic policies. However, when unemployment has been higher than we would wish, the problem is that it naturally squeezes the gap between wages and benefit. It is therefore a matter of concern to all of us that we should develop incentives to get people back to work.

The hon. Member for Leyton is wrong to believe that it is only his colleagues who have come to welfare-to-work; in fact, they have come rather late to it. The strategy of work incentives has been a consistent part of the philosophy of Conservative Members. In the 1994 Budget package, we tried to remove uncertainty at the point of the moving into work. Measures such as the faster processing of family credit claims, housing benefit, council tax benefit, extended payments, the back-to-work bonus and the child maintenance bonus all helped to deal with that uncertainty.

We wanted to provide measures to make work pay better and the longer earnings premium and especially the pilot of earnings top-up may be of interest. Lastly, we wanted to encourage employers to look more favourably on the long-termed unemployed, through reductions in employers' national insurance contributions and measures announced in the orders. We have tried to employ all those measures to deal with a difficult problem that we regard as being as much of an issue as do Labour Members.

Mr. Chris Smith: If the Minister is so concerned to encourage people out of benefit and into work, why in these very uprating orders is he freezing one-parent benefit, announcing that he will cap housing benefit for the under-25s and increasing non-dependant deductions for housing benefit, all of which will act counter to a reasonable welfare-to-work strategy?

Mr. Burt: I do not believe that they will. I want to talk about lone parents and the effect that the Gentleman has

[Mr. Burt]

mentioned because it is not significant when taken in comparison with the work incentive measures that we have produced, quite deliberately, for lone parents. If he will allow me, I will come to that.

Incentives for going to work are a matter of great importance to us. Our policies have been outstandingly successful. It is hard to imagine that we have more people employed as a percentage of our population than do most of our European neighbours. Our unemployment is lower than that of any significant European Community country. The reason for that is that we have had to take some of the difficult decisions. The way in which we have dealt with the benefit system has contributed to the better situation.

There was prolonged discussion about lone parents. That was raised by the hon. Members for Manchester, Withington (Mr. Bradley), for Islington, South and Finsbury (Mr. Smith) and for Rochdale (Ms Lynne). I am sick and tired of my right hon. Friend the Secretary of State's position on lone parents being mauled by commentators and Opposition Members. I have a copy of part of his speech to party conference in 1993 because there is a part that is frequently not mentioned when this difficulty is being discussed. He was concerned about the breakdown of families and said:

"There are now 1.3 million lone parents. Many find themselves lone parents against their will. Widows, divorced and separated people struggle alone, but often successfully, to bring their children up well. They deserve not blame but support."

[Interruption.] I could go on. My right hon. Friend went on to say that the fastest growing group was that of people who never married. He talked about his concerns about lone parents and their families and especially the effects on children.

I want to describe what we have done to protect and support the position of lone parents in our society. The hon. Member for Stratford-on-Avon (Mr. Howarth) made several thoughtful points about policies on lone parents. He questioned whether it was appropriate for lone parents with young children to go to work. It is not the Government's policy to force them to work, but to encourage them to do so. We are more generous on that point than most comparable countries. In France, lone parents are expected to take work when their children are only three. In most European Community and OECD countries, except the UK, the proportion of lone parents who work is greater than the proportion of mothers in couples who work. Britain is almost unique in not requiring lone parents to seek work until their youngest child is 16.

The crucial point is that it is only by working that lone parents can improve living standards for themselves and for their children. On average, lone parents in work improve their income by some £30 a week. There is no way that a responsible Government could improve income support by that amount. Lone parents already consume more than 10 per cent. of social security budget. Our aim must be to reduce that figure and not to increase it. If we can achieve that by encouraging lone parents into work, it will benefit both those parents and society as a whole. We have assisted lone parents into work in a number of ways. They receive the same adult credit as two-parent families for family credit and the disability working allowance. We have taken a series of measures in recent years, including maintenance disregard and reducing the qualifying hours for family credit, which have helped lone parents into work.

The Government's aim is to narrow the gap between benefits for lone parents and for couples over time. We intend to have no cash losers and the pace of change must be gradual. The first step is not increasing lone parent benefits in 1996. I shall give the background for that decision, as it has been questioned tonight.

In the past two decades, there has been a huge increase both in the number of lone parents and in their cost to the taxpayer. The benefit system provides special assistance to lone parents which couples do not have. Two components of benefit for lone parents have no equivalent for couples: the one-parent benefit and the lone parent premium, which cost about £600 million per year. In order to start bringing the treatment of one-parent and two-parent families into line, no increase is proposed in either benefit next April.

The Government intend to continue to narrow the gap between benefits for lone parents and for couples over time. The one-parent benefit has always been recognised as something of an anomaly. It was introduced in 1976 as a strictly temporary measure and it has long been recognised that there is duplication between the one-parent benefit for those in work and the extra assistance that lone parents receive through the tax system.

For those lone parents on income support—the lone parent premium—a lot has changed as well. There are far greater opportunities to gain from work. Family credit has been greatly improved and next year it will direct about £2 billion in assistance to lower-paid families. That is a five-fold increase since 1988. In 1988 only one lone parent was working and on family credit for every 10 who were on income support. The ratio is now one in four. The position in society of lone parents who are looking after children has been improved by those measures, and we want their position to improve still further.

The small measures that we have announced tonight do not detract from that long-term policy. However, they begin to tackle the issue that was addressed fairly and squarely by the hon. Member for Birkenhead—Opposition Members did not refer to it and they ducked the challenge issued by my right hon. Friend this afternoon. We must begin to redress the balance between lone-parent families and working couples. We believe that the country wishes that to occur. It is the right balance to strike: it is not an abandonment of single parents.

I turn now to the questions about the child support changes. All absent parents are responsible for maintaining their children, and it is right that those on low incomes should make a small contribution in that regard. Establishing liability at the outset reinforces responsibility for when the absent parents' circumstances improve. Conservative Members do not like to think that people stay on benefit for ever because that is not necessarily a realistic view. Therefore, many people will not remain on low incomes or income support indefinitely.

A key principle of the Child Support Act 1991 is that all parents are responsible for maintaining their children whenever they can afford to do so. There is no reason why those absent parents who receive income support should be treated any differently from those on low incomes. The 10 per cent. rate reinforces parental

responsibility and represents a more realistic level of support. As to safeguards and protections, the existing provisions that exempt from payment those absent parents who are sick or disabled or who have responsibility for their children in new families will remain in place. Similarly, the existing provisions for maximum deductions from income support and the priority order for deductions remain unchanged.

Labour Members said a great deal about the need to maintain income support at a particular level below which it should not drop. However, they made no mention of the existing system of deductions for fuel, which allows for a deduction of up to 15 per cent. The child maintenance system will not interfere with that—if it is right and appropriate for fuel deductions, it is equally right and even more appropriate for child maintenance.

Mr. Chris Smith: The point is that the needs allowance in calculating income support for people in that position takes account of their need to heat their homes and to keep warm. The needs allowance does not take account of their need to pay added maintenance for their children.

Mr. Burt: Labour Members said that it was wrong to derogate from the principle of the income support payment; I said that deductions are already allowed. It is quite appropriate that a child maintenance deduction should be similarly allowed, because it does not breach the principle and it does not involve a higher percentage of deduction than for any of the other needs elements. One either believes or does not believe that parents have a responsibility towards their children—there is no argument between us on that point—but actually to make it count in difficult circumstances is one of the fundamental differences between the Government and the Opposition. When it comes to making difficult decisions, the Government make them; when it comes to talking about difficult decisions, the Opposition funk them on every occasion.

Parents with care who receive income support—it is always claimed that they do not benefit—will benefit from the increased payment in two ways: first, maintenance is a portable income that helps them if they wish to return to work, and even small levels of maintenance can help in this respect; secondly, the payment of maintenance will count towards the child maintenance bonus that is due to be introduced in April 1997. The bonus will obviously accrue at a faster rate than would be the case if the minimum payment were to remain at the existing level. For all those reasons, I believe that we should support the order before the House.

Labour Members have had the effrontery to raise the issue of cold weather payments. If Labour Members do not understand the term "cold weather payments" it is because it did not exist until the Government put it in place. The system of assistance for those in need, who wanted help with their fuel payments, was so rudimentary under the Labour Government that it did not even have a special name. The Government have done much to improve it—there is a whole list of improvements, dating back to 1980.

The cold weather payment rates were increased in November 1995 by some 20 per cent.—which I do not remember being celebrated or supported by Labour Members. Certain benefits are not uprated automatically, and that is one of them, but there is no doubt that the way in which the Government have coped with cold weather payments—they are automatic, they are triggered automatically and they are publicised by local advertisements—puts the previous Labour Government to shame. I am amazed that Labour Members raised that issue.

A number of hon. Members referred to pension splitting. This is an important issue, and I am content to put a Government statement on the record. The Government are not unsympathetic to pension splitting. The Lord Chancellor has rightly issued consultation documents on the measures taken in last year's Pensions Act. Those measures should go some way to dealing with people's concerns.

Pension splitting raises serious issues of equity, complexity and cost, which have to be balanced against any perceived advantages. It requires full and detailed consideration, which is why the Lord Chancellor feels that it is quite impossible to deal with it satisfactorily in the timetable of the Family Law Bill. We are unable to accept the amendments moved by Baroness Hollis of Heigham in another place. Therefore, consultation is necessary to give full consideration to all the issues involved in pension splitting.

A number of hon. Members raised the issue of fraud. Labour Members were interested in fraud only tangentially—they wished to push me in relation to the figures that were involved. The more crucial questions of fraud were raised by my right hon. and hon. Friends. When it comes to fraud, the Labour party pays only lip service—and lip service has been paid only since the hon. Member for Sheffield, Brightside (Mr. Blunkett) was sharp enough to cotton on to the fact that, after yet another general election disaster, the Labour party had for too long been tagged with those who cheat and defraud.

The Government have been prepared to take the difficult decisions. It was entirely true to form that today my right hon. and hon. Friends were the only ones who seriously went into the issues and were prepared to raise them. There are difficulties with housing benefit fraud. My hon. Friend the Member for Dover (Mr. Shaw) said that the Social Security Select Committee was looking at the possibility of fraud varying from 6 per cent. to 18 per cent.—a total of some £2 billion a year. It is no wonder that it warrants careful investigation by the House and the Government.

Mention has been made of asylum seekers. That is a difficult and sensitive issue partly because of the image portrayed in the media and supported slavishly by Opposition Members, who suggest that everyone who claims political asylum arrives in the United Kingdom as a penniless refugee. That is not true. The vast majority of those who claim political asylum arrive in the United Kingdom having told visa officers abroad and visa entry clearance officers in the United Kingdom that they were students or business people or that they were on holiday and could look after themselves. They then change their story and claim political asylum. It has been one of the nastiest trades in human misery. Even Amnesty International knows that fraud and abuse take place. The Government do something about it while the

[Mr. Burt]

Opposition talk about it and do nothing. It is a difficult and sensitive issue. Only the Government have devoted the time, the effort and the determination to deal with it.

Ms Lynne: Although I realise that there are many bogus asylum seekers, does the Minister not agree that the rules that the Government are introducing will trap genuine asylum seekers because many of them apply in country. In the past, the Government allowed genuine asylum seekers into Britain. Surely they must do that in future.

Mr. Burt: No one is stopping them coming into Britain. It is a question of whether they rely on the generosity of the British taxpayer, having said when they arrived that they would do something quite different. In time, our measures will be seen as straightforward. We should not forget that fewer than 10 per cent. of those who claim asylum turn out to be genuine.

What about the dog that did not bark tonight? Whenever the Opposition were challenged on what they would do with our social security system, there was a deafening silence. It is not fair that when we discuss important uprating orders on social security, the British people are left in the dark about what the Labour party's plans might be.

My right hon. Friend the Member for Sutton Coldfield reminded us that the pensions-earnings link has been a crucial part of Labour manifesto programmes for a long time. When challenged on that, would the hon. Member for Islington, South and Finsbury confirm that it was still Opposition policy? He said that they were thinking about it. Opposition Back-Bench Members should take note of the fact that he fudged it and ducked it.

The hon. Member for Islington, South and Finsbury was challenged on the power of the trade unions in the stakeholder society that the Opposition were so keen to talk about recently. He tried to suggest that the unions would have nothing to do with it and they would not be the stakeholders that the right hon. Member for Sedgefield (Mr. Blair) was talking about just a few weeks ago. That is not the view of the hon. Member for Brent, East (Mr. Livingstone), however. He said recently on television:

> "If the trade unions are saying, 'we aren't prepared to see cuts in the welfare state', there is absolutely nothing a Labour Government can do about it. A Labour Government cannot govern without carrying the trade unions with it . . . We can't govern without the support of the trade unions."

We all know who will make policy in a stakeholder society where the trade unions are major stakeholders.

The hon. Member for Islington, South and Finsbury was challenged again on housing benefit and the state earnings-related pension scheme. When he was asked whether he would actually reverse any of the changes that we have made to social security, the hon. Gentleman bottled it and refused to answer. When challenged, he made no commitment to change anything. The hon. Gentleman takes all the credit from the lobby groups outside for opposing our reforms, but offers them absolutely nothing by way of any solid commitment as to what he would actually do.

Then there was the retreat. About a week ago, when the Government announced plans to review the running costs of the Department of Social Security appeal and suggested that those costs could be reined back by up to 25 per cent., the hon. Gentleman could not respond quickly enough to say how dreadful those plans were. Today we revealed a letter from one of his colleagues saying that those plans were entirely feasible. Did we have an honourable withdrawal from the hon. Member for Islington, South and Finsbury? Did we heck—there was no chance of that.

The debate has again shown a Government with a determination to control public expenditure and to provide the best social security system that can be afforded and with the courage to take essential decisions in contrast with a "say nothing, do less" Opposition, who are devoid of ideas of their own and have tracked the world in search of a policy, only to find that there is no place like home. The hon. Member for Islington, South and Finsbury was committed, like all his predecessors, to think the unthinkable, and he has finally got it right: the unthinkable is that the Tories have got it right. The House should spare the hon. Gentleman further embarrassment.

We have protected those in need and we are determined to reform social security and to provide a solid basis of welfare. I invite all my right hon. and hon. Friends and those Opposition Members who believe in those principles to join us in the Lobby tonight.

Question put and agreed to.

Resolved,

That the draft Social Security Benefits Up-rating Order 1996, which was laid before this House on 31st January, be approved.

It being after Ten o'clock, MR. DEPUTY SPEAKER *put the remaining Questions required to be put at that hour.*

Resolved,

That the draft Social Security (Contributions) (Re-rating and National Insurance Fund Payments) Order 1996, which was laid before this House on 31st January, be approved.

That the draft Social Security (Contributions) Amendment Regulations 1996, which were laid before this House on 31st January, be approved.

That the draft Guaranteed Minimum Pensions Increase Order 1996, which was laid before this House on 31st January, be approved.

That the draft Social Security (Incapacity for Work) (General) Amendment Regulations 1996, which were laid before this House on 31st January, be approved.—*[Mr. Lilley.]*

Motion made, and Question put,

That the draft Child Support (Maintenance Assessments and Special Cases) and Social Security (Claims and Payments) Amendment Regulations 1996, which were laid before this House on 31st January, be approved.—*[Mr. Lilley.]*

The House divided: Ayes 284, Noes 261.

Division No. 56] **[10.00 pm**

AYES

Ainsworth, Peter *(East Surrey)*	Atkinson, David *(Bour'mouth E)*
Aitken, Rt Hon Jonathan	Atkinson, Peter *(Hexham)*
Alexander, Richard	Baker, Nicholas *(North Dorset)*
Alison, Rt Hon Michael *(Selby)*	Baldry, Tony
Allason, Rupert *(Torbay)*	Banks, Matthew *(Southport)*
Amess, David	Banks, Robert *(Harrogate)*
Ancram, Rt Hon Michael	Bates, Michael
Arbuthnot, James	Batiste, Spencer
Arnold, Jacques *(Gravesham)*	Bendall, Vivian
Arnold, Sir Thomas *(Hazel Grv)*	Beresford, Sir Paul
Ashby, David	Biffen, Rt Hon John
Atkins, Rt Hon Robert	Body, Sir Richard

Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brown, M *(Brigg & C'thorpes)*
Browning, Mrs Angela
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Co[illegible]n)*
Winterton, Nicholas *(Ma[illegible]fld)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Timothy Wood and
Mr. Richard Ottaway.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*

Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and Mrs. Jane Kennedy.

Question accordingly agreed to.

Crime (West Yorkshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Knapman.]*

10.16 pm

Mr. Graham Riddick (Colne Valley): As we all know, Adjournment debates provide hon. Members with excellent opportunities to raise matters of local concern. The fight against crime is a national problem, but it emphasises the everyday concerns of many of my constituents. Only yesterday, I received a report from the co-ordinator of the neighbourhood watch scheme in Golcar, detailing a catalogue of burglaries, car thefts and other crimes in the village in recent months. Crime and the fear of crime probably feature in my constituency post bag more than any other issue. Tonight, I want to talk about what can be done to make my constituents feel safer in their homes and neighbourhoods.

I am delighted that the Minister who is to respond is my close neighbour and hon. Friend the Member for Leeds, North-East (Mr. Kirkhope). He is an assiduous constituency Member as well as a first-class Minister, and, like me, he wants firm action to be taken against crime.

It is not inevitable that crime will increase. Indeed, we should take some encouragement from the fact that, over the past two to three years, crime has been falling. My constituency is in the Huddersfield division of the West Yorkshire police area. The total number of crimes committed in that division fell from 25,435 in 1993 to 22,014 in 1995; that is a decrease of 13.4 per cent., and compares to a 10 per cent. fall across the country in the same period and an 8 per cent. fall in West Yorkshire as a whole.

Huddersfield's reduction in crime has been better than that in the rest of the country. One reason for that could be the success of the so-called Biting Back campaign, in which the police have targeted individuals in households who have already been victims of crime and who, according to research, are much more likely to be victims in future. During the trial's first nine months, the targeting of repeat crime led to a fall in domestic burglaries of 24 per cent. compared with a fall in West Yorkshire of only 4 per cent. Clearly, therefore, the scheme needs to be extended throughout the county and the country.

Since 1979, the Government have increased spending on the police enormously so that, today, national expenditure is £6.8 billion. Spending on the police in West Yorkshire has increased by 98 per cent. in real terms after inflation during that period. Much of that extra money has resulted in more officers being available at the sharp end. Considering the coming financial year, I am especially pleased that, in a tight spending round, the Government have been able to make an extra £9 million available for West Yorkshire police. In a press release last Friday, West Yorkshire police authority said that the force intended to deploy an extra 50 police officers in the coming financial year. That comes on top of an increase of more than 100 officers in 1995.

I pay tribute to the chief constable of West Yorkshire, Mr. Keith Hellawell, whose excellent management of the force has made it possible to appoint more police officers. That has been achieved by reducing the number of retirements on the ground of ill health, by lower sickness levels and by a reduction in the number of middle-management posts.

In January 1992, there were 90 West Yorkshire officers holding the ranks of superintendent and chief superintendent. Today, there are only 50. That has saved more than £2 million annually in salary alone. Those savings have been used to appoint extra police officers. That is an excellent example for all forces to follow.

I quote with total approval the comments of the Labour chairman of West Yorkshire police authority, councillor Tom Brennan. In last Friday's press release, he said:

"The public is constantly telling us that they want to see more police on our streets—we can promise them that. We have sufficient funds this year to let the Chief Constable continue the substantial recruitment programme. It is the best news that I have been able to give to West Yorkshire on the policing front since I became Chairman six years ago."

The chief constable deserves the plaudits but so do the Government, to whom I am most grateful for making more money available for the police. The authority's press release also pointed out that the on-going civilianisation programme could ultimately release another 100 experienced officers on to the streets.

I wish even greater efforts to be made in the recruitment of special constables in particular. Their use is a relatively inexpensive but extremely effective way of increasing police presence and of helping to deter crime. I have one excellent example in my constituency. In the village of Meltham, which is right in the centre of constituency, a small number of special constables, under the excellent leadership of community constable Ian Oxley, has helped to reduce crime and vandalism levels by 50 per cent.

I should dearly love more specials to undertake similar work in other villages in my constituency where we have difficulties with youngsters involved in vandalism, burglary and car theft. I hope that the Government and the West Yorkshire force will redouble their efforts on that front so that more special constables are recruited. I put to my hon. Friend the Minister the thought that it may be sensible to pay more meaningful allowances to attract more candidates.

My hon. Friend might be interested to know that closed circuit television has played a role in the reduction of crime in Meltham. Last Friday, I attended a meeting in the village of Slaithwaite, from where I frequently receive complaints about vandalism and more serious crime, and where some people want to explore the possibility of having CCTV installed. There are numerous examples of places where CCTV has had a beneficial effect, and chief constables all over the country have been singing its praises. I am delighted that the Government have made available £15 million for CCTV schemes in the coming year. I should like to register at this early stage in the bidding process my support for proposed schemes in the Holme and Colne valleys in my constituency which I am sure will be submitted to my hon. Friend the Under-Secretary.

Only so much can be done at a local level to fight crime. It is crucial that the Government's policies help the police to fight crime and give the courts the powers to deal with criminals properly. I am therefore extremely pleased that at long last, after 30 years of liberal penal policy, we have a Home Secretary who is giving the police the tools that they need to fight crime, who is tough on crime, and, most importantly, who is tough on criminals.

[Mr. Graham Riddick]

We have changed the law to stop suspects abusing the right to silence. The over-emphasis on the use of cautions has been stopped and my right hon. and learned Friend the Home Secretary has taken action to reduce the level of offending by those out on bail.

Mrs. Elizabeth Peacock (Batley and Spen): My hon. Friend will be aware of the great welcome that has been given in the whole of West Yorkshire, especially in his area and in constituencies such as mine, to the fact that we have at last a tough Home Secretary who is encouraging everyone to be tough on criminals. We all believe that that is the best way forward. My postbag certainly tells me that that is what the great majority of the public in West Yorkshire want.

Mr. Riddick: My hon. Friend is absolutely right. It is no surprise that our right hon. and learned Friend the Home Secretary is the subject of so many attacks from people in the liberal establishment. They know that he is at long last turning the tide and having an effect. We must give him our full support in his battles.

The new national DNA database is a world first and will prove a formidable extra weapon in the fight against crime. Since 1979, the Government have given the courts powers to hand out tougher sentences to a range of criminals. It is more than two years since a police officer in my constituency told me that he had noticed that the courts were handing out stiffer sentences to criminals in response to the then new Home Secretary's tougher rhetoric. That has undoubtedly played its part in the reduction in crime, because while those who commit burglary and other crimes are in prison, they cannot go about their dastardly deeds at the expense of our constituents.

More needs to be done, and my right hon. and learned Friend the Home Secretary and my hon. Friend the Under-Secretary have my full support for their proposals to toughen up and modernise sentences available to courts. It seems absolutely right that persistent burglars and drug dealers should face stiff minimum prison sentences if they continue offending. I have no doubt that my constituents, unlike some judges, will welcome the proposal that those convicted for a second time of a serious, violent or sexual offence should receive an automatic life sentence. They would then be released only when they no longer posed a risk to the public. I hope that the Government will stand resolute in the face of criticism from the liberal legal establishment.

However, the Government need to do more in one respect. The lives of many of my constituents are made a misery by the actions of a number of disrespectful, out of control teenagers who commit a range of crimes from petty vandalism to burglary. The police feel powerless to take action and if such people go before the courts, the courts often do very little. Even if the youngsters are sent to local authority secure units, in practice they can walk out almost at will and return to causing mayhem. Something must be done about it. It is time that secure units meant exactly that. The security should be such that youngsters cannot escape from where the courts want them to be.

When youngsters initially get into trouble, the system should do what it can to ensure that those people do not re-offend, and we should take an understanding approach. As we know, 85 per cent. of those who receive a first caution do not come to the attention of the police again. However, we should come down like a ton of bricks on those who offend persistently.

I have two things to say about the Crown Prosecution Service. First, I find it difficult to understand why it takes so long for the CPS to bring cases to court, and I believe that the police should be allowed to bring straightforward minor offences to court as soon as possible—in some cases, if the defendant pleads guilty, the day after the offence was committed.

Secondly, I am not happy about certain prosecutions that have been brought against people who have simply been defending themselves against the perpetrators of criminal acts. I can think of one particular incident in my constituency, but I believe that it may be sub judice at the moment, so I would be out of order if I referred to it or mentioned any names. I believe that in such cases the benefit of the doubt should be given to those who are being threatened or attacked.

I have said nothing about Labour's approach to law and order, because Labour is an irrelevance in the fight against crime, having no concrete proposals of its own. Or at least, Labour would be an irrelevance, were it not for the fact that it aspires to form the next Government. So it is necessary to remind our constituents that Labour failed to support us when we introduced the tough, hard-hitting measures of recent years.

Labour voted against the Public Order Act 1986 and the Criminal Justice Acts of 1988 and 1991. Labour votes against the renewal of the Prevention of Terrorism (Temporary Provisions) Act every time, and, during the passage of the Criminal Justice and Public Order Act 1994, Labour refused to support us on several of its key elements. The truth is that Labour is soft on crime, and makes excuses for the causes of crime. As for the Liberals, they usually traipse into the same Lobby as the Labour party.

In summary, the positive news is that crime in Huddersfield has fallen by 13.4 per cent. over the past two years. Over the year 1995-96, the chief constable will have recruited at least an additional 150 officers for front-line duties. However, there is more still to do. More special constables should be recruited, to increase police presence on the ground. I whole-heartedly support the Home Secretary's tough sentencing proposals, and I want more action to be taken to stop some teenagers intimidating communities.

I finish by quoting from a letter that I received from a senior police officer in West Yorkshire, which provides a suitably positive note on which to conclude my speech:

"Overall the force understands that there is still much to be achieved, and that there are many areas in which we will attempt to improve our performance. However the staff are confident, well equipped and relatively well protected for the rigours of the duties they will be forced to undertake."

10.32 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I am grateful to my hon. Friend the Member for Colne Valley (Mr. Riddick) for his excellent and informative speech on the action taking place in West Yorkshire to tackle the problems of crime. I welcome to the debate my hon. Friends

the Members for Batley and Spen (Mrs. Peacock) and for Keighley (Mr. Waller) and the Government Whip, my silent hon. Friend the Member for Stroud (Mr. Knapman), who is none the less interested in such matters.

Because of my connections with West Yorkshire, as well as my Home Office responsibilities in connection with such matters, I am proud to be able to reply to the debate. West Yorkshire deserves our congratulations on its real success in the fight against crime. My hon. Friend the Member for Colne Valley has given the House some specific examples of its achievements, and I hope that I shall be able to add to the list.

My message to West Yorkshire's criminals—for they are entitled to a message from the debate—and indeed, to criminals throughout the country, is that they had better watch out. As a society, we shall simply not tolerate crime, and as a society we can act together to fight it.

In September last year, my right hon. and learned Friend the Home Secretary—as my hon. Friend the Member for Colne Valley said, an excellent Home Secretary—was able to announce the biggest fall in recorded crime in our history. Between June 1993 and June 1995, 572,000 fewer crimes were recorded than in the preceding two years. As my hon. Friend said, the West Yorkshire area was no exception. Recorded crime fell there by 6 per cent. in the 12 months to June 1995. Vehicle crime and burglary fell, and crime in the county is now at its lowest level for five years.

The figures are extremely encouraging, and West Yorkshire police—under its excellent chief constable Keith Hellawell—deserves much credit for them. Of course, crime is still with us and we must not underestimate the misery it brings. For the victims, crime is not simply a statistic or something one reads about or sees on television, it is only too real—and it hurts.

The police are in the front line in the fight against crime. That is why we have increased spending on West Yorkshire police by such a large amount—98 per cent.—in real terms since we took office. Next year, spending can increase by £11.3 million, or 4.5 per cent. In addition, West Yorkshire police will once again not have to pay for common police services—such as the police national computer—that cost it £2 million in 1994-95. The number of police officers has risen by 383 since 1979, and this year the chief constable has said that he hopes to recruit an extra 135 officers.

Last year, at Blackpool, my right hon. Friend the Prime Minister announced that we would provide the extra resources to pay for 5,000 more police officers in the next three years. West Yorkshire's share of this additional funding in the first year, 1996-97, will be £800,000. That should be sufficient, as my hon. Friend said, to recruit a great number of extra constables if the chief constable chooses to do so. I am encouraged to hear that he wants to do so. Based on a similar distribution mechanism, the initiative could provide the force with an extra 202 constables after three years.

There are other ways in which police forces can increase the number of officers on operational duty. My hon. Friend referred to special constables. I should like to take this opportunity to congratulate all of them on the work that they do. I would particularly like to join my hon. Friend in congratulating constable Ian Oxley and all those who work in the West Yorkshire area for the benefit of the public and the community. They do a wonderful job, and sensible chief constables are making use of them more and more.

The pressure to reduce unnecessary paperwork and bureaucracy is being kept up. The Government are pressing forward with the implementation of an efficiency scrutiny on administrative burdens on the police that should produce annual savings of £30 million. Police authorities will also continue to be encouraged to release officers from tasks where their powers and training are not required and which can be undertaken by civilian support staff. Since 1983, 8,300 officers have been released nationwide for operational duty in this way. West Yorkshire police has increased its civilian support staff by 69 per cent. since 1979, totalling 819 civilians. I am sure that West Yorkshire will be examining what other posts can be civilianised to make the sharp end even sharper.

The Government have also been determined to help police fight crime at a local level. The Police and Magistrates' Courts Act 1994 has given chief officers the freedom to set their own budgets in the light of local priorities. My right hon. and learned Friend the Home Secretary now specifies national objectives for the police, but it is up to individual police authorities to set their own local targets to meet the national objectives. In future, police activities will be more clearly focused on the public's priorities. In turn, the public will be kept informed about the service that they can expect and how well their force has performed.

An excellent practical example of that is the Bradford city challenge, which provided West Yorkshire with £145,000 to put two additional police officers on streets in the Bierley area. Bierley was identified as having a high crime rate, particularly for domestic burglary. The officers are briefed to target certain offenders, advise on crime prevention and improve links with residents. The aim is to cut burglaries by no less than 20 per cent. in the next two years.

Burglary is one of the crimes that people fear the most. Increasing the number of detections for burglaries and targeting and preventing crimes that are a particular local problem are key objectives that have been set for the police. Throughout the country, police forces have taken action to tackle such crime by, for example, targeting persistent and known criminals.

In the Toller lane crime project in Bradford, for example, investigative procedures have been completely revised since January 1994 to create a joint CID and uniform team to tackle local crime problems, especially burglary. The team relies heavily on intelligence from informants and observations to target active criminals and remove them from the community. Detection rates for the team have been significantly higher than average.

I am sure that my hon. Friends will be aware of last December's Operation Christmas Cracker, in which the West Yorkshire force participated. It was the largest anti-burglary operation that the country has ever seen—12,000 officers from 40 forces in England and Wales took part. In all, 3,327 people were arrested and £1.8 million-worth of stolen property was recovered.

In West Yorkshire, 143 premises were raided, 105 people were arrested and more than £30,000-worth of property was recovered. I heartily congratulate the police on their success, but they cannot fight crime on their own. Local communities have a central role to play.

[Mr. Timothy Kirkhope]

Throughout the country, business, community groups, local authorities and the public are working with the police to reduce and prevent crime in their areas. Local knowledge and expertise is being used to solve local crime problems. The help that my hon. Friend and other hon. Members have given that attack on crime is also well recognised.

Businesses have helped in many different ways—from offering discounts on home security products to neighbourhood watch members, to direct and often substantial contributions towards the cost of security cameras. In West Yorkshire, for example, representatives from British Gas, the electricity board, the water board, British Telecom and others have formed a working group to deal with the problem of bogus callers.

My hon. Friend referred to closed circuit television. We welcome the introduction of new technology in the fight against crime. Closed circuit television can help cut crime substantially—it cut overall crime by 40 per cent. in Newport and violent crime by 80 per cent. in Gloucester city centre.

Chief constables from all over the country have expressed their support for the use of that new technology. The chief constable of Northumbria said:

"We are leading the world in CCTV technology and its use. In every case where cameras are installed, crime has dropped and the number of arrests increased."

The truth is that the innocent have nothing to hide; the guilty plenty to fear.

My hon. Friend alluded to the fact that CCTV systems are operational in Huddersfield town centre and Bradford city centre. There were two successful bids under the CCTV challenge competition 1994-95—Keighley town centre, as my hon. Friend the Member for Keighley (Mr. Waller) knows, and Outwood Grange school, Wakefield.

We recently announced that £15 million had been made available for a further competition. I hope that local partnerships make every effort to consider how best to use CCTV.

Mr. Riddick: My hon. Friend mentioned Bradford city challenge. Will he confirm that the Government would be happy for the Huddersfield challenge to devote some of its funds to crime-fighting measures in Huddersfield?

Mr. Kirkhope: That is an interesting suggestion and I am sure that it will be considered in a positive light.

I was going to mention a number of other matters, but I think that time will probably prevent me from doing so. I must touch on neighbourhood watch schemes, which are extremely valuable in crime prevention. I know that my hon. Friend agrees.

Street watch builds on neighbourhood watch. It is becoming an organised and co-ordinated approach that actively uses local knowledge to keep an eye out for crime when walking a chosen route.

The safer cities programme is helping to cut crime too. The 20 projects under phase 1 will be followed by a further wave of projects in new areas—32 have so far been selected. The Batley and Bradford safer cities projects have brought together the expertise of the public and private sectors to try to reduce crime.

I agree that parents have a role to play in preventing crime by teaching their children the difference between right and wrong at an early age. If only all parents behaved responsibly, we would be able to make a real impact on the amount of crime committed by young people.

We are determined to make the punishment fit the crime. Since taking office, we have given the Attorney-General the right to appeal against lenient sentences, increased the maximum sentence for dealing in hard drugs to life and increased the maximum penalty for cruelty to children from two years to 10 years in prison.

The Opposition may talk tough all of a sudden, but where are they tonight? The empty Opposition Benches appear to show that they care little about this important subject. They vote soft, too. They opposed each and every one of the measures to punish serious and dangerous criminals to which my hon. Friend referred. When, last October, my right hon. and learned Friend the Home Secretary set out a series of radical sentencing proposals designed to protect the public, Labour did not have a word to say. Our forthcoming White Paper on crime will smoke it out, if I may put it that way, and we shall see where it stands—or at least we hope that we will.

We have a packed agenda designed to protect ordinary people and uphold the rule of law. We shall support the excellent work carried out by the police and anything that promotes crime prevention and sends a message to the criminal that we shall not allow the lives of ordinary people to be blighted by the fear of crime. My hon. Friend and I share the same resolve, as do the Government as a whole. Curbing crime is our priority in West Yorkshire and, indeed, across the country.

Question put and agreed to.

Adjourned accordingly at fourteen minutes to Eleven o'clock.

House of Commons

Wednesday 21 February 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Ferry Safety

[Relevant documents: The Fifth Report of the Transport Committee of Session 1994-95 on Cross Channel Safety, (House of Commons Paper No. 352) and the Government reply thereto published as the Fifth Special Report of Session 1994-95 (House of Commons Paper No. 642).]

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Wells.*]

9.34 am

Mr. Paul Flynn (Newport, West): We have had dreadful proof of the mighty power of the sea, the tide and the wind, and of how puny our efforts are to deal with mother nature at her worst. I refer to the unfolding catastrophe of the Sea Empress, which is relevant to this debate because the problems at Milford Haven are similar. All hon. Members pay tribute to the heroic work of the tireless salvers. We must look for the cause of this tragedy, which is the same as the threat to ferry safety.

This is an incredible, sorry story of Government complacency towards the compliance of the maritime industry. This is a story of an industry that has, over many years—with the Government's help—pursued minimum safety standards in search of maximum profits.

This debate is in my name as a Back Bencher, but it was also sought by the Transport Select Committee. It was the first time in the history of Parliament that the Committee had sought a debate. I shall concentrate on the work of the Committee, on which I have the great honour to serve.

Mr. Graham Allen (Nottingham, North): Does my hon. Friend accept that had the Government implemented the Donaldson recommendations on adequately powerful tugs—one tug in the western approaches—and that had the two tugs that are in position been called from Scotland and southern England and put into place at Milford Haven, what has sadly been an accident could have been prevented from becoming a disaster on the coast of Wales?

Mr. Flynn: We are all conscious of the remarkable complacency of just two days ago, when we were told that all but 17 of the recommendations of the Donaldson report had been put into place. My hon. Friend the Member for Pembroke (Mr. Ainger), who is currently at Milford Haven—he had hoped to participate in the debate—is very knowledgeable about sea safety because he worked in the industry for many years. He is convinced from his research that the power of the tugs was hopelessly inadequate—the vessel was pulling the tugs, rather than the tugs pulling the vessel.

This was a key recommendation of Donaldson after the Braer disaster, and it has not been implemented. These matters will be investigated. The Government must demonstrate that they will make a far greater effort to support the marvellous work of the salvers. Unfortunately, the equipment that they have is not up to the massive job before them.

The Select Committee decided to investigate cross-channel safety because it was concerned about the potential danger of the channel tunnel—a new road was to go under a large stretch of water, and that had never happened before. The Committee—which had no axe to grind and no interests in these matters, other than to serve the cause of safety—came out with a different view. We were reminded that crossing the channel is nothing new. Fifty years before the birth of Christ, Julius Caesar twice took an army back and forth across the channel, as he recorded in "De Bello Gallico". He states:

"Uti ex tanto navium numero tot navigationibus neque hoc neque superiore anno ullo omnino navis, quae milites portaret desideraretur."

Those wonderful words can, I am sure, be understood by all those who have had the benefit of a comprehensive education in good Labour-controlled authorities. But for the victims of public school education perhaps I had better explain that Caesar wrote triumphantly that, of all those ships—he brought across 800—and in all those voyages, not a single ship carrying troops in that or the previous year was missing. That was an incredible achievement and surely now, 2,000 years later, when we have become so sophisticated, we should be able to relax and feel entirely happy about taking a journey across the channel.

The story that we, as members of the Committee, heard unfold in the evidence was not that the channel tunnel was dangerous—in fact, we concluded that the statistical evidence showed that the channel tunnel was 600 times safer than the M4. As a result of what we heard, three members of the Committee said that they would never take their families on board such ferries again until major improvements had been made. How has the ferry industry got away with it for 13 years?

The rule for all other forms of passenger transport is failsafe. When something goes wrong, when a weakness is identified, measures are taken to ensure that if the systems fail again, they will do so in a safe condition. But the condition of channel ferries is such that if catastrophic flooding occurs, they will not fail in safe conditions, but will fail lethally and catastrophically. When we heard the evidence, the shipping industry's patronising attitude was alarming. Those in the industry said that we had nothing to worry about because the men in suits, with titles such as admiral and sir, would not do anything that was unsafe, and nor would the Government. They told us to trust the Government and said that we had nothing to worry our little heads about—it has ever been thus.

The extraordinarily influential shipping lobby is as powerful now as it was in the last century, when the merchant shipping legislation of 1850, which had been a major improvement, was abandoned by Parliament under pressure from the profit-hungry shipping companies of the time. That lobby still commands the unique backwater, where safety rules are archaic and primitive when judged by the standards of other passenger safety. The families involved in the Herald of Free Enterprise disaster said:

"Of all forms of transport where an organisation is responsible for the safety of customers, RoRo ferries represent the highest risk to the user."

[Mr. Flynn]

The Royal Institute of Naval Architects had an even starker warning. It said:

"A collision with one of the new fast ferries and a tanker would create a disaster of enormous consequences."

But 13 years after the sinking of the first British ro-ro, no plans existed when we made our report—although they are being introduced now—to correct fully the design fault that threatens 2,000 deaths in a single incident.

A ferry has been in difficulties for 18 hours in the English channel. In the past week a ferry ran aground on a journey from Germany to Scandinavia. In the past month a ferry capsized in Indonesia in two minutes. All the publicity surrounding that incident involved the two survivors and the Government told me that they would not even be investigating the incident. They were not interested because it was not a British ferry and it was not in British waters.

Very few people are aware of the first disaster in Britain, although the warning bells should have been heard at that time. The disaster involved the capsizing of the European Gateway, a freight ship, in 1982. It left no lasting imprint on the memory of the British people because only six people died. A collision with another vessel caused the flooding of the Gateway's car deck. The Royal Academy of Engineering warned that the cure for the fundamental fault had not been implemented for pre-1990 ferries and only peripherally for some post-1990 ferries. A collision will be the most likely cause of the next roll-over accident. In the past three years there have been 15 significant collisions in St. George's channel, 35 in the English channel and 58 in the North sea. None of them was serious, but British ro-ros were involved in 15 of them.

After the Zeebrugge disaster, Baroness Thatcher rightly said that she

"understood that it was a fundamental design of these vessels that was the problem, and that something would have to be looked at very quickly to reassure the public."

Some 48 hours later the Government said something different. Presumably having been got at by the ferry industry, the then Secretary of State for Transport said:

"The loss of the Herald was not due to design problems. It was entirely due to operational error."

It is a disgraceful indictment of the Government that they should try to build confidence in something that is inherently dangerous. As with most ro-ro ferry disasters, it was caused by a combination of two factors. Human error causes 73 per cent. of all marine accidents and the remaining accidents are caused by other faults. However, in the case of the ro-ro ferry, the Government—in the form of the Prime Minister—were originally right to identify the problem as a design fault, but they then decided to change their reaction, under pressure from the ferry industry.

When the Estonia went down, the Government's reaction was even less excusable. I can remember the event vividly as I was in the Baltic at the time, at a harbour at Klaipeda. The weather conditions were dreadful. We all remember the awful tragedy of the Estonia when a minor mechanical failure caused nearly 1,000 deaths—people had no chance. Our Government's disgraceful reaction was transparently dishonest: they tried to blame Johnny foreigner. A pantomime was played out at Dover in the presence of the then Secretary of State for Transport. Hoses were played on the sides of the vessel where the door shut in order to illustrate that there was no leak. Any roll on/roll off ferry with such a small leak could reach port easily; no disaster could or has taken place because of such leaks. It would take a much larger ingress of water to cause the ro-ro to capsize. What took place at Dover where, to add credibility to the claim that our ships were superior to others, water from hose pipes was splashed on to the door—with the authority of the then Secretary of State for Transport—was a meaningless public relations exercise. It was meant not to inform the British public, but to deceive them into believing that there was no dangerous design fault. No ro-ro accident could, ever has or will result from such a leak.

It is sobering to remind ourselves that the Estonia complied with the best safety of life at sea standards, known as the SOLAS 90 standards. Three quarters of our ferries that operate from British ports do not comply with the standards that the Estonia achieved. It is clear that the Estonia was safer than three quarters of the ferries that come out of our British ports. That message should have been conveyed to the British public by the then Secretary of State for Transport.

Mr. David Shaw (Dover): Does the hon. Gentleman accept that the Estonia was a totally different design? He said that there were design problems. The bow door of the Estonia opened upwards right into the water. No British ferry that I am aware of has a similar arrangement of the bow doors, and certainly no British ferry sailing out of Dover.

Mr. Flynn: The hon. Gentleman is entirely wrong when he says that the design is totally different. The architecture of the bow door on the Estonia was different from the design of other ferries, which may have had a contributing effect—we do not have the full report on the Estonia yet. Nevertheless, the reason why the ferry went down was not mechanical failure or the different shape of the bow door. The ferry flooded and capsized catastrophically because it had a flat car deck, which, when flooded with water, forces the ship to list, capsize rapidly and sink to the bottom. That is common to every roll on/roll off ferry.

Many other unfortunate events might have affected the Estonia. If there had been a collision, the water would have got in, regardless of the shape of the bow door. The hon. Gentleman is drawing attention to a detail. I shall discuss those matters later.

In the Select Committee, we were all bemused when the Secretary of State told us that he thought that it was plausible that 2,000 passengers could be evacuated from a doomed ferry in 30 minutes.

I pursued that matter with many parliamentary questions, which revealed an even more alarming position. They revealed that no evacuation exercise involving more than 500 people had ever taken place. The Health and Safety Executive said that such an exercise, with 2,000 people, would be "very dangerous".

On the ferry the Pride of Hampshire, 600 passengers were expected to shin down rope ladders to escape. In one exercise that was held, some Wrens—able-bodied and fit—were too frightened to use the dangling ladders

at the side of the boat. What on earth would happen in a real-life emergency? How would a boatload of panic-stricken, frail humanity cope? That is everyone's nightmare.

In the exercises, the evacuations took a couple of hours for 200 people; in real-life emergencies, on the Lakonia and the Achille Lauro, they took several hours. We were told that the International Maritime Organisation is likely to resist attempts to increase the SOLAS 90 evacuation times to 30 minutes even though new, faster ferries can carry up to 2,000 passengers.

The Government's Marine Safety Agency shared our gloom. It said that many of the 145 countries that make up the IMO have

"different agendas. The flags of convenience countries seem to use their shipping registers as a source of revenue rather than a mechanism for international standards, with a consequent impact on safety standards."

Mr. Tony Banks (Newham, North-West): Ferries encourage people to drink a large amount of alcohol while they make the trip. Getting as many bevvies down as possible is part of the fun. Many people taking part in an evacuation will therefore be inebriated, making it even more difficult. Perhaps the ferries should be dry.

Mr. Flynn: My hon. Friend is absolutely right. I shall illustrate the difference between the artificial evacuation and a real-life situation, because there are many other problems. The basis of the safety case for those ferries is hopelessly flawed, for the reason that my hon. Friend suggests and for many others.

The shipping industry repeatedly rubbished our report even before it was published. When that unanimous report was circulated, the industry claimed that its vessels complied with international standards—but international standards are deplorably low. The ferry that went down in two minutes off Indonesia complied with international standards.

We suggested that the only way to ensure that customers had knowledge with which to make a choice was for the MSA to inspect every ship and give it a hotel-type star rating, from zero to five, so that if we arrived on the quay or booked a ferry crossing we would know whether the ship was a one-star, two-star or five-star ship. Those stars would be given on the basis of buoyancy, survivability and evacuation procedures.

The MSA said that it was interested in that classification when we suggested it, but it was slightly alarmed when we gave details of the type of rating we meant—because at present, three quarters of ferries operating from British ports would get no star. The rest would have a single star for reaching SOLAS 90 level—the same level as the Estonia. Four stars would be given in future for vessels that would stay upright in the water long enough to evacuate all their passengers and crew in a credible future incident. Five stars would go to those which added sound evacuation techniques to that, but we are many years away from that.

We sounded a loud blast of warning about ro-ro vessels and we accepted comments that our report was frightening in many ways. The reason was that we were genuinely alarmed by the evidence that we heard. I am sure that the relatives of the 1,100 people who died in the Herald of Free Enterprise and Estonia disasters would be grateful to any parliamentarians who sounded a warning before those events, and the people of Milford Haven will be grateful to their Member of Parliament for having sounded loud notes of warning three months ago, when another vessel went aground off St. Ann's head.

The distinguished naval architect, Professor Rawson, said that

"nothing has really changed since the Herald went down".

With the Government as its willing accomplice, the British shipping industry has proved that it cares more for its profits than for its passengers.

I shall try to clarify my argument for the hon. Member for Dover (Mr. Shaw), because he will try to dismiss it with the usual obfuscation produced by the Government. The cause of the Estonia tragedy was that the bow doors failed structurally, but the reason for the 900 deaths was that the ship capsized and sank so rapidly that very few could be evacuated, and the reason for that was an inherently dangerous vessel. The design was the problem.

The cause of the sinking of the Herald of Free Enterprise was that the open bow doors allowed water to sweep in. The reason why so many people on board died—193—was that the vessel capsized and sank in 90 seconds because it had an inherently dangerous design.

The cause of the sinking of the European Gateway was a collision that allowed water on to the vehicle deck. The reason for the loss of crew and cargo was that the vessel capsized and sank rapidly because it had an inherently dangerous design.

I hope that that is clear enough even for the hon. Member for Dover to grasp.

The Government responded to our report, but it was a woeful response. We said that ferries should remain upright long enough for passengers be evacuated and that, if the IMO disagreed, we should act immediately, not wait for the next century. The Government said that they could not guarantee buoyancy but that they would seek IMO agreement, and seek regional agreement if that failed. They were committed to the shortest possible timetable.

I pay a rare tribute to the Government, because they acted with greater speed than they have before, serious efforts are being made and the United Kingdom is in the lead in dragging the other European countries and the world towards safer standards. We are light years from approaching an acceptable safety standard, but the Government are doing something about that and we are grateful that they listened to the Select Committee's recommendations on that subject. Nevertheless we have those pious intentions without any specific commitments.

The Select Committee also asked for a trial evacuation of 1,000 passengers in order to test the Government's absurd belief that 2,000 people could be evacuated from a stricken ship in 30 minutes. The Government agreed in principle to our request, but they repeated the MSA's claim that a trial evacuation was "very dangerous". In the Government's words, the

"possibility of injury cannot be ignored".

If a trial evacuation in ideal conditions would be "very dangerous", a real evacuation of 2,000 panicking people in an emergency could involve many deaths. One trial evacuation of 210 people took more than four hours.

Mr. Andrew Mackinlay (Thurrock): Although television cameras were invited to film the practice

[Mr. Andrew Mackinlay]

evacuation at Dover, the Transport Select Committee was not invited to observe it. That would have been the fair and sensible thing to do if the Government were confident about the efficacy and the success of evacuation procedures.

Mr. Flynn: Committee members were painfully disappointed that they were not invited to Dover that weekend. The Government must be very relieved that we did not witness the exercise, because it proved our point very vividly.

The Select Committee urged the Government to publish the safety surveys carried out by classification societies for the MSA. That is an important recommendation. However, the Government—who espouse free choice and open government—said that they will not publish the information because it is commercially confidential. That is an unnecessary denial of information on a matter of life and death.

Mr. Allen: Further to the point raised by my hon. Friend the Member for Thurrock (Mr. Mackinlay), is my hon. Friend the Member for Newport, West (Mr. Flynn) aware that I sought a meeting with the MSA and to accompany a ships inspector and surveyor in Southampton on 2 April? Such a meeting was perfectly in order according to the head of the agency, Mr. Robin Bradley, but when it was checked with the private office of Lord Goschen, the Minister for Aviation and Shipping, I was told that it would be wholly inappropriate for me to visit the MSA and to accompany a ships inspector.

Mr. Flynn: That is another chapter in the Government's history of cover-ups on that matter. The Government are attempting to conceal the truth.

The Government dismissed our request for a system of star ratings, saying that such a system would not be perfect as it could not take into account human error. That is a cop-out and an astonishing answer from a Government who introduced imperfect league tables for schools and who wish to monitor standards in every other sphere of life. Comparable standards of survivability for each vessel could be established scientifically—there is no problem with that.

The Select Committee claimed that the star system would give companies a commercial interest in improving safety standards. The Government replied that the firms already had a commercial interest in safety standards because of the disastrous effects of accidents on business. That is nonsense: the ferry trade has suffered no adverse effects as a result of recent disasters. The Government dismissed the Zeebrugge ferry disaster as "human error" and the Estonia disaster was blamed on Johnny foreigner. Zeebrugge was a cheap disaster for the ferry industry, costing only £90 million—which was shared in the industry—and the Government have conspired to build public confidence in an inherently dangerous ferry design. One should compare that cost with the £1 million a day that ferries can make crossing the English channel in summer.

The Select Committee requested that full safety information about each vessel be used in publicity material and displayed on each ship. The Government, hilariously, said that they would publish a list and create a hotline for public inquiries. Presumably it will be like the cones hotline. The Select Committee recommended the publication of comparative safety assessments of new and bigger high-speed vessels. The Government said no and declared that they are happy with the present IMO and other rules. However, they will examine the safety of high-speed craft. The channel tunnel had to undergo a safety assessment—that is the only way of achieving proper safety standards. Bigger and faster vessels are being built, as we saw on television a few days ago. They will carry more people and there is the potential for even greater disaster.

Mr. Mackinlay: My hon. Friend and I are interested in fair competition. Does he agree that there is disparity of treatment in this case? The operators of the channel tunnel were forced to adopt very strict safety standards—and they were proud to do it—but their competitors, the ferries, are allowed to get away with action that is commercially and competitively unfair.

Mr. Flynn: My hon. Friend is absolutely right and the Select Committee reached the same conclusion.

Safety has improved somewhat, but it has deteriorated as well. Evidence of that deterioration was provided by the sea safety group—a body of international shipowners, pilots and captains. It said that the money-spinning services were increasing to a worrying degree and that, by maximising facilities to boost profits, designers had created their own "Hampton court maze" on ships for passengers. The group asked: if professional sailors did not know how to find their way around the ships, how on earth would people be able to muster in the event of a disaster? It supported the Select Committee's report and argued for all the improvements that we suggested, including the star system.

Presumably in answer to our request for a practice evacuation involving 1,000 people, an exercise took place at Dover. The Government have stuck to their claim that it should take only 30 minutes to evacuate a vessel: that is their benchmark. The Dover evacuation involved a group of young, able-bodied people—some of whom pretended to be disabled. They knew what was to happen and the evacuation took place in daylight while the boat was tied to the quay. Instead of evacuating 2,000 people from the vessel in 30 minutes, it is reported that only 315 were evacuated in that time.

Mr. David Shaw: That is total rubbish. Will the hon. Gentleman give way?

Mr. Flynn: I shall not give way to the hon. Gentleman, as he can make his own speech. I refer to the only report that I have about the evacuation from *The Mail on Sunday*. It cited that figure.

Mr. Shaw: On a point of order, Madam Deputy Speaker. That is total rubbish. I was there; the hon. Gentleman was not. It is absolute rubbish.

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Member for Dover (Mr. Shaw) knows perfectly well that that is not a point of order. However, it may be a point for debate and, if the hon. Gentleman seeks to catch my eye, I may be able to help him.

Mr. Flynn: *The Mail on Sunday* of 14 January said:

"At the prescribed 30-minute point, when everyone should have been in the life-rafts, only an estimated 315 were clear of the ship".

The chief executive of the Marine Safety Agency, who was monitoring the exercise, said:

"If this had been a matter of life and death, they would have gone down more rapidly".

Would people move more quickly in the event of a real disaster? Rather than a group of fit, young people, passengers would usually constitute a mixture of humanity—the very young and the very old, the disabled, many who were fast asleep, some who were drunk, some who were pregnant. All would be terrified. Paramedics were on hand during that exercise, and all of those involved knew exactly what was occurring.

Yet even in that useless and hopelessly artificial exercise, nowhere near 2,000 people were evacuated within 30 minutes. The disasters that the exercise was designed to mimic almost always occur on the open sea, at night and perhaps in storm conditions. There may be a fire or the boat may list or capsize in the water. The exercise at Dover was rigged and of no value—although it proved our point.

Ministers will make much of the recent negotiations. The experts who inquired into the Estonia disaster recommended that ferries be allowed to remain afloat with 50 centimetres of water on the car deck. The IMO rejected that recommendation, but it agreed to adopt SOLAS 90 standards worldwide for all ro-ro ferries. In preparing for the debate, I asked several independent bodies with expertise in the field for their impressions on the present position.

The Royal Institute of Naval Architects told me:

"The assumption of 50 centimetres of water on the car deck has to be seen for what it is; a wholly arbitrary standard imposed in panic by the Scandinavians after the Estonia disaster."

Who would know whether there was 51 or 49 cm of water on the car deck? The only real solution must involve sponsons, bulkheads, and longitudinal, transverse or increased buoyancy chambers on the boat.

According to the Royal Institute of Naval Architects:

"Some ferries . . . are unlikely to collect that amount of water (50 cm) except in unreasonably severe collision conditions . . . However, . . . many ferries could collect such water (50 cm) with a simple collision, suggesting that it is not enough!"

The Royal Academy of Engineering is

"not satisfied that significant progress has been made:

—there is no agreement that the evacuation time should be the criterion for the period that the ships remain upright

—the basis for agreement, if reached on a Regional Basis . . . will probably invoke significantly smaller volumes of water than recommended by the Panel of Experts."

So there is already a compromise on safety standards.

The Consumers Association, which has been studying the matter most productively for many years, said that

"operators should be allowed a maximum of two refit periods to implement changes to existing ferries which would bring us to Spring of 1998. Events after that would be over three years after the Estonia disaster. The key point here is that precious time has already been lost: a decision must be taken urgently before more lives are sacrificed unnecessarily."

I press the Government to rethink the star system and the survivability and buoyancy standards that the Select Committee requested. Will they unilaterally adopt the 50 cm rule, inadequate as it is, even if other European countries do not accept it? Will they provide a timetable for any modifications? The Consumers Association is arguing for spring 1998 at the latest. Do the Government accept that? Do they accept the lack of a link between evacuation time and the survivability of ferries in SOLAS 90 and the new 50 cm proposal? That was a fatal flaw.

My hon. Friend the Member for Pembroke made grave allegations about the Government. He said that their failure to implement the Donaldson report made them responsible for the catastrophe in Milford Haven. We all look on horrified and impotent as we witness an environmental catastrophe of unimaginable proportions. We know what it has already done to nature and the beaches there. On present damage, they will probably not be free of pollution for many years. The damage to the tourist industry is incalculable, but we know what happened in Brittany and Cornwall when the Torrey Canyon spilled its oil. It could be far worse in Milford Haven.

This is a disaster of enormous proportions. The reason for it must rest with the House and the Government. We were far too permissive with the billion-pound-profit oil industry—the most profitable industry in the world—when it wanted to cut costs by using inadequate, ramshackle vessels or new vessels of inadequate design. We have continually and permissively failed to impose a rigorous safety regime on all shipping. We now see the results of that in the Sea Empress disaster. We could well suffer another catastrophe such as the Estonia, the European Gateway or the Herald of Free Enterprise.

An accident involving a roll on/roll off ferry could cost 2,000 lives. We know that the marine industry is run at minimum safety for maximum profit. Roll on/roll off ferries do not fail safe. They fail lethally and catastrophically.

10.13 am

Mr. David Shaw (Dover): At present, my constituency of Dover is suffering because the roads have been cut off by snow. We heard on the news that 500 lorries and 200 cars were unable to get out of Dover yesterday and that the A20 had to be cleared. There is a lesson to be learnt here. Not only should we thank the emergency and other services for the way in which they reacted yesterday, but my hon. Friend the Minister should re-examine the delays in dualling the A2 into Dover. It is vital that there should be access to Dover via both the A20 and the A2 as access is vital to our ferry industry.

I also thank the emergency services for their work in Deal on the flooding in the high street and around the seafront. It has been a terrible time for many of my constituents.

I do not agree with the hon. Member for Newport, West (Mr. Flynn). I even disagreed with his Latin quotation. I shall not quibble about the accuracy of his Latin, but he tried to make out that Julius Caesar was one of the first people safely to cross the English channel. A bronze age ship was recently discovered in Dover, which suggests that people were crossing the English channel safely and landing at Dover 4,000 years ago. We have a longer history of safe ships in Dover than the hon. Gentleman suggested.

There is a cavalier attitude among Labour Members with regard to ship and ferry safety. Our ships, and Dover's ferry industry, have a tremendous record on safety and carrying passengers. In the United Kingdom, there are 50 million passenger journeys by ship each year

[Mr. David Shaw]

and some 20 million of them are on Dover ferries. The safety record has been extraordinary when one considers the time period. Even with the tragic disaster of the Herald of Free Enterprise, we have managed to create an industry that, in terms of passenger travel, is one of the safest in the world. This year, with the new ferry company, Sea France, joining P and O and Stena Sealink, we shall have some 20 freight and passenger ships—as well as hovercraft and Hoverspeed—operating out of Dover.

The ships are constantly checked and monitored. I pay tribute to the Marine Safety Agency, which does an excellent job of checking those ferries and ships. Sometimes, the ferry operators are pre-warned because the checks are exhaustive, thorough and detailed, but ferry operators are often not warned about the safety inspectors' visits. The safety agency staff take a ferry crossing without telling anybody and check the safety procedures on board. That is a powerful incentive to get the safety procedures right.

Our ships in Dover are modern ships fitted with modern safety equipment. Safety is regarded as absolutely critical for our ferry industry. I believe that ro-ro ferries are very safe indeed.

The 1986 Herald of Free Enterprise disaster had a devastating effect on my constituents. Many of them lost family members. Many of them knew or were friendly with families who lost someone. The tragedy was devastating in my area. I am afraid, however, that the Herald of Free Enterprise disaster was not caused by design problems. There was one simple, basic reason why it went down—alcoholism among certain members of the crew.

It is a tragedy to re-explore the matter, but there is a lesson that we have to learn. There was a terrible human error. The doors were not closed and no one checked. The procedures on board ship were a disaster and alcoholism was rampant among the crew. The House may wonder how that state of affairs came about and why there was such a lack of discipline. In reality, the officers were not in control—extreme left-wing trade unionists were in control of the ship.

Mr. Flynn: The hon. Gentleman has reduced the debate to a ludicrous level by suggesting that the disaster was political. Families of Herald of Free Enterprise victims gave moving evidence to the inquiry that the tragedy was not caused by human error. Although human error is responsible for 73 per cent. of accidents, the Herald of Free Enterprise disaster was caused by a combination of human error and the ship's design. There could have been drunken crews on other vessels, but they would not have capsized in 90 seconds.

Mr. Shaw: The hon. Gentleman will believe what he wants to believe, even if it is totally untrue. Alcoholism caused the Herald of Free Enterprise to go down. People did not do their jobs because they were drunk. Before 1986, and in 1986, there was too much drinking by crews on board. P and O stopped that. Today, anyone found to have consumed alcohol while crewing a ferry is instantly dismissed. In 1986, extreme left-wing trade unionists would not allow the ships' officers to discipline crew members who drank alcohol on duty. Moderate trade unionists were upset about that because they could see the problems coming and the difficulties that would result. The Herald of Free Enterprise disaster could have been foreseen, but not in the way that the hon. Member for Newport, West suggested. It could have been foreseen by the lack of discipline—a state of affairs enforced by the extreme left-wing trade unionists who were running the crews in those days.

The situation today is totally different. Management has taken control of the ships and the officers are in charge. Proper procedures are enforced at every level. Warning lights monitor the closing of bow doors and other key areas. Closed circuit television constantly scans the car decks and bow doors. The crew and officers make frequent checks on safety procedures and on seals around the bow doors. No alcohol is drunk by officers or crew before going on board or when on board, because that is banned. Today, we have superb officers and crew on ships in Dover. They are well-trained, able people who take safety seriously.

There are no ferries in Dover of a design similar to the Estonia. The bow doors on that ship were open, which of course was dangerous. In addition, they were not properly checked and the fastenings were deficient. Dover ferries are totally different from the Estonia.

Mr. Flynn: Is the hon. Gentleman seriously suggesting that the Estonia was sailing with her bow doors open in the Baltic that night in September? Did I hear the hon. Gentleman correctly? Is he saying that the bow doors were left open after the ship left Tallinn?

Mr. Shaw: Either the fastenings were such that the bow doors were beginning to open, or the fastenings had failed and the bow doors opened as soon as the sea became rough. We know that the bow doors on the Estonia opened in a way that no Dover ferry bow doors can. It is impossible for a Dover ferry's bow doors to open in the way that the bow doors on the Estonia opened.

The hon. Member for Newport, West dismissed the SOLAS 90 test in a cavalier and irresponsible way. That test has been applied to a number of Dover ferries in model form in a tank. The models had a hole equivalent to 9 m put in their sides, from top to bottom, and the equivalent of 50 cm of water put in. The model Dover ferries did not sink in those circumstances. Water rolled out as much as it rolled in, and the tank model remained stable. New designs are being considered all the time, which might make further improvements possible. Higher decks, for example, will transform the current structures. Catamarans and other such vessels are being considered in Dover.

The constant improvements to safety are made possible by profits. Labour Members were knocking profits.

Mr. Mackinlay: Who was?

Mr. Shaw: I believe that the hon. Gentleman did.

Mr. Mackinlay: I did not. I said that I was a defender of fair competition. The hon. Gentleman seems to have overlooked the fact that we have in the channel tunnel a modern transportation system whose safety standards are not applied comparably by its competitors, the ferry operators. That seems to be unfair competition. I want

competition in the interests of consumer choice, but there should be a level playing field in the interests of consumers and of shareholders in private enterprise companies.

Mr. Shaw: Ferry safety standards are at least equal to those of the channel tunnel. I shall not get into a depressing argument about whether more people are likely to be killed in a channel tunnel disaster than in a ferry disaster. Both facilities try desperately to make their services as safe as possible. I may knock the channel tunnel in terms of its quality of service and financing, which has been diabolical—there is no fair competition when £8 billion or more of debt is effectively written off and no interest is paid—but on the issue of safety I would not be prepared to attack the channel tunnel unless I had substantial evidence. In different ways, ferry and channel tunnel operators make every attempt to ensure that their facilities are as safe as possible.

Mr. Matthew Banks (Southport): I know that my hon. Friend will be drawing his speech to a close in a few moments, because a number of other hon. Members want to contribute to this short debate. My hon. Friend is entirely right on at least one point. The hon. Member for Newport, West (Mr. Flynn) mentioned in his closing remarks—which I wrote down, because I was concerned about them—that ferry operators were paying minimum attention to safety, to maximise their profits. That was the broad thrust of the hon. Gentleman's argument. My hon. Friend was clearly right to draw attention to that nonsense.

Mr. Shaw: I thank my hon. Friend for his intervention. I assure him that I am paying regard to the time, but the House is not as full as it has sometimes been for such debates.

I attended the safety exercise in Dover and saw the Stena ship evacuated. Labour Members did not.

Mr. Mackinlay: We were not invited. They kept it secret.

Mr. Shaw: I do not know why the hon. Member for Newport, West was not invited, but if he knew about it, he should have written to the Marine Safety Agency asking to be allowed to attend.

Mr. Mackinlay: They did not want members of the Transport Committee to witness the exercise.

Madam Deputy Speaker: Order. Seated interventions are not acceptable to me.

Mr. Shaw: I had no difficulty getting to see the safety exercise, which I witnessed at first hand throughout. There is no doubt that 834 volunteers were successfully evacuated. I am sure that they would be flattered to hear themselves described by the hon. Member for Newport, West as fit and young. I would not want to denigrate the fitness or youthfulness of my constituents, but they were certainly not all in their 20s. The hon. Gentleman has received a wrong report of the exercise and would seem to have misled the House of Commons this morning.

The safety of the volunteers who took part was paramount, so speed was not given priority. Uppermost in everyone's mind was the wish that no one at Dover should be injured or killed. I am amazed to find that the hon. Member for Newport, West thinks that the only worthwhile safety exercise would be one that involved pregnant women, inebriated passengers and people in wheelchairs and was conducted in mid-channel with a gale blowing. It sounds as if he will not be happy with a safety exercise until someone dies—a strange proposition.

The exercise took an hour. Only one person at a time was allowed down the chutes so as to ensure that no one crashed into anyone else. Of course, in a real incident at sea when people needed to be evacuated, more than one person at a time would have to go down the chutes and the whole exercise would have to be speeded up.

Moreover, only one side of the ship was used. It was moored in the harbour for the safety of the volunteers. At sea, six double chutes from both sides of the ship would be used. In Dover, only three double chutes from one side were used, but the safety exercise was valid nevertheless. Indeed, it showed that the half-hour timetable that everyone thinks desirable would be easily attainable in a real emergency at sea.

One problem was revealed during the safety exercise: although more than 20 life rafts were successfully launched, three of them failed. There were a number of spares, but a question mark remains over the three that failed. Everyone knows that, given a large number of life rafts, one or two may not inflate properly, but there is concern about the fact that these three failed, and I hope that serious consideration is being given to that.

Life rafts on board ship are regularly changed. It is therefore surprising that three relatively new rafts should fail. That certainly needs further investigation. In this regard, too, the safety exercise was a success because it pointed up one or two areas where checks could result in improvements. The bottom line is that the exercise worked. Labour Members call it a rigged exercise, which just shows how far from the truth they are prepared to stray. It is believed that this was the first ever safety exercise of its size not just in Europe but in the world.

Today we have heard another Labour conspiracy theory. The Opposition suggest that more than 800 volunteers, the Marine Safety Agency, the staff of the Dover port and harbour board, and the emergency services all combined in a conspiracy to make the exercise more successful than it really was. I do not subscribe to the idea that more than 1,000 people in Dover conspired in this way. The exercise demonstrated the safety of these procedures.

I am fed up with Labour's continual attacks on Dover's ferry industry. The leader and deputy leader of the Labour party have already said that they support public finance for the channel tunnel and would do down Dover's ferry industry. The Labour Member of the European Parliament for Kent East has attacked the safety exercise and Dover's ferry industry. The hon. Member for Thurrock (Mr. Mackinlay) has today revealed his support for the railways and the channel tunnel.

Labour Members do not visit Dover to announce their support for the channel tunnel, but plenty of them come to mislead the people of Dover about what they are really up to. Railway union-sponsored Labour Members come and tell us how to run our port and ferry industry, but they omit to tell the people of Dover that they receive £5,500 a year from the rail unions, which also pay for 80 per cent. of their election expenses.

[Mr. Shaw]

The hon. Member for Newport, West said that I was wrong about the Estonia; then he admitted that I was right to say that the bow doors on that ship are of a totally different design from those on Dover's ferries. The fact remains that Labour Members and Labour Members of the European Parliament just want to attack Dover's ferry industry. I am proud to be able to defend it.

10.35 am

Mr. Graham Allen (Nottingham, North): It is apposite to hold a debate on marine safety today, given the events of the weekend. It is important to record that a gross misjudgment by the Government over the weekend has turned an accident into a disaster. Had they taken heed of Lord Donaldson's recommendations, the terrible problem at Milford Haven would not have degenerated into the environmental and ecological tragedy that is unfolding.

Lord Donaldson suggested that a powerful tug be placed in the western approaches, but his recommendation has been ignored. Under-powered tugs have been attempting to pull the Sea Empress off the rocks—to no avail. Furthermore, the two powerful tugs deployed around the coast were not summoned by the relevant Ministers on Thursday night or Friday so that they could make headway to the scene of the accident and pull the Sea Empress off the rocks.

This tragedy will have appalling consequences, and the Secretary of State for Transport and the Minister for Aviation and Shipping, who are responsible for both decisions, should reconsider their positions.

I congratulate my hon. Friend the Member for Newport, West (Mr. Flynn) on initiating this debate, and on his assiduous work on ferry safety, not to mention his excellent work on the Transport Select Committee—

Mr. Mackinlay *rose—*

Mr. Allen: I am delighted to give way to another distinguished member of that Committee.

Mr. Mackinlay: Will my hon. Friend extend his congratulations to Conservative Members serving on the Transport Select Committee, who form a majority on it? They include the hon. Member for Southport (Mr. Banks), who signed his name to the report that formed the basis of the criticisms levelled today by our hon. Friend the Member for Newport, West (Mr. Flynn). To his credit, the hon. Member for Southport went on television the morning the report was published to endorse its findings. We look forward to hearing from him later this morning, when doubtless he will reiterate his criticisms of the Government's stewardship of the ferry industry.

Mr. Allen: All members of the Select Committee are to be congratulated on their work. I am sorry that the hon. Member for Dover (Mr. Shaw) spoke so long, while saying virtually nothing and trivialising a serious issue, thereby forcing his hon. Friend the Member for Southport (Mr. Banks) out of the debate. If the hon. Gentleman wants to intervene in my speech, I shall be pleased to accommodate him in a way that his hon. Friend was not prepared to do.

I should also like to record the thanks of all in this House to my hon. Friend the Member for Pembroke (Mr. Ainger) for his fine constituency work at the weekend. It was a remarkable and fortunate coincidence that the constituency Member of Parliament was not only interested in the area, but had some expertise. His herculean efforts over the past 48 hours have drawn to the attention of the press and public the way in which the Government have defaulted on their responsibility and created an appalling catastrophe for the marine environment in south Wales. *[Interruption.]*

The Minister for Transport in London mutters from a sedentary position that it is all the Government's fault. I do not say that the accident was the fault of the Government, but the lack of prompt and speedy Government action on Friday and the failure to listen to the recommendations of Lord Donaldson over the past two years is their fault. They are liable in those circumstances. I hope that the people of south Wales will ask why the Government did not supply the correct equipment to tackle the problem over the weekend. The result of their inaction on Donaldson and their failure to supply appropriate powered tugs to the scene caused a tragedy when only an accident had occurred.

I am concerned that efforts to improve ferry safety, both in the United Kingdom and internationally, are stalling. I hope that the Minister can give us some good news this morning. We must ensure that domestic and international policy picks up speed so that the problems that have been outlined so eloquently by my hon. Friend the Member for Newport, West are tackled with expedition.

One problem is the decline in the merchant fleet. The number of third country-flagged ferries is growing, and those ferries—as my hon. Friend the Member for Newport, West rightly pointed out—are often crewed by non-British crews and commanded by non-British officers. They are crewed by people from low-cost labour countries. The decline in our merchant fleet has an immediate knock-on consequence for safety standards.

I welcome another member of the Select Committee on Transport to the debate, my hon. Friend the Member for Cunninghame, South (Mr. Donohoe). As he knows, all the figures show that British-flagged ships are safer than ships flagged out to other countries. By not using United Kingdom officers and United Kingdom crews, we are drying up the supply of expertise for the Marine Safety Agency, for future training of British crews and for the insurance and shipping industries. We are cutting off the life-blood of our future merchant fleet by failing to ensure adequate numbers of United Kingdom officers and United Kingdom seafarers.

The Opposition have repeatedly called for proper regulation to address the concerns highlighted by the Herald of Free Enterprise and Estonia disasters. We fully support the introduction of new safety measures, but further action is now needed. Too many opportunities have been missed. Pressure is increasing on ferries and, therefore, on ferry safety. Many operators have slimmed down their operations to achieve leaner crewing levels, involving redundancies, and have made radical changes in work practices—not least, faster turn-round times. All those factors put added pressure on crews and officers on ferries plying the channel and elsewhere.

Many of those issues, as my hon. Friend the Member for Newport, West rightly said, were addressed by the report of the all-party Select Committee on Transport.

It is a failing of this place that the House has not had time, that the Government have not made time and that Parliament has not insisted on time to debate fully that important report. That failing goes far wider, as the Select Committees are dislocated from the Floor of the Chamber so that key issues, which hon. Members put hours of valuable time into discussing, are never debated openly on the Floor of the House. We will need to address that when there is a change of Government.

The Government have failed to respond adequately to the Select Committee's report on cross-channel safety. Instead of making a commitment to firm safety proposals for cross-channel ferries, the Government have diluted the Select Committee's recommendations so that they are less effective.

Mr. Matthew Banks: Will the hon. Gentleman give way?

Mr. Allen: I will give way to the hon. Member because he served on the Select Committee.

Mr. Banks: I shall be as brief as I can.

I recognise that the Select Committee unanimously agreed the recommendations in our report, but too much time has been spent on Donaldson and not enough on the issues that this debate was meant to cover. I recognise that the Leader of the Opposition got rid of all the Opposition Front-Bench transport team and replaced them with the hon. Member for Nottingham, North (Mr. Allen). I am delighted that he is taking a serious interest, but I hope that he will recognise that, after the Select Committee report was published and we expressed our concerns publicly and sensibly, the Government and my hon. Friend the Minister for Transport in London have led the way in the International Maritime Organisation discussions. The Government have led the way for the world in trying to toughen safety standards. As we have a new Opposition team—

Madam Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but interventions should be short and we are especially short of time this morning.

Mr. Allen: I will not join the hon. Gentleman in criticising the inexperience of the Secretary of State for Transport, who is obviously attempting to learn the job, as I am in my new position.

We have supported the proposal for the hotel-style star rating. A one-to-five rating would give companies a commercial incentive to tighten safety standards as quickly as possible, but the Government have refused to implement such a system, using the excuse that it did not include factors such as crew competency. The Government are in danger of throwing the baby out with the bath water by asking for everything to be tied up before starting such a scheme. They should augment those proposals if they believe them to be inadequate, rather than rejecting them outright.

Similarly, the Government have weakened the recommendation that passenger information should be included in publicity material, and they have fobbed the public off, as my hon. Friend the Member for Newport, West said, with a hotline for inquiries. Passengers should have a right to know and they should be clear about which safety regulations the ship that they are boarding has met. They should not have to contend with another Government hotline.

In order to allow the Minister some time, I will not go into my views about the farce that occurred at Dover. The very fact that the hon. Member for Dover has defended it so ardently makes my case.

Timing is a crucial issue. The Government should issue a clear timetable for implementing any new measures: "As soon as possible" just is not good enough. We must ensure that we have international and European co-operation on ferry safety standards, and not just lip service to it. In all those areas, enforcement is just as important as getting the rules and regulations right. If the deliberate decline in Marine Safety Agency personnel continues, the regulations, whatever they are, will be enforced less effectively. At the moment, the MSA is losing people and vacancies are not being filled. The MSA polices the regulations and inspects ships to make sure that they are adequate and safe.

I hoped that the IMO conference on ferry safety last November would make progress, but it failed to make the agreements for which we had hoped. The north-west European agreement outside IMO is welcome because it commits European countries to apply the safety of life at sea 1990 standards—SOLAS 90—to ferries, but in practice that is not making ferries safer because implementation is not required until 2007. We were let down again in January when further European talks to agree legislation on ferry safety standards came to nothing.

Ferry safety will return to the agenda again on 29 February, when European Governments meet in Stockholm to try to agree finally on standards. The Danish Government have already proposed a compromise solution for a new method of calculating the amount of water that should be allowed on car decks without the vessel capsizing. I support the request from my hon. Friend the Member for Newport, West for the Government's response to that proposal and their expectations for the next round of talks.

We must have improved ferry safety standards, at the very least within the United Kingdom, as soon as possible, and as part of a well-thought-out long-term strategy. The need for a firm commitment is urgent. I hope that the Government will reconfirm today their commitment, announced on 20 November 1995, to act unilaterally to improve safety standards on ro-ro ferries' operations from UK ports if the next round of talks at the end of February fails.

Ferry safety concerns every hon. Member, not only those with coastal constituencies and those who worked so assiduously as members of the all-party Select Committee on Transport. The relevance of ferry safety was emphasised by the terrible scenes that we witnessed at the weekend—scenes that, with prompt action in taking up the Donaldson recommendations and on Friday in bringing the appropriate equipment to bear, could have been prevented. Such action could have prevented some of the scenes that, sadly, we shall witness over the coming weeks and months. Let that be another lesson.

The Braer disaster was a lesson that was not learnt by the Government. Let the Sea Empress lesson be learnt by the Government, not only in respect of oil pollution and

[Mr. Allen]

tanker safety but in terms of ferry safety. The lessons have been given and the work has been done; we need a Government who will listen.

10.50 am

The Minister for Transport in London (Mr. Steve Norris): One of the great advantages of opposition is the opportunity to criticise without the slightest sense of responsibility. It has often been asserted that the less knowledge of a subject an Opposition Member has, the better he is able to set out an array of irrelevancies tangled together to form some basis of an argument. That is what we heard from the hon. Member for Nottingham, North (Mr. Allen). His speech could be summarised by the glorious phrase, "As soon as possible just is not soon enough." It is the sort of phrase of which the Opposition are extraordinarily fond, and I let it lie on the record in all its ludicrousness for others to judge.

I have some experience of the hon. Member for Newport, West (Mr. Flynn) on safety matters. He is the sort of man who would terrify the average adult at the prospect of crossing a road, such is his fixation with turning any incident into a crisis, any crisis into a drama and any drama into a political event.

Mr. Flynn: Will the Minister give way?

Mr. Norris: No, I shall not give way. The hon. Gentleman spoke for well in excess of 40 minutes. He and his hon. Friends have left me precisely eight minutes in which to respond to their remarks. In the circumstances, I shall not be give way to the hon. Gentleman or to any other hon. Member.

The hon. Member for Newport, West does the House no service. He is intelligent yet he frequently, on this and other issues, turns his back on logic and on the facts when they clash with the convenient stance that he would like to take, which is to be utterly cynical about passengers who intend to travel on ferries that operate out of Dover, which is represented, of course, by my hon. Friend the Member for Dover (Mr. Shaw), and from other ports. He has not the slightest regard for the fact that 50 million passengers travelled on ferries last year alone. He is prepared to scare them unreasonably when he has no evidence on which to base his assertions. He is prepared to distort the conclusions of the Select Committee on Transport in a way that I consider to be unacceptable.

There was an argument between the hon. Member for Newport, West and my hon. Friend the Member for Dover about the Estonia. It is clear that it is not my hon. Friend who is incorrect in saying that the design of the Estonia was quite different from that of other vessels. It is the hon. Gentleman who is wrong to suggest that the design of the Estonia was immaterial. The reality is that the Estonia's bow doors consisted of a complex mechanism of inner and outer doors, which had a structural interaction. In other words, damage to the bow door interacted with the inner door, hence opening both doors after the failure of the outer bow door. I can confirm that no British ferry is designed with that interaction. Indeed, the Marine Safety Agency would not permit such a design to be implemented. My hon. Friend the Member for Dover speaks straightforwardly for his constituency, as every hon. Member should, and was quite right to say what he did about the Estonia.

The reality is that the United Kingdom Government take the issue of passenger ferry safety extremely seriously. It was the Government who led the campaign within the International Maritime Organisation for higher damage survivability standards to be applied to all ro-ro ferries. It was the Government who led the campaign to reach the SOLAS 90 standard, even though, as my hon. Friend the Member for Southport (Mr. Banks), who is a member of the Select Committee on Transport, will understand, we have long accepted that SOLAS 90 was not of itself sufficient and that we needed to go further.

In November 1995, the IMO convened a diplomatic conference to consider amendments to the safety of life at sea convention. In some respects, that conference was a great success. A wide range of measures was adopted, including improvements to life-saving equipment and improved evacuation arrangements. Belatedly, the conference endorsed the view that SOLAS 90 should be applied to all ro-ro ferries, including those built before 1990, but did not agree to a further enhancement of the standard whereby ro-ro ferries should meet the 1990 standard and should be able to cope with a significant influx of water on the car deck without capsizing.

We were disappointed that the conference was unable to agree to a global application of the higher survivability standard, but we achieved a significant concession. The conference adopted a resolution allowing those countries that wished to do so to enter into regional agreements to apply the higher survivability standard to ro-ro ferries operating between their ports. The Government are involved in negotiations with our European neighbours and other interested Administrations to develop such an agreement, which would apply to all ferries operating to and from our ports.

Our position in the negotiations has been that the agreement should apply the highest practicable standard in the best achievable time scale. I hope that we shall be able to announce the conclusion of a satisfactory agreement shortly. That would be a major achievement.

My hon. Friend the Member for Southport did the House a service in confirming that throughout the process it has been the United Kingdom Government who have led the drive for higher safety standards. It should be said that in many other areas the United Kingdom takes its safety responsibilities seriously.

In the extraordinarily inadequate time that is available to me, I shall say a few words about the survivability exercise. The hon. Member for Newport, West appears to criticise the exercise because not enough volunteers were drunk, pregnant or lost. He complains that the exercise was not carried out in a force 9 gale in the middle of the Baltic sea. In other words, he complains that the exercise was not intended to replicate all the circumstances—the worst circumstances—in which an incident might take place. That is a ludicrous criticism of the operation.

The operation was intended to test and demonstrate important safety procedures. In all, 842 people were safely evacuated from the ship. There is, of course, a huge difference between that sort of exercise and what would happen in reality. My hon. Friend the Member for Dover was entirely right to make the fundamental point that the safety of volunteers was paramount, which quite necessarily placed some constraints on the exercise that would not apply if, unfortunately, the exercise had to be carried out for real. As ever, the hon. Member for

Newport, West chose to try to make political capital in a most ludicrous and distorted way out of an extraordinarily valuable exercise.

Time prevents me from narrating in detail the extent to which the Government have continued responsibly to fulfil their role of pressing the issue of ferry safety within the international community. I am content, as I believe all objective hon. Members will be, that the Government have at all times acted with the interests of ferry safety as their paramount concern.

10.59 am

Mr. Matthew Banks: On a point of order, Madam Deputy Speaker. Although, for understandable reasons, I was not able to catch your eye earlier, this is a genuine point of order.

The House knows the light touch that you use in dealing with our proceedings and that there are times when it is necessary to stick closely to the motion on the Order Paper. May I draw your attention to the fact—although I imply absolutely no criticism of you whatsoever; if there were any criticism it would be of Opposition Members—that earlier we debated ferry safety, when we heard far too much from Opposition Members on matters that relate to the Donaldson report and Pembroke but which have nothing to do with the subject of the debate initiated by the hon. Member for Newport, West (Mr. Flynn)?

Madam Deputy Speaker: This is basically an Adjournment debate. Although topics are suggested, the Chair is not so strict in such debates.

Review of Local Government

11.1 am

Mr. Bob Dunn (Dartford): I am pleased to have secured this Adjournment debate and I should say at the outset that I have deliberately used the word "review" in the sense given in the Oxford English dictionary, which states that a review is

"A general survey or reconsideration of some subject or thing."

Therefore, for me, it is a rural and urban ride—a general survey of local government in terms of the way in which it is run, and the way in which it might be run, managed and financed in the future.

In relation to that objective, my thoughts have been sharpened and focused by early-day motion 395, entitled the "John Smith memorial lecture", which was placed on the Order Paper by the hon. Member for Nottingham, North (Mr. Allen). Among other things, that motion refers to

"a renewal of United Kingdom democracy to include strengthened local Government, democratised regional government, a Welsh assembly and a Scottish Parliament".

That motion is very important in the context of a debate about the way in which local government works and might work because it clearly states a policy commitment, as given by the Leader of the Opposition on 7 February in that important lecture.

I must also say at the outset that I am delighted to see so many of my colleagues from Kent—my hon. Friends the Members for Dover (Mr. Shaw), for Mid-Kent (Mr. Rowe) and for Gravesham (Mr. Arnold)—and also a colleague who is not from Kent, my hon. Friend the Member for Hexham (Mr. Atkinson). I am sure that they will play their part in this debate.

Early-day motion 395 is very significant because it talks about strengthening local government. But in what way is it to be strengthened? Are all the powers, duties and changes that we have introduced liable to be overturned by a Labour Government, allowing local government to run riot and to damage the interests of vulnerable people, as the Labour party has done in local government? If so, heaven help the Labour party, which has caused such damage to the people in the name of the people.

According to the early-day motion, Conservative Members are not alone in the wish to evaluate local government, but clear blue water divides us from the Labour party on this issue, as on so many others. I shall pursue that point further later in the debate. I suspect that what Conservative Members desire for local government is profoundly different from what Labour Members ultimately wish for it. We want to reduce the burden of government, while they seek to impose extra burdens on the local taxpayer. However, I anticipate my later remarks on that aspect, so perhaps hon. Members will have the patience to wait for a short while.

Local government, as the House will agree, is about local services being delivered locally by persons or agencies situated in the communities in which the policies are to take effect. The services are, of course, to be administered according to national policies laid down by Parliament and local policies and expenditure plans approved by locally elected councillors. I do not think that anyone would disagree with that rather rough and not

[Mr. Bob Dunn]

necessarily perfect interpretation. Ultimately, local councillors are accountable, first, to the law of the land, and secondly—and equally importantly—to the people who elected them. That is the textbook version of local government, although the true picture is slightly different, as the House will know.

I return to the urban ride with which I began my speech. I suggest that we start just across the water with the example—as a benchmark for the future—of the London borough of Lambeth. I chose that local authority entirely at random last night when I wrote this speech because it is just across the Thames from here and the nearest point from which to start my short but vivid journey.

Lambeth has a very poor record in a number of areas of service delivery. It is one of the 10 London authorities with the highest number of empty accommodation units, second only to the London borough of Hackney. Needless to say, the other nine local authorities are Labour controlled, while Lambeth, mercifully, has no overall party control—*[Interruption.]* I wish that the hon. Member for North-West Durham (Ms Armstrong) would be quiet and listen: she might learn something, although she has not learnt much so far.

Lambeth has one of the worst records on the collection of council rents. It came third out of the 10 London boroughs with the worst records on collecting council rents, with £22.4 million-worth of rents in arrears. Its record was beaten only by Hackney, with arrears of £36.8 million, and Haringey with £35.4 million.

In relation to council tax, Lambeth entered a class of its own. It was first—a dubious record, indeed—out of the 10 London boroughs with the worst records on collecting council tax. In 1993-94, Lambeth managed to collect only 48.4 per cent.—less than half—of the council tax levied. The uncollected tax, which remains somewhere out in the London borough of Lambeth, amounted to £29.5 million. If hon. Members find that figure shocking, they will be even more shocked—indeed, they will be astonished—when I tell them that at 31 March 1994 a total of £84.8 million was owed in community charge, and that £12.9 million in domestic rates was not collected.

Lambeth, is of course, a traditional target for Conservative Members, and I make no apology for that. It is traditional in the House to point out areas such as Lambeth and say, "This is an example of the Labour party in government"—and it has been in government in Lambeth for many years.

I welcome the presence of my hon. Friend the Minister. I tabled a question to him recently in which I asked:

"which are the 20 local authorities with the highest debt levels in England; and in each case what is (*a*) the total amount of debt and (*b*) the debt per head of population."—[*Official Report*, 9 January 1996; Vol. 269, c. 6.]

The list of 20 local authorities was produced and, lo and behold, Lambeth was ranked third—second only to Birmingham and Manchester.

Any review of local government must take account of the following facts. At 31 March 1995, Lambeth's total debt was £905 million, which equates to £3,472 per head of population. The fourth authority after Lambeth was, of course, the London borough of Islington, where the Leader of the Opposition lives. It has a total debt of £880 million, which equates to a debt of more than £5,000 per head. That list is quite significant in any review of local government and the services that are supplied and administered.

When I studied the answer from my hon. Friend the Minister, I noticed to my great surprise that 18th in the list of 20 was my own county of Kent, which is controlled by the Labour and Liberal Democrat parties, and has been since the previous county council elections in 1993. Kent county council has a total debt of £429 million, which amounts to £278 per head of population. Those on Kent county council may say that that debt is not great at £278 per head—a little baby debt.

Madam Deputy Speaker (Dame Janet Fookes): Order. Before the hon. Gentleman's baby grows up, I should point out that one of the essential features of an Adjournment debate is that the matter considered should be the responsibility of the Government. Given the way in which he is developing his speech, I am not too sure where that connection is.

Mr. Dunn: I can help you, Madam Deputy Speaker, if the meaning of my remarks is not yet clear, because in answer to an earlier point of order, you said that an Adjournment debate is a general debate. I am leading to the precise point that will help the House out of difficulty.

Madam Deputy Speaker: Order. I must tell the hon. Gentleman that the two points of order were separate. It is a fundamental part of an Adjournment debate that, whatever the topic under consideration, it should be a responsibility of the Government.

Mr. Dunn: In the sense that Government enact, perhaps I can go on to make it clear where I stand. I shall conclude the first part of my argument by reminding hon. Members of the list that the Minister supplied on 9 January, which is there for them to see, and which revealed that Kent county council has now joined the list of the worst run authorities in England.

If the excesses of Labour in local government were insufficient to weaken the stout-hearted, there are certain Opposition Members now demonstrably arguing the need to impose another tier of government upon us. It is still local, because it is self-evidently not national: they advocate regional government. The best model that we have had of that in the south-east, on which I know that my hon. Friend the Minister will want to comment later, is the former Greater London council, in whose abolition I played a part as a Minister. I am glad to see that the hon. Member for Newham, North-West (Mr. Banks) is present. He may want to talk about the former GLC as he is the self-appointed sole apologist and defender of it.

It is worth placing it on record that in the five years to 1985-86 the GLC increased its net terms expenditure by 170 per cent. while prices rose by just 29 per cent. Between 1981-82 and 1983-84 alone, the GLC's precept rose by 118 per cent. while the retail prices index rose by just 14 per cent. By 1985-86, the GLC was responsible for just 11 per cent. of local services in London but had 20,000 employees, 92 councillors and a budget of just under £1 billion, not including expenditure by the Inner London education authority. Indeed, in 1985-86 the GLC police committee had a budget of £2.9 million, which was used to grant aid to 49 anti-police organisations in London.

Mr. Andrew Rowe (Mid-Kent): Bearing on the matter of local and national government, is it not also true that the GLC set out quite deliberately to attack national Government on every possible occasion, even defiling its own listed building with propaganda?

Mr. Dunn: It did indeed do that, and my hon. Friend may wish to develop that comment later.

The important thing to stress in this debate is the need to leave things as they are. I am not just a Conservative with a big "C" but one with a small "c" as well. We have enacted various changes to local government, but I would argue against any further changes to its structure. I hope that my hon. Friend the Minister will respond to that.

Mr. Tony Banks (Newham, North-West) *rose—*

Mr. Dunn: I will give way to the hon. Gentleman in a moment. In many ways he is almost a friend, because I have affection for him, as do all my hon. Friends, for the good that he does for the Conservative party.

In its day, ILEA was the highest-spending education authority in terms of expenditure per pupil; yet it managed to produce the worst results in the country. That is a significant fact to bear in mind when one talks about the dispersal, disposition and provision of services, and the power to administer them.

Mr. Banks: I hope to catch your eye, Madam Deputy Speaker, to answer some of the points that the hon. Gentleman has made, but I should like to pick up on something that he has just said. He said that he is a conservative in the global sense of the word and that he wants to leave local government structures as they are now. Yet all the recent changes to local government have been made by Conservative Governments. A Conservative Government set up the London county council; then they set up the Greater London council and subsequently abolished it. They made changes in 1972 and more recently. It is always Conservative Governments who throw the pieces up in the air to see where they settle.

Mr. Dunn: That is why I am drawing on our experience to offer a warning for the future. It is true that the Conservatives set up the LCC and then abolished it, as well as ILEA, the GLC and the metropolitan counties. I agree with the hon. Gentleman: there is no blue water between us on that. That is why I want to use this debate to issue a warning about the future.

Local government is about the dispersal and provision of services to local people. The point that I am trying to make is that one needs to ensure that those services are local, and that they are delivered efficiently and cost-effectively by local people to local people.

As a result of the intervention from the hon. Member for Newham, North-West, I am drawn by natural development to refer to the book by Will Hutton, "The State We're In", which I read just this weekend. I was astonished to discover how much of its content has become official Opposition policy. Until now, I was happy to credit the Leader of the Opposition with a certain amount of intellectual independence and originality of thought, but I subsequently found that it was all there in that book. It is Will Hutton who should be leader of the Labour party because all its ideas have been pinched from that essentially flawed book. Reading on, right at the end of the book I found a chapter on stakeholder capitalism. Have we not heard of that somewhere before?

Mr. Andrew Mackinlay (Thurrock): That has a lot to do with the debate.

Mr. Dunn: Yes, it has, because on page 324 of that book Will Hutton writes:

> "Every English region outside the home counties, together with Scotland and Wales, wants more power to govern its own affairs."

I do not believe that that is the case. I have found no evidence among Back Benchers to support it, and I do not think that the Government would want to support that view. It is important to note that Will Hutton has made that argument. Why does the Labour party want to impose a further tier of local government? It is not alone, because the Liberal Democrats, too, have a policy on regional government. Why do they wish to impose a further tier of local government upon us?

As I said in the early-day motion that I tabled last week, at present we have parish councils, borough councils, county councils, the national Westminster Parliament and the European Union. Those five levels of government bear down upon the individual local and national taxpayer. If a further tier of local regional government were imposed, six levels of government would bear down on the individual. Once set up, a regional assembly, authority or council will want something to do. If it has something to do, where will the powers come from? Will they be devolved downwards from national Government or upwards from the county council, the district or the parish? Who gains and who loses? We want an answer from the Labour party.

More importantly, if a regional assembly is to have something to do, it will want money in order to do it. Will it simply levy a precept, as I mentioned earlier in the context of the GLC, which means that the precepting authority has no responsibility whatever for the collection of money and is not accountable to the people who pay the precept locally? If the authority was indirectly appointed, it could precept the local council, which could mean that the regional authority would have no accountability locally. If the authority were directly elected, it could be situated so far away as to render it meaningless in terms of access.

Wanting to do something and having the money to do so is a great leap forward in the construction and imposition of a further tier of local government, and Opposition Members must be warned about that. It is a notion that their leader has not addressed: there is a gap in the policy announcements. The Opposition are told by their spin doctors that it is a good thing. The truth is that there would be six tiers of government. What will they do? How will it all be paid for? How will they be accountable? Will they have tax-raising powers?

There has been much debate recently about devolution, which I shall not go into now in detail. I should make it absolutely clear that I mention the subject only en route. Although the prospect of devolution may seem completely non-threatening to us in the south of England, the truth is somewhat different. It is a form of local government. It is an attempt to create another tier of bureaucracy regionally, and it has been deployed by the Labour party in response to the political pressure that it is encountering north of the

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border from the Scottish nationalists. But the only logical outcome for Scottish devolution is the creation of regional authorities throughout the United Kingdom. If Scotland were given its own tax-raising authority, Wales and England would surely follow, creating yet another tier of local government.

If we look at the current Labour proposal, which I hope that the House will condemn, we can see the awful consequences. Despite being funded by a block grant from Westminster, a Scottish Parliament would have the power to raise 3p in the pound. An extra 3p on income tax would cost the average Scottish family £6 per week. People with less to spend would have less to save and to invest. It follows from that that the answer to the West Lothian question is regional Parliaments for Scotland and Wales, and regional assemblies for England. That would solve the West Lothian question and redress the inevitable discrepancy in tax between Scotland and England, but it would be a further tier of government, another set of people spending other people's money, and higher taxes would be the result. While Scotland would labour under a tartan tax, England would suffer the red rose tax. Many of my constituents would face six tiers of government—I shall continue to say that until the message gets home—from parish, borough, county, region, Parliament and the European Assembly—all wanting to levy tax and initiate legislation.

I come to the end of my short speech, and I am grateful for the patience of the House. This is the most serious constitutional issue that we face, next to republicanism and the future of the monarchy. It affects all of our constituents in England, and it must be made abundantly clear that we oppose it. We want to move power back to local level, not to take it away. We want to give people some say in how their communities develop, and regional government is not the way forward.

11.23 am

Mr. Tony Banks (Newham, North-West): I welcome the debate that the hon. Member for Dartford (Mr. Dunn) initiated, but from his tone it is quite clear that we are miles away from being able to agree on a more consensual basis the structure and functions of local government, and I wish that we could achieve that, because I find the idea that we should continue to have these old battles acutely depressing.

The hon. Gentleman said that he would start his journey in Lambeth, just walking over the bridge, across the Thames. It was a pity that he walked by county hall and made no mention of the sad state that it is currently in. The Japanese flag is flying above it, the wonderful idea of a luxury hotel has come to nothing, the structure is being stripped out above the listed second floor—the principal floor, as far as I am aware—and an aquarium is being constructed in the basement, for which they still do not have consent. That seems a crazy way to administer one of the great buildings of London. It has been allowed to decline, and the fault for that lies entirely with the Government.

It is interesting to note that, in the latest round of local government reorganisation, the Secretary of State said that the electorate would have a considerable say in the preferred structures for their areas. One thing that he ruled out at the beginning, however, is that whatever Londoners say that they want in terms of citywide local government, they will be ignored. So much for the listening Government who continually talk about freedom of choice, and who set up league tables for just about everything that is capable of movement, except a league table based on their own popularity or honour.

The Secretary of State gave Londoners the political equivalent of Henry Ford's famous dictum, "You can have whatever colour car you want, provided it's black," although I notice from today's newspapers that that has been changed somewhat. I saw an advertisement for Ford cars in which all the black people have become white. Ford's new mission statement now appears to be, "You can have any colour worker you want at Ford, provided he is white."

The debate is appropriate, given that 31 March this year will mark the 10th anniversary of the abolition of the GLC. I still stand firmly by the conviction that its abolition was carried out in total defiance of the wishes of the majority of Londoners. Indeed, opinion polls have been remarkably consistent on that fact, right the way through the abolition battle until today. About two thirds of Londoners opposed the abolition of the GLC and about two thirds still express a wish for some form of strategic citywide structure. Abolition was an act of political malice, carried out by probably the most vindictive, dogmatic, bigoted, authoritarian Prime Minister that this country has had to suffer since the days of the Duke of Wellington—from the iron duke to the iron maiden, linked together through 150 years only by their own personal arrogance.

It is not my intention to refight the old battles, because I cheer myself up with the old saying, "Don't get angry, get even."

Mr. Rowe: I am interested to hear that the hon. Gentleman is not going to fight old battles. Does that mean that, if he were in a position to do so, he would not reintroduce the GLC or anything like it?

Mr. Banks: Far from it. I said, "Don't get angry, get even." That is another matter altogether. I do not intend to get involved in sterile arguments, as we have won the arguments, and I know that from public opinion polls, business leaders, community leaders and from politicians who privately speak the truth outside the Chamber when they talk about the organisation of London. I just do not want to get involved in sterile arguments, as I know that we have won them, and we are getting ready for action. I am glad that Margaret Thatcher is out of the House, and I am quite content that she should spend her declining years lecturing bemused Japanese business men on her own version of flat-earth economics. All I know is that, as the last chairman of the GLC, I am still here and I look forward to the day when the Labour party in government restores London's strategic authority. That is a firm commitment.

The hon. Member for Dartford was right to mention the excellent speech given by my right hon. Friend the Leader of the Opposition—the John Smith memorial lecture on 7 February. I quote for greater accuracy and for the record precisely what my right hon. Friend said about a strategic authority for London:

"It is hard to defend the way London is presently run. This is a great city and a huge asset to our country. It is a fantastic business and cultural centre and a great place to live and work. But it is

crucially handicapped in dealing with its problems because it has no elected voice of its own. Unemployment, housing, clogged transport and pollution are just some of the challenges that Londoners face. London has been left to drift, and its quality of life has suffered.

And I am not alone. A large majority of Londoners want their own city-wide authority. Even Geoffrey Howe admitted recently that abolishing the GLC was a mistake. I hope that Lord Howe and others who recognise they were wrong in the past will support our plan to establish an elected authority, able to speak up for London and work together with business and the people to give the city the future it deserves."

Those were the words of my right hon. Friend the Leader of the Opposition, who will soon be Prime Minister of this country.

Mr. Dunn: I do not want to stop the hon. Gentleman's flow of oratory—

Mr. Banks: I had finished.

Mr. Dunn: I am glad to hear it.

The hon. Gentleman argues strongly for a strategic authority for London. There is nothing wrong with that; it is entirely consistent with the views that he has expressed in the past. But where will the authority's boundaries be? That has huge implications for Dartford. If the M25 becomes a boundary, half my constituency will be run by London while the rest will be administered from as far away as Reading or Guildford. Is that a sensible arrangement for the people of Dartford?

Mr. Banks: I will deal with that a little later. The hon. Gentleman has identified real problems, however, and I am sure that he will make a constructive contribution to the consultation paper that will be issued shortly by my hon. Friend the Minister for Holborn and St. Pancras (Mr. Dobson), the shadow Secretary of State for the Environment.

My right hon. Friend the Leader of the Opposition made another interesting suggestion. There need not be a strategic authority in quite those terms; there could be another kind of voice for London. The question of its geographical boundaries exercised the House in 1964 when the London county council was abolished, and we shall doubtless return to such arguments when Labour is in government.

One of the upsetting features of our debate about the GLC is the way in which Tory Members of Parliament keep going on about how unnecessary the GLC was, and how no one misses it. When I asked the Minister to

"list those organisations which have acknowledged that the Government's decision to abolish the Greater London Council was right",

he replied:

"The fact that hardly anyone outside the Labour party is arguing for a return of the GLC seems amply to justify the Government's decision to abolish it."—[*Official Report*, 9 January 1996; Vol. 269, c. 9.]

That was probably written by a civil servant with the mental capacity of a split lentil, but the Minister signed it. Perhaps he even wrote it. He cannot genuinely believe it, however. He need only talk to the CBI, the chambers of commerce, the police or anyone else in London. I defy him to come back and say, with his hand on his heart—assuming that he can find it—that no one is other than content with the current position. That is nonsense; it is balderdash; it is palpably untrue. The Minister knows that—or, if he does not, he is deceiving himself to a breathtaking degree. Those who argue that the GLC had no functions and no purpose merely reveal a profound ignorance of London, exceeded only by their ideological inflexibility.

The hon. Member for Dartford said, "Let us leave things as they are." That is a typical Tory sentiment: smash it all up, kick it all around and then say, "Now we must leave it as it is. That is Conservatism—that is tradition." It has always been Conservative Governments who have kicked local government around, broken it up and then complained that it did not work afterwards. It was a Conservative Government who set up the London county council in 1892, and a Conservative Government who got rid of it in 1964 and created the GLC. Because they feared that they would not be able to gain political control of the LCC, they set up a new system. Unfortunately, it did not work: Labour gained control of the new strategic authority. And so it goes on.

Until the abolition of the GLC, strategic government in London had lasted for nearly 100 years. It was six years short of its centenary. How can Conservative Members argue that, having been considered necessary for nearly 100 years, strategic government was suddenly deemed unnecessary? That defies belief, and shows an utter lack of understanding of the way in which London is governed. As I have said, the abolition of the GLC had nothing to do with the needs or wishes of Londoners; it was all down to Margaret Thatcher's personal obsession. As I told the Minister, no one outside the Government really believes that London is better off without a strategic authority.

Lord Howe was brave and big enough to express his view. He was Deputy Prime Minister when the commitment was made to abolish the GLC and the metropolitan councils. When the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) realised that the 1983 Tory manifesto mentioned the abolition of the GLC, he said that he was shocked, and that it had been included by Margaret Thatcher personally: the manifesto had been drafted by her own fair hand. London's government cannot be organised on the basis of the petty obsessions of individuals—even eminent individuals such as Prime Ministers.

Conservative Members often talk of the grants that the GLC gave to the English Collective of Prostitutes. One would think that that was all that it had ever done. Let me list some of the functions that it inherited from the LCC. It was responsible for London Transport, traffic lights, waste disposal, the fire service, civil defence, the south bank arts complex, London's bridges and tunnels, the Thames barrier, the green belt, historic houses, the history of London, scientific services, regional parks and open spaces such as Hampstead heath, Crystal palace and Victoria and Battersea parks, London's strategic planning, museums and art galleries and the national sports centre. The LCC and the GLC built new towns, many of which are represented by hon. Members outside London. They constructed seaside homes. People were able to move around London; we are now experiencing the problems associated with a lack of mobility.

What has replaced that single authority? The Government said that the new system would work efficiently, because local authorities would inherit the GLC's powers. A few have, but the GLC's former responsibilities have largely been taken over by

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Government offices such as the Departments of Transport and of the Environment and the Home Office. We have a Minister responsible for London, ha ha; we have a Cabinet sub-committee; we have indirectly elected boards such as the fire, civil defence and waste disposal authorities; we have quangos such as the Arts Council, the Port of London Authority and English Heritage; we have private sector initiatives such as London First and London Pride. Conservative Members try to suggest that London is better run now, but that is nonsense, and Londoners know that it is. The hon. Member for Hexham (Mr. Atkinson), whose constituency is way up north somewhere, is nodding; that makes my point all the more poignant.

Labour is committed to the establishment of a new voice for London. It might be a strategic authority. We should have to discuss its role and functions: it must have well-defined purposes and powers. It will not be a recreation of the GLC, but it may be something that I personally favour. Let me return to that superb, excellent, wonderful speech made by my right hon. Friend the Leader of the Opposition—[*Laughter.*] I must give credit where credit is due. Anyone who thinks that that constitutes an application for a job is not altogether wrong. Yes, I want to stand at that Dispatch Box on the Government side of the House, helping to bring back a strategic authority for London. Then I will really lay the ghost of Margaret Thatcher. I want to be there for the first Government reception, to which I shall invite no Conservative Members unless they are very kind and polite.

Let me return to what my right hon. Friend the Leader of the Opposition said about the question of a mayor for London. He said:

> "Though this is controversial, not least among local government itself, and is not yet party policy, I also favour directly elected mayors, at least for our capital city and other large cities. Thanks in large measure to government destruction of local democracy there has been a dangerous loss of civic pride in many areas and this is one way that we might address that."

That is an interesting proposal. I proposed a directly elected mayor for London in the 1980s. If Conservative Members want to learn something about the structure of London government and the way in which it may go forward, they should read my speech when I introduced a ten-minute Bill on 2 May 1990. There was not then much enthusiasm in the Labour party for my proposal. It is nice to know that the leader of my party is saying that the idea has to be considered and will be part of the consultation paper that the shadow Secretary of State for the Environment, my hon. Friend the Member for Holborn and St. Pancras, will issue soon.

It is also nice to know that the Deputy Prime Minister favours the idea, as does the right hon. and learned Member for Putney (Mr. Mellor). The idea is growing. It is nice that one can propose an idea well over a decade ago for one's party leader, the Deputy Prime Minister and the former National Heritage Secretary to follow up years later. On days like this, I feel that I am earning my pittance in this place.

In conclusion, we have won all the arguments over the government of London. Ministers have more or less given up. I have done many television interviews with Ministers where they have virtually packed up because they realise that the weight of evidence is so strongly against them. Public opinion is against them. Informed, impartial and objective opinion is against them. The only people who are still battened down and arguing that we do not need a strategic authority are the inheritors of the wretched legacy of Margaret Thatcher. They cannot admit what many of them know in their hearts because of the great loss of political face involved.

I favour an elected mayor for London, which would call into question the role of the Lord Mayor of the City of London. I do not see how we can have an elected mayor for London and maintain a Lord Mayor of the City of London. [HON. MEMBERS: "Ah."] I have to put that on record. I want something that Mr. Gladstone wanted. It would be nice if my right hon. Friend the Leader of the Opposition could complete the work that the great Gladstone attempted in 1874 of extending the City outwards. The new elected Lord Mayor of London could live in the Mansion House. Perhaps the new executive authority could meet in the Guildhall—by that time, county hall will have been turned into an aquarium for Japanese visitors so that they can see what they are going to have for their fish course.

We could still have the Lord Mayor's procession and make sure that that historic position becomes one with the new elected Lord Mayor of London—a seamless robe stretching back into history. That would be a wonderful solution to the problem of a new voice for London. If that happens, I hope that my humble application for such a position will be duly considered.

11.42 am

Mr. Jacques Arnold (Gravesham): I am grateful to my hon. Friend the Member for Dartford (Mr. Dunn) for calling for a debate on the review of local government. That phrase strikes a dreadful chord with his constituents in Dartford and mine in Gravesham. Twice now, the Local Government Commission has originally proposed a joint unitary authority for our two boroughs on well-argued grounds and twice it has backed off under an expensive barrage orchestrated by Kent county council. The grand old Duke of York could not have done it better. Twice it has marched us up to the top of the hill and twice it has marched us down again.

It is logical for north-west Kent to have a unitary council. North-west Kent is in transition from its honourable past in heavy industry to its exciting future in modern light industry and commerce. It is distinct from rural Kent. Our Conservative Government are interested in the welfare of its residents and in this proposal. They have done much to assist us. They have declared the Thames gateway. My hon. Friend the Member for Skipton and Ripon (Mr. Curry), who is aptly entitled the Minister for Local Government, Housing and Urban Regeneration, frequently visits our area, bringing his enthusiasm and drive to work in support of the redevelopment of north-west Kent.

We once had excellent co-operation between the two borough councils of Gravesham and Dartford, but that was when they were ably led by Conservative leaders—Peter Dyke at Gravesham and Kenneth Leadbeater at Dartford. They worked together for the good of our area. That co-operation was exemplified by Kent Thames-Side, where local councils worked well with local landholders, such as Blue Circle Properties, and the Dartford and Gravesham NHS trust, to decide how our area could best be developed.

The unity and co-operation in north-west Kent was best exemplified by the Kent Thames-Side Groundwork Trust, which combined local interests and volunteers who were financed by local councils and by national agencies, such as English Partnerships and the Government's imaginative single regeneration budget scheme. It produced many valuable environmental and regeneration projects, such as Waterton park, in Denton in Gravesend and the imaginative projects in Northfleet at The Hive and St. Botolph's. Throughout that period, the trust had an outstanding leader and chairman in local county councillor Frank Gibson. Not only have the Government supported us in all that; they decided that the rail link intermediate international station will be at Ebbsfleet and have given generous SRB awards to projects in north-west Kent.

The tragedy is that both Gravesham and Dartford councils are now under Labour control. Kent county council is also in Labour hands, thanks to the collaboration of the Liberal Democrats. The result for local government in north-west Kent has been squabbles, lack of vision and downgrading of co-operation between the two boroughs—exemplified by the sidelining of the Groundwork Trust's work. Why should that be?

The lack of co-operation—the shambles—under the three Labour councils has come about because my constituents are the victims of a plot by the Labour party to use them as mere pawns in a far wider national game. Originally, a unitary authority for north-west Kent had the passive support of the Labour opposition on both local district councils. In its 1993 manifesto for the Kent county council elections, Labour expressed its intention to abolish Kent county council. The manifesto states:

> "KCC under the Tories has seemed remote and uncaring. Sharing responsibilities between county and district councils can confuse residents. Labour believes that ideally one local authority should be democratically accountable for local services in its area. We say Kent is too large a county to function effectively as a unitary authority."

The secret additional reason why the Labour party wanted to abolish Kent county council was to clear the decks for a new layer of regional government, which has long been a Labour obsession. Imposing regional government on England was the only way that the Labour party could think of to avoid the West Lothian question, which would arise from the establishment of a Scottish Assembly. Scotland is already over-represented in the House. If it had its own assembly, there would be a case for under-representation, or at least parity of representation, with England. With such a change, the over-representation of Labour would end and with it the theoretical possibility of a majority for a Labour Government, were one to be established.

To offset that, the Labour party proposes regional government in England. That is why it proposed the abolition of Kent county council and the creation of unitary authorities. Labour's environment spokesman supported unitary authorities for Kent in the first round.

When my right hon. Friend the Secretary of State for the Environment referred Kent back to the Local Government Commission, he had the support of his Labour opposite number, the hon. Member for Holborn and St. Pancras (Mr. Dobson), who mentioned Dartford and Gravesham by name in his response in support of the reference back and of a unitary in north-west Kent. I hope that in her reply the Labour spokeswoman will explain why the Labour party could not control local Labour activists. After all, the case was right, Labour's national interests required it, the Labour environment spokesman had put his name to it and Kent Labour had won control of the county council by pledging to abolish it.

Mr. Dunn: We are not liable to hear anything from the Opposition Front-Bench spokeswoman today. I have here a letter dated 27 February 1995 from the hon. Member for Greenwich (Mr. Raynsford), who spoke for Labour on local government matters, in which he promised a consultation paper on the functions and boundaries of the Greater London authority by the end of 1995. The implications of that letter for the territorial integrity of Kent are huge.

Mr. Arnold: Exactly, and that pledge has not been carried out any more than the pledge given by the hon. Member for Holborn and St. Pancras, as spokesman for the environment, on the abolition of Kent county council.

If the Labour party Front-Bench team wanted a unitary authority for north-west Kent, why did not the Labour party locally deliver the means rather than oppose it? The answer is simple. To put it at its most basic, two council leaders into one council do not go. In the case of Kent county council, Labour went from opposition to mindless advocacy—from thinking that it would not be able to end 102 years of Conservative rule of that council to enjoying the fruits of temporary office.

When the Local Government Commission produced its proposal, Labour spent more than £1 million—in terms of direct spend, officers' time and use of the facilities and infrastructure of the county council—of council tax payers' money on a campaign of opposition to local government reform.

When I asked Kent county council to tell us the cost of that enormous, illicit campaign, I was told that the figures were not available. We hear so much from the Labour Front-Bench team here about open government and availability, but when Labour is in office the figures are not available.

Frankly, the Labour-controlled county council's campaign went far beyond the limits of propriety, for instance, in whispering to the staff, "You will have to re-apply to the new authority for your jobs." We should remember that Kent county council has thousands of employees, including teachers, social services staff and so on. The whispers went out from Labour to the voluntary organisations and other receivers of grants and awards from the county council that they would have to apply for that money to the new authorities, which would not have sufficient money to support them. Kent county council went further and told people to write to the commission, giving them the exact name and address, to tell it of their opposition to the reforms.

Labour in Kent argued that Kent would come to an end. The proud county of Kent has existed for centuries, whereas Kent county council has been with us for only 102 years. I do not think that we should confuse the two. To do so is either historically ignorant or deliberately and selfishly misleading.

Not to be outdone, Gravesham borough council did a U-turn and beat the drum for parochialism. It has been busy whipping up rivalry and dislike of our neighbours in Dartford. Recently, it even picked a sordid squabble over

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which council should have the valley of Ebbsfleet and with it the international station. It has been totally disreputable to see the two Labour leaders of Dartford and Gravesham councils squabbling in that manner, potentially doing damage to those developments.

I reiterate that two leaders into one council do not go. Clearly that is the case. The leader of Kent county council is a Gravesend councillor, as is the leader of Gravesham borough council. Frankly, it is despicable that two petty ambitions have done so much to derail, not only hopes in north-west Kent, but the wishes of the national Labour party.

The hon. Member for Holborn and St. Pancras has had to tell the Leader of the Opposition, "I'm sorry, I can't deliver the English regions." What has happened? The Leader of the Opposition has backed off and is now talking about a referendum. My constituents would never vote for English regional government for the south-east. They already resent the remote county hall at Maidstone, which is wasting money on a vast bureaucracy. Why have parents voted overwhelmingly to go grant-maintained in eight out of nine secondary schools in my constituency? Because they believe that their schools can spend that 15 per cent. of money far better than the remote education administration in Maidstone.

If the Labour party held a referendum, my constituents would object to yet another layer of politicians and bureaucrats and the imposition of yet more taxation by a regional administration for the south-east located all the way over the other side of London in Reading, Berkshire.

What is the moral to be drawn from that saga? There has been a series of tests of Labour's fitness to govern and it has failed from top to bottom. Why do Labour Members want a Scottish Assembly? Because they are scared of the nationalists. How would they finance it? With a tartan tax. Would such a tax be popular? They back off when asked that question and answer, "Only if people voted for it." They suggest that there would be a margin of 3 per cent. on income tax for that tax, but if they asked people whether they wanted to pay an extra 3 per cent., the answer would be no, so the Labour party says, "Ah, but it could be 3 per cent. lower." As English Members of Parliament, what are we to think about that? We already subsidise the Scots considerably. Are we also going to subsidise them so that a Scottish Assembly can use our English subsidy to reduce the tax bills of Scotsmen?

Basically, the Labour party has not thought these things through. We have asked Labour Members how they respond to the West Lothian question. Is it by reducing Scottish representation in this House? Of course not. They will not face up to that question, because self-interest precludes that logical conclusion. What do they propose in its place? Imposing regional government on England. Would that be popular? Only if people voted for it, they say. Frankly, if the vote is no, which is likely to be the case, we are back to the West Lothian question, and have they an answer to that? No.

As my hon. Friend the Member for Dartford said, were people to say yes to regional government, my constituents would suffer six layers of government: Europe, Westminster, regional, county, borough and parish. Would the Labour party abolish Kent county council? The national Labour party says yes, but the local Labour party says no.

What can one say amid all that confusion? The Labour party is not in government, but responsible for preparing for government. Judging by all that the Opposition have said, however, they have clearly not thought things through and, in the few places that they appear to have done so, they have buckled under pressure from the Scottish nationalists and local government leaders in county and town halls.

The real power in the Labour party lies, not with the local party, but with the Islington glitterati. We have been offered a welter of tax time bombs—the tartan tax, the regional levy, and uncapped council tax—and I submit that Labour is not fit to govern.

11.58 am

Mr. David Rendel (Newbury): Like other hon. Members, I am grateful to the hon. Member for Dartford (Mr. Dunn) for raising today the review of local government. It staggered me, however, that he spent more than 20 minutes talking about anything but that subject. He spent a considerable part of his speech talking about the debts that local government owes and blamed them on the Labour administrations in the areas that he mentioned. He failed, however, to mention the debt owed by national Government. If he blames Labour for local government debts, he should, presumably, blame the Conservatives for national Government debts.

The hon. Gentleman spent the second part of his speech talking about a review of national government, and how the Liberal Democrats and the Labour party want to change it by devolving powers to Scotland, to Wales and to the regions of England. That has nothing to do with the review of local government. A review of local government has been taking place since 1992—something that the hon. Gentleman failed to mention.

The review no longer grabs the national headlines because it has dragged on for so long. It is unfortunate that many people in the community and in the media have lost interest. That is a measure of the review's failure. The mistake made by the Government at every stage has been to look at the structure, rather than the powers and responsibilities, of local government. The review should have started with the role and function of local authorities.

The error has been further compounded by a succession of conflicting—and, in one case, illegal—guidelines produced by the Government for the Local Government Commission. When the commission was finally forced to take account of local people's views, it overwhelmingly switched from proposing unitary authorities to proposing the status quo. When the Government were thwarted the first time around by the change in the commission, they went in with a Con-Lab pact and decided to set up a second tranche of reviews, discussed it all in advance with Labour, and came to conclusions about which areas they wanted to review and where they wanted to impose unitary status. That even happened if the council concerned—in this case, Gillingham—wanted no part in the Lab-Con grand design.

After wasting millions of pounds on a bungled review and having diverted substantial additional human and council resources into the review process, what is the latest twist to this catalogue of incompetence? In areas where orders have not yet been made, the Secretary of State has decided to keep the local people and their councils guessing for another year. That will waste more money and more time. There is no possible defence for that.

The Minister's defence is that the Government's timetable was always tight and they had run out of time to get the orders through before the elections this year. The Secretary of State set the timetable in the first place.

The commission's draft report of September 1995 made it clear that, when it started work on 4 July last year, it had a completion date of 2 January this year. In fact, the commission completed its recommendations by mid-December, earlier than it expected. If the Government argue that, from mid-December, they had insufficient time to lay the orders, the response must be that they should have known that when the commission originally set the completion date of 2 January. Why have local authorities been put on hold for another year?

Let us be honest about this: the review has been running since 1992 and Torbay, Herefordshire, Plymouth and Nottingham have been waiting for months to settle their future—I shall not mention the fiasco of the proposed changes in my home authority of Berkshire. Authorities want to get on with the job of providing decent services. Why will the Government not let them?

There are two reasons why the review has been put on hold, which are not the same as the Government's weak excuses. First, the Government are petrified of significant losses in elections to unitary authorities in May—had they got their act together and laid the orders in time, they would have been faced with huge losses in the unitary authorities. The elections will not now take place until the day of, or possibly after, the general election. The Government hope to avoid a series of embarrassing defeats in elections to unitary authorities by prompting people to vote on national issues rather than on local ones.

The greatest damage to the Conservative party over recent years has been its decimation in successive local elections, not least by the Liberal Democrats who have ploughed a deep furrow through Tory heartlands—from the west country, to the east coast and up to north Yorkshire. The Tory grass roots have all but disappeared in many areas. It is no wonder that the Government are running scared, but that is no compensation for local people or for council officers whose careers continue to hang in the balance.

The second reason for the Government's putting off the orders is that they simply have not allowed sufficient money in the Budget to finance structural change in the areas still under consideration. The tight settlement, coupled with unprecedented pressure from central Government to direct local authority spending, simply offers no room for manoeuvre—certainly not enough to pay for an expensive restructuring of local government.

It is worth noting that every one of the changes the Local Government Commission recommended in its second review entails significant on-going and set-up costs. It is clear from last November's Red Book that credit approvals are significantly down for 1996-97 compared with 1995-96 and previous approval plans. One can only assume that, within those figures, the Government have not made sufficient provision in supplementary credit approvals to allow reorganisation to go ahead this year.

I notice that approvals for 1997-98 are projected to be slightly increased. Will the Minister explain whether he has known for months—certainly well before last year's Budget—how much money has been in the Budget for these reviews and that the review orders would have to be postponed? If so, why did he not tell the people in the affected areas that their review was to be postponed for another year? Is that why he calculated the Budget credit approvals so low? Did he know that he was not going to put through the orders in time for elections this year?

Perhaps the Minister will also make it clear when the orders will now be laid. The uncertainty continues. The least local authorities should be able to expect from the Government is a clear timetable that will be adhered to. The local government review has for many years exemplified Tory incompetence, but that is no reason to make matters worse by continuing to dither and to fudge. The Government have pledged more openness and more freedom of information—let them start here.

12.5 pm

Mr. Peter Atkinson (Hexham): I shall give the House the opportunity to move away from the Kentish men and to visit our friends up north, particularly our Labour friends up north. It is right that people in the north-east of England should learn what Labour policy is for a regional assembly—and whether Labour is in favour of it.

The same situation exists in the north-east as exists in Gravesham in Kent—the Labour party is hopelessly split over what it wants to do. The hon. Member for North-West Durham (Ms Armstrong) is shaking her head, but just before Christmas the northern group of Labour Members—of which she may well be a member—gave an ultimatum to the right hon. Member for Sedgefield (Mr. Blair) that their price for supporting Scottish devolution was a northern assembly. The hon. Member for Blaydon (Mr. McWilliam) said:

> "The northern group supports devolution for Scotland, but our price is devolution for England.
>
> The implicit criticism here is of a minority of members of the shadow Cabinet who don't believe in devolution at all."

Does the hon. Lady support that statement?

When the people of the north-east of England consider a northern assembly with the tax-raising powers that the Scottish Parliament is meant to have—a sort of Geordie tax, as opposed to a tartan tax—they will be against that imposition. It would again draw a frontier between the north-east of England and the rest of the country. Long-suffering ratepayers in the north-east already have enough layers of government. Are they to have yet another one inflicted on them?

Recently, the right hon. Member for Sedgefield said categorically on television that if there were a regional assembly for the north, one layer of local government would have to go. The members of the northern group of Members of Parliament would say that there is no need for a tier of local government to go, because they do not want the Labour-controlled county council or the Labour-controlled district councils to fall out over the future of a northern authority.

The Leader of the Opposition has said that one level of local authority control will have to go. Which level would that be? Would it be the district councils, of which there are six in Northumberland, two of which are controlled by Labour; or would it be Northumberland county council, which has been controlled by Labour for a considerable length of time? In a fight between district councils and county councils, county councils would win.

The ratepayers in Northumberland would have a stark prospect—of a tax-raising regional assembly based somewhere like Durham, Teesside or Berwick and a

[Mr. Peter Atkinson]

county council to look after local government matters that may be a considerable distance away. That would be the outcome of a northern assembly. I hope that the hon. Member for North-West Durham, who is no doubt a member of the northern group of Members of Parliament, will make Labour's plans clear to the people of the north-east. If the Labour party is to propose that extra level of bureaucracy, it should be clear about what it wants.

12.9 pm

Ms Hilary Armstrong (North-West Durham): The debate has been interesting. I was astonished at the speech of the hon. Member for Dartford (Mr. Dunn). I assumed—naive as it may have been—that in an Adjournment debate on the review of local government, he would want to talk about his constituency and the wishes that he had expressed during the review for the future of his constituency and the unitary tier. However, he did not mention Dartford or the review of local government in Kent. The hon. Member for Gravesham (Mr. Arnold) mentioned that subject. I know that he and the hon. Member for Dartford have disagreed about the way forward for Dartford and Gravesham, so perhaps that is why the hon. Member for Dartford did not raise the subject.

Today's argument has supposedly been about the review of local government. In the debate, most Conservative Members have attacked local democracy. They do not seem to like the fact that the people have spoken—

Mr. Jacques Arnold: Will the hon. Lady give way?

Ms Armstrong: No, I have only a short time in which to make my speech.

The people have left this country with only 13 Conservative-run councils. There could not possibly have been 20 Tory authorities on the list of 20 authorities that the hon. Member for Dartford held up because there are no longer that many Tory authorities in the country. He seems to be concerned that the people of Britain have voted Labour at local level and that that stark fact leaves him with no arguments about the future of local government.

As I have argued from the Dispatch Box on several occasions, the Government have landed us with a more centralised system of government than any other country in Europe. We hoped that the Local Government Commission would attack that state of affairs—we have tackled the issue when debating regional assemblies. Conservative Members seem to forget that there has been a considerable devolution from Government of functions, but not of accountability and democracy. We have a strong regional tier of government: it comprises civil servants who operate within the regions with considerable powers and with responsibility for vast sums. They decide on single regeneration budgets and on the money that comes from Europe. They have incredible powers and are accountable only to Ministers, who have little time to spend in those regions or to deal with problems there.

I thought that in today's debate hon. Members from Kent would want to raise an issue that involves the Minister for Local Government, Housing and Urban Regeneration, the hon. Member for Skipton and Ripon (Mr. Curry), who is not here today. He is the Minister with responsibility for the Medway towns, but he has also had to make decisions about the Local Government Commission and take responsibility for them. There may be a conflict of interest there.

We have a strong regional tier of government that is simply not accountable. I do not believe that people in this country want money to be spent without any accountability and without their being able to have a say locally. The hon. Member for Dartford's most telling point was when he railed against regional proposals. He hit the nail on the head when he said that there was no support from Back Benchers and that he could not detect any support in the Chamber or, thankfully, from Government. Regional government is not meant to make life easier for us in Westminster; it is meant to represent effectively the people in the regions.

The hon. Member for Hexham (Mr. Atkinson) and I "share" a village. I represent one street in the village of Blanchland and he represents the rest of the village, which is north of the Tyne. People there feel that they are not adequately represented in Whitehall and Westminster. Decisions are being made in which they want to participate and they want a clearer understanding of how money from Europe is distributed and topped up. When villagers in my constituency do not benefit from RECHAR because the Government have pushed the money into other regions, they want to know why the Government take decisions centrally that do not reflect the way in which money from the European Community should be distributed throughout the regions. The Government are far too centralised; strategic decision making occurs at regional level, but there is no accountability for it.

The hon. Member for Hexham is new to the region in comparison to some of us oldies, so I shall explain what happened in the early 1980s. The Confederation of British Industry in the region, the Trades Union Congress in the region and local authorities in the area came together and recognised the need for a regional response to the de-industrialisation of our area. I moved the resolution at the Labour party conference and the regional TUC conference to set up the Northern Development Company. We set it up ourselves; it eventually won support from the Government and now receives backing from them. It has played a significant role in attracting inward investment to the north and in ensuring that the north has been able to fight back against de-industrialisation and its consequent heavy job losses and depopulation. The region recognised that it needed a coherent voice and a strategic arm. The company has always recognised—as would the proposed northern regional assembly, which is also to be set up on a voluntary basis—that there should be a more accountable voice working alongside it, which is what our regional assemblies are designed to provide. We have proposed a referendum to bring such voices into the process.

Such matters do not involve serving politicians or servicing the needs of politicians; they involve responding to the needs of people locally.

Mr. Jacques Arnold: The hon. Lady said that the issue should not involve serving politicians. Does the Labour Front-Bench team support the serving politicians—the Labour leaders of Kent county council and Gravesham

borough council—or does it continue to support the opinion of the hon. Member for Holborn and St. Pancras (Mr. Dobson), the Opposition's spokesman on the environment, who told the House that he supports a unitary authority for north-west Kent?

Ms Armstrong: I thought that the hon. Gentleman was going to ask that question. We have never moved from supporting, in principle, the idea of unitary authorities—

Mr. Arnold: In north-west Kent?

Ms Armstrong: In north-west Kent or wherever there is local support for it. Our complaint, like that of the hon. Member for Newbury (Mr. Rendel), is that the Government set up the review in such a pathetic and ineffective way that they have ended up with another dog's breakfast.

Local government is sick of being tinkered with and local people are sick of never being allowed to work out a solution that meets their needs. If the Government had identified the functions and decided the size of authority that they wanted, we should not be in the present position and the people of Kent would not be in their present position. Lack of clarity from the start is the reason that the problems have not been solved. *[Interruption.]*

It is no good Conservative Members trying to blame us. We have not been in government. Conservative Governments have landed local government and local people with the mess, and it is about time that they recognised that they must work more effectively and democratically.

Signs in the past week have given no cause for hope that the Government are recognising people's crying need and demand for proper democratic accountability. Tragically, the Government move daily away from that.

Local government must be given the support and opportunity to respond effectively to local demands and needs. In that spirit, we shall open government to people at local level and give them, if they want, the right to a regional strategic voice.

12.20 pm

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): The debate has been much more interesting than I expected. It has moved from one side of the country to the other and from Scotland to the far south—indeed, I thought that we would cross the channel at one point. My hon. Friend the Member for Dartford (Mr. Dunn) must be thanked for initiating the debate and for broadening it.

There was not much discussion of the review, which I believed was the theme of debate, but the debate became much more interesting. As hon. Members are aware, there was an opportunity for my hon. Friend the Member for Gravesham (Mr. Arnold) to argue the case for his area, which has been argued with some force during the consultation period. I note the hon. Member for Thurrock (Mr. Mackinlay) returning to the Chamber; he made a similar case.

The consultation period has just ended. Decisions will be taken and an announcement made soon. I suspect that debate about that will continue for some time and that the hon. Member for Newbury (Mr. Rendel) will continue to whinge, as he has today, with little opportunity to gain anything from it.

The hon. Member for North-West Durham (Ms Armstrong) was slightly caught out because she seemed to be hurt by the two-minute speech by my hon. Friend the Member for Hexham (Mr. Atkinson) and concentrated on him.

There was some mention of the fact that Labour-controlled and Liberal-controlled councils are slightly more numerous than previously. Of course, local elections will go that way, but local people are learning that that is an expensive option. It means increased and high regulation and high interference. People must learn that classic lesson to help them assess the merits of the argument made by the hon. Member for Newham, North-West (Mr. Banks), who sought more centralisation of local government and greater control. I shall return to that.

The hon. Member for North-West Durham spoke about Government offices. Government offices are in the regions so that we achieve closer contact and a closer feel, but the hon. Lady views that in a paranoid way. The old saying that she always perceives the light at the end of the tunnel as an oncoming train is appropriate. She must recognise that the siting of those offices gives Ministers the opportunity to obtain useful local information from people working in the area, but ultimately decisions are made by Ministers.

The most interesting, and the major, part of the debate was about centralising local government and inserting another managerial tier. I have a natural tendency to support the idea of unitary authorities because I suffered under the Greater London council and the Inner London education authority, and I emphasise that we did suffer under local and central government in those days.

The hon. Member for Newham, North-West spoke of wishing to be mayor. That does not surprise us. One has visions of Labour Members waving a mayoral chain and waving a jester's stick and deriding London's importance. It is an extremely important capital. It is vital to the country and it is vital that it continues to be as competitive as it is now without all the interference that we had before.

The interference was staggering. I remember the Greater London council interfering in decisions about numbers on doors in housing estates. That is not the role of regional government. It never had any power. It was absolutely—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Morris): Order.

Sir Paul Beresford: Thank you, Mr. Deputy Speaker.

The Greater London council sought a strategic role and it was largely self-invented. The search amused me occasionally. I remember the GLC's leader riding round the rose garden in Battersea park on an elephant. It was the first time that he had taken any interest in a mammal—certainly a four-legged mammal. It was an intriguing effort to invent a function for the GLC.

The GLC ended up as a middleman, fighting everyone. It fought those above, regardless of the political complexion of the Government and regardless of the political complexion of the GLC or the London county council before it, and it fought the lower tier.

[Sir Paul Beresford]

It is said that the GLC had a strategic role. The hon. Member for Newham, North-West will recognise the old battle that we had when docklands was set up under the Greater London council with the "co-operation" of local Labour-controlled authorities. That was a long period of stagnation.

Since then, the London Docklands development corporation has turned things around. There are 36,000 jobs on the Isle of Dogs, compared with fewer than 20,000 in 1992. Jobs in docklands have increased from slightly more than 51,000 to almost 66,000. If the rate of growth continues, now that the link is in, those may soon be 70,000 plus. There has been a more than 70 per cent. increase in let office space. About £6 billion of private investment has been attracted since 1981, compared with £1.7 billion of public investment. That is what we want.

The area is growing. We have had 73 per cent. growth since 1981. It is now up to 68,000 and by the year 2000—

Mr. Tony Banks *rose—*

Sir Paul Beresford: The hon. Gentleman spoke at some length and I have four minutes left so, if he does not mind, I will not give way; I am trying to speak and breathe at the same time, which is a feat that one learns.

We should acknowledge the importance to the country of a London with fewer regulations, without the havoc that the tax-making power of an additional authority would create. *The Economist* considered that issue in August 1995. It conducted a detailed review of the government of London. It did so because London is more vital to this country than other capital cities are to their countries. It is vital that it has the freedom to move.

The Economist said that a big central authority for London was likely to damage, not enhance, London's long-term economic interests and that the city could continue to adapt and grow flexibly without central planning. It said that London's fragmentation was a source of strength rather than weakness and that the lesson for rising magna-cities was that a central strategic authority was not essential for prosperous growth. Self-governing neighbourhoods worked better than a single city hall and were a safer base for an urban economy.

That is what is happening; that is the way in which London is making progress. We now have co-operation between the Cabinet Ministerial Sub-Committee on London, the private sector and other independent organisations. A single group of local authorities is starting, without the dead hand of the Greater London council, to co-ordinate activities extremely productively.

That is why land is being regenerated, businesses are coming to this country and business men from overseas are coming to London. They come to London because London has the freedom. London is, in the opinion of many of those business men,

"the most deregulated capital city in Europe."

That is why about 40 per cent. of American and Japanese investment in Europe comes through London. That is why it is worth while—I emphasise arguments by some of my hon. Friends—having a link between London and Europe; it is our passageway through.

The hon. Member for Newham, North-West was asked where the boundaries should be, but he did not answer. He cannot answer that question because the location of the boundaries would depend on the function of the London authority. He must recognise its taxing power. We are talking about a strategically important capital city and, as such, we must acknowledge that no regional London authority—whatever its political power and that of central Government—has had or will have the control that it desires. Such an authority would stagnate London.

Ever Ready Factory, Tanfield Lea

12.29 pm

Mr. Giles Radice (North Durham): The purpose of the debate is to draw to the attention of the Minister for Small Business, Industry and Energy, and of Parliament, the closure of the Tanfield Lea zinc carbon battery-making facility in my constituency, with the loss of 350 jobs. I am seeking Government assistance to help the area to recover from that blow.

I was shocked and disappointed to hear about the closure, as, when I opened the 25th anniversary celebrations at the factory in 1993, Ever Ready International management assured me that the plant had a bright future. The plant was opened by Anthony Crosland in the 1960s under the regional policy of that time. It was taken over by Hanson in the 1970s, and, under its ownership, the plant and its work force were run down. The plant was eventually sold to the international Ever Ready company, which assured my constituents that the plant at Tanfield Lea would be integral to its international plans.

However, the international company dropped a bombshell on 17 January, when it announced the closure of the battery-making facility. The plant itself has not closed, as the company will operate a satellite unit employing about 40 people. However, I believe that that is only a temporary measure.

The closure of the facility—which is the biggest manufacturing plant in my constituency—has had an enormous impact. First, jobs have been lost in an area where unemployment is above the national average, and young people now face reduced employment opportunities—which is a bad blow in itself. Secondly, valuable income has been lost in an area of below average incomes. When people lose fairly well-paid jobs and go on the dole—which many of them are likely to do—less money is available to households and to the entire area.

The Minister, who used to represent a northern constituency, knows that Derwentside has had its problems. The Consett steelworks closed in 1980-81—I can assure the Chancellor of the Exchequer of that, despite his embarrassing gaffe on a local radio programme—but the area has made a considerable recovery, partly due to the very effective work of the local development agency.

In light of the recent bad news, I convened a meeting at the plant with the international management, the chief executive of Derwentside and the director of the development agency. I urged the company to reconsider its decision—in particular, I asked it to switch to the production of alkaline batteries, for which there is a much larger market. The company denied my request. It said that the efficiency of the plant or the effectiveness of the work force was not in question—on the contrary, it had nothing but praise for its operations—and it pointed to a change in its worldwide strategy and the necessities of the global market.

In western Europe in particular, zinc carbon batteries are being replaced by long-life batteries. Even though there is a big market for zinc carbon batteries in Asia and Latin America, according to the company, that demand can be met more efficiently by its so-called super-factories in those regions. The company took the decision for international strategy reasons, and my constituency was reminded once again that Britain is part of the international market.

I accept the company's decision: I can do little to change it. However, I have told company representatives that they must fulfil their corporate responsibilities—they cannot simply walk away from the area. I am pleased to report that the company agreed to co-operate with the Derwentside task force in the rundown of the company, which will occur over a year. It is committing funds to retraining and to re-employment services.

The Derwentside task force is vital to the recovery of the area, so it must continue to operate effectively. As the Minister knows, the task force was set up after the collapse of the Consett steelworks, and it has now been reconvened. We have that facility in the area partly because of the problems we faced in the past: we know how to deal with jobs crises. The local council, the development agency, County Durham training and enterprise council, and representatives of English Partnerships, the Department of Trade and Industry and the office of the north will serve on that body. It has met once and another meeting is scheduled.

The task force has produced an outline strategy, which will concentrate on retraining, providing alternative jobs and reclaiming the site. It faces a problem in its latter objective, as battery making involves chemical operations, which means that the site must be cleaned very effectively. The task force aims also to attract alternative industry to the area. I am glad that we have been joined in the Chamber by my hon. Friend the Member for North-West Durham (Ms Armstrong), who also represents the Derwentside area.

I shall tell the Minister what we want the Government to do. He recognises that there must be a partnership between the local area and the Government, and I would like him to refer to that issue today. If he accepts that this is a major factory closure and a major redundancy, I understand that that would allow the County Durham TEC to become fully involved.

As to co-ordination, a number of different Ministries are involved. Representatives of the Departments of Trade and Industry—which the Minister represents—of the Environment and of Education and Employment must come together and devote their wisdom, energy and resources to a co-ordinated effort to assist the area. We need maximum support from the Government and from European funding programmes. I am not an expert on all the funds, but I understand that money is available from various sources, such as English Partnerships, the single regeneration budget and other European funds. We need the Minister's help and advice on how to access those funds and apply the full force of what is available in the constituency.

As the Minister knows, we have asked for a meeting with him and other Ministers either in London or in my constituency to discuss the problem, examine it at first hand and agree on a joint strategy involving the locality and the Government in trying to overcome a very severe blow to my constituency.

I very much hope that the Minister can help us. I come here not in a partisan mood, but to explain the problems to Parliament and to the Minister, and to ask the Government to help us meet the crisis and produce an answer that will assist my constituents.

12.40 pm

The Minister for Small Business, Industry and Energy (Mr. Richard Page): All Members, unless they are very new or very lucky, have had the painful experience that the hon. Member for North Durham (Mr. Radice) is now facing. It is something that I most dread as a constituency Member. One has to do one's best when a body blow of this nature occurs in one's constituency.

I congratulate the hon. Gentleman on his success in the ballot that has enabled him to raise those concerns today in the House. As we all know, one cannot guarantee the results of a ballot, and the hon. Gentleman's success has enabled those concerns to be aired in a public forum and has given me the opportunity to respond. I should like to think that, at the end of the debate, the hon. Gentleman will find it a helpful response.

The announcement on 18 January by Ever Ready was a blow to the people at Tanfield Lea and the surrounding Derwentside and north Durham area. It appears that there is no prospect of reversing the decision to close the battery production facility, with the loss of 350 jobs. I know that the hon. Gentleman has discussed the matter with the Ever Ready management, and I understand that the decision was made for global strategic reasons and is no reflection on the commitment and the performance of the work force in Tanfield Lea over many years; but it has happened, and we now have to bounce back.

The challenge that faces the area is to find a coherent and comprehensive response. I understand that the company has offered outplacement services to its redundant employees; that is welcome, but it is only a first step.

As the hon. Gentleman said, Derwentside has risen to those challenges in the past, notably the closure of the steelworks in Consett in 1980. That was in no small measure due to the efforts of the local partnership that is spearheaded by the Derwentside industrial development agency. We should pay tribute its success in attracting new industries to the area over the years including biotechnology, aerospace and high-quality food manufacturing. That provides a strong base on which everyone can build.

That base has been further strengthened—I speak as the Minister responsible for small business—by the formation of new and vigorous small businesses in the area, which have created some 5,000 jobs over the past 15 years. The growth of those businesses remains a priority. The small firms in Derwentside are undoubtedly benefiting from the county-wide single regeneration budget, which has been valued at more than £2 million and has created some 69 businesses and self-employment for more than 500 people in the past year alone.

In support of those projects, a comprehensive network of advice services has been established, including a Derwentside outlet for the business links network in the county of Durham. I am absolutely convinced that, as the months unfold, the value of business links will become increasingly important in helping those businesses develop and expand.

My Department has been active in providing more than £400,000-worth of regional selective assistance grants to small firms in the area during 1995 alone. That, in turn, has created some 100 jobs. We have been active in the area for many years. Since 1981, my Department made 165 offers of RSA grants worth some £16.5 million to Derwentside companies towards the creation and safeguarding of nearly 4,800 jobs.

As a consequence of all that, unemployment in the Newcastle travel-to-work area, covering most of Derwentside, has fallen from 16.5 per cent. in 1985 to below 10.5 per cent. today. In Consett, which bore the brunt of the impact of the steelworks closure, unemployment has fallen by more than 50 per cent., from a staggering 8,000 in the early 1980s to 3,500 in 1995. It is living proof that the initiatives are working, and I am sure that the hon. Gentleman will agree that those are impressive achievements, but they are not enough. We have to do more, so what more can we do?

Ms Hilary Armstrong (North-West Durham): I hesitate to interrupt the Minister, because it is important that we hear the Government's view. It is also important, however, that the House recognises one of the consequences of the closure of the steelworks and other sources of employment.

There are now significant numbers of men in particular who have not worked since they lost their jobs, and are unlikely to work again. They are not included in the unemployment figures that the Minister has just given us, because they received a redundancy package which took them off the unemployment register, or because their wives are working.

There is a significant problem in Derwentside among older men aged 50 to 55, who have not had employment opportunities. We are also looking for measures to enable them to find a way back into work. The Minister may not be able to help us this morning, but I hope that the Government will take into account the fact that some of the men who work at Ever Ready and come from my constituency and that of my hon. Friend fear that they may not work again because of the loss of jobs there.

Mr. Page: I fully understand those worries and concerns, but I should point out that there has been a substantial improvement in the area from the position some 15 or 16 years ago. To be perfectly honest and open with everybody, although that is good, there is more to be done. We are not resting on our laurels and saying that we have now finished. There is more to be done and, as a Minister, I am perfectly willing to try to improve matters.

I can confirm what the hon. Gentleman said—that the process of formulating a response to the Ever Ready announcement has already begun, and several meetings of the Derwentside task force have already taken place. They were attended by the Government office for the north-east as well as English Partnerships, and I assure the hon. Gentleman that my officials will continue to play an active role in the process, now and in the period from May onwards when the job losses begin to take effect.

It might be helpful if I touch on some of the key issues that need to be tackled as a matter of urgency. Perhaps the most immediate task is to consult the other occupants of the site to ensure that the announcement by Ever Ready does not impact negatively on their business and long-term prospects.

Clearly, as the hon. Gentleman has already mentioned, it is important to work with Ever Ready to ensure that the jobs that are to be retained on the site—about 40—for the production of zinc calots and liner papers will remain for

the long term. It is also important that, within that number, a small research and development team has been retained. That will help to provide the remaining work force with a focus for some new development.

The agencies will also need to work closely with those companies on plans to redevelop the site in the future and on how the site will be marketed to attract new industry. I am sure that English Partnerships, the Northern Development Company, DIDA and others will prove to be up to that task.

Another priority will be the training and retraining of people affected by the job losses, which touches on the point made by the hon. Member for North-West Durham (Ms Armstrong). I am pleased to announce that the Employment Service has agreed to waive its usual eligibility criteria, to provide immediate access to its schemes for the Ever Ready work force. That is a positive step in trying to ensure a continuation of job prospects.

Officials are working closely with the County Durham training and enterprise council to identify the areas where resources can most usefully be deployed, to tackle the immediate effects of the announcement. The overriding priority—I am sure all hon. Members are on this wavelength—will be to create new jobs. I am delighted to announce that my Department has offered a £940,000 grant to a major company in the area for an expansion project that should create well over 100 new jobs.

The House will understand that I cannot be too specific at this moment, because of the commercial confidentiality of the current discussions. However, that development represents an immediate response to the Ever Ready announcement. We all hope that that grant will be accepted, and that the project comes to fruition.

Mr. Radice: Is that potential project in Derwentside, or nearby?

Mr. Page: I ask the hon. Gentleman not to press me, because, if I am too specific, everybody will be able to work out the location and the company's identity. The offer has been made, and we are waiting to learn whether it has been accepted. I hope that we will be able to announce the creation of 100 new jobs and their location.

Derwentside is well placed to take advantage of the north-east region's outstanding record of success in inward investment—some £4 billion over the last 10 years, creating or safeguarding more than 50,000 jobs. It reflects to the credit of this country that so many overseas organisations have established themselves in the UK and are playing a full and vital part in the manufacturing process.

One example is a recent investment by Nippon Silica Glass to manufacture silica quartz at Annfield Plain. Silica quartz is a vital component in the manufacturing process for wafers at the successful Fujitsu plant nearby—which last year announced a huge additional investment of some £800 million to increase production and jobs.

There is a need for a wider local regeneration strategy. I welcome the target that the Derwentside economic development strategy has set itself, of securing 500 net new jobs for the area by the year 2000 through inward investment. It is vital that all the local partners work together to make sure that that challenge is met.

That objective will certainly be assisted by the £100 million Project Genesis development to redevelop the centre of Consett and to establish a high-quality business park on the former British Steel site at Berry Edge, in addition to impressive leisure facilities. The Government have also provided £1.2 million of support through the derelict land grant programme, as well as £1 million of support through European regional development funds for the project. My Department also stands ready to discuss further funding packages for that flagship project, as and when required. We anticipate that the development will create at least 2,700 jobs, as well as improving industrial land and infrastructure in the area.

More generally on the regeneration front, the first two rounds of the single regeneration budget included two large projects for Consett and Stanley worth more than £5 million in total, which shows that resources are being put where they are needed.

The hon. Member for North Durham asked whether he could bring a delegation to meet me or another Department of Trade and Industry Minister. The answer is yes—I would be more than willing. However, perhaps I may offer the hon. Gentleman a choice—what more can I do for him? The relevant people could come to the Department to discuss matters. Alternatively, my noble Friend Lord Fraser, who is the sponsor Minister for the region, would be prepared to meet when he is in the area a delegation led by the hon. Gentleman to discuss matters there and then, on the spot.

I leave it to the hon. Gentleman to decide which arrangement he prefers. No doubt he will discuss those proposals with the people involved in his constituency and let me know his decision. I hope that, by then, even further plans for tackling the redundancies will have firmed up, and we can make a more focused response to help the people who are going to be out of work.

I assure the hon. Member for North Durham that my Department is actively engaged in the process of assisting the people of Derwentside to deal with the consequences of Ever Ready's announcement. It has been made absolutely clear that Ever Ready's decision is due to no failing on the part of the company's work force, but is for global strategy reasons. Such decisions are made sometimes, and they are a damaging blow—but I am certain that the hon. Gentleman's constituents can come together in a focused and positive way to bounce back.

The evidence of the past 15 years, and the announcements that I have been able to make today, make me confident that the partnership in north Durham will meet the challenge. I look forward to learning the hon. Gentleman's decision on the arrangements to meet his delegation.

Red Squirrels

12.57 pm

Mr. Peter Atkinson (Hexham): It is a pleasure from time to time to enter the Chamber to participate in a debate that is not acrimonious. Sometimes the House is at its best when there is general agreement, and the protection of a part of our valuable wildlife—the red squirrel—is a subject dear to many hon. Members' hearts.

I pay tribute to the hon. Member for Gateshead, East (Ms Quin) for her early-day motion calling for greater protection for the red squirrel, which has received widespread support from hon. Members of all parties. I welcome my right hon. Friend the Member for South Ribble (Mr. Atkins). We share many common interests, including one-eyed lorry drivers.

The red squirrel faces a serious plight. As recently as the 1920s, the red squirrel was commonplace throughout most of the British isles. One could see it even in suburban gardens. It was ubiquitous throughout the nation. Today, the red squirrel has retreated to a few outposts. It is found on the Isle of Wight and Brownsea island, and in a few places in Wales. There are about 50 red squirrels in Thetford forest, and a few can be found on the Lancashire coast, in north Lancashire and in Durham. However, the red squirrel's last refuge is really Northumberland and Cumbria, where the species is still found in numbers.

The reason is that there are no grey squirrels in those areas. The problem that the red squirrel faces is competition from the grey. The grey squirrel was introduced to this country in the 19th century as an ornament in parkland. It comes from north America and is much more robust than our native red. The consequence is that the grey squirrel beats our native species to the best habitats and to the available food, so the red squirrel disappears from areas invaded by the grey.

I know that you, Mr. Deputy Speaker, have a different species in your area—a black squirrel imported from south America by the Dukes of Bedford many years ago. They have now escaped into the surrounding countryside, and although they are attractive, they will only add to the problems faced by our native red.

I pay tribute to the organisation known as Red Alert. The group is chaired by Viscount Ridley and is made up of a number of wildlife organisations and forestry interests: the Northumberland Wildlife Trust, the Timber Growers Association, the Forestry Commission, English Nature and others concerned about the steady decline of the red squirrel. They banded together some time ago and raised the profile of the campaign to safeguard the future of the red. Without that campaign, the red squirrel would have continued to disappear from the last few places where it is found, and some time during the next century, this once popular and much loved specimen of our wildlife might have disappeared altogether.

Red Alert's greatest achievement has been to publicise the issue and bring it to the attention of the public. It has also won a great deal of support from farmers, foresters and landowners in the north. One tactic that Red Alert is working on is the drawing of lines around the areas where red squirrels live. The idea is to repel the grey squirrel from further advances to the south and the north. There are now grey squirrels in the Scottish border country; the danger is that they will move over the border into Northumberland. The people who own and cultivate the land there have become interested in a system of culling grey squirrels before they can spread further.

Whereas most of Northumberland used to be free of greys, in recent months there have been reports of greys in the southern part of my constituency. Red Alert has engaged in further practical projects, including studying data on red squirrels, drawing up a map of their distribution, and training people involved in forestry in the control of greys and in creating habitats more suitable for reds.

A two-pronged operation is called for: the control of the grey squirrel and the encouragement of the red. The red does better in certain habitats; the grey is dominant in broadleaf woodlands, but the red survives well in conifer plantations. In the Kielder forest in Northumberland, which is part of the forest of Spadeadam, Forest Enterprise is creating a reserve for red squirrels by carefully felling and planting trees of specially selected species.

For instance, the red does not like the ubiquitous Sitka spruce, but it likes the Norway spruce. So in the reserve, Norway spruce will become the dominant tree. It is also important that those planting the new community forests design them with our native red squirrel in mind.

Control is the other side of the coin. It is difficult to discuss the subject because squirrels are seen as furry animals, liked and fed by members of the public in the royal parks. The latter do not understand sometimes that restoring the red squirrel involves controlling the greys. Extermination of the species will never happen, but control is called for.

The only really satisfactory method is the use of warfarin, a rat poison. It has been used for a long time by forestry interests, because the grey squirrel is a serious pest for forestry. Ten or 15-year-old hardwood trees that have survived the early stages of development when they are most at risk and which are just about to prosper and become full-grown trees are the ones attacked by the squirrels, which peel their bark off. Sometimes that kills the trees; sometimes they are merely stunted.

The difficulty is that the pesticide regulations rightly forbid the use of warfarin in areas where there are red squirrels. We do not want to kill reds at the same time as greys. The Forestry Commission and others, including the Countryside Council for Wales, have developed a method of feeding the poison to grey squirrels but not to reds. This is done with a specially designed hopper. The red cannot get into the feeder because it is much weaker than the grey and cannot lift the lid.

If these experiments are successful, we want the Minister to help us by redrafting the pesticide regulations—the warfarin order—so that these special traps may be brought under the control of local wildlife authorities, and we can begin to control grey squirrels in areas where they are advancing on the territory of the reds.

There is not much point in a campaign to control greys in areas where there are no reds left. It is in the border areas where both exist that control is vital.

Mr. Elliot Morley (Glanford and Scunthorpe): The hon. Gentleman is making an excellent case, and has

made some important points. Although warfarin is probably highly effective in the short term, it is an unfortunate poison in terms of its effects on animals. The hon. Gentleman touched on controlling squirrels by alterations to habitats, and other non-lethal means. Does he agree that, in the longer term, non-lethal methods of control such as contraceptive bait, habitat creation and food supplies for red squirrels might prove even more effective at controlling the problem?

Mr. Atkinson: I agree entirely. At present, warfarin is the only practical method we have. Shooting is not effective. Live trapping is possible, and if a red is accidentally trapped it can be released; but that puts a certain stress on red squirrels, and it is time-consuming and labour-intensive. Moreover, if the traps are not regularly inspected, the victims may be caused considerable suffering.

Contraceptive bait is being investigated at the moment. Sheffield university, funded by the Forestry Commission, is involved in the research. The effect is to sterilise male grey squirrels. That may come as a surprise to them, but it will be a humane way of reducing their numbers.

There is also an experiment under way in Anglesey, where there are 50 reds left and 1,000 greys. The Countryside Council for Wales is providing feed hoppers to find out whether the experiment will work. If it satisfies those who supervise our pesticide regulations, the rules must be changed to allow the system to be deployed in the border territories.

The hon. Member for Glanford and Scunthorpe (Mr. Morley) is correct to emphasise the importance of habitat creation suitable for red squirrels. We might use the new woodland improvement grants for this purpose. The Forestry Commission gives out such grants for several projects, and it would be useful if this project could be considered for a grant. Thus, the costs of grey squirrel control, and of habitat creation for red squirrels, could be borne by woodland improvement grants.

Scientific advances in contraceptive bait will probably offer the long-term solution to the problem of the grey squirrel. If so, it will become possible to consider the reintroduction of the red squirrel to areas from which it has vanished—to the royal parks, for instance. They were once common there, but London children who visit the parks think that all our squirrels are grey. That is very sad. As the hon. Gentleman said, quite rightly, in addition to reducing the number of grey squirrels, one has to supplement the feed of red squirrels for them to prosper.

I hope that the debate will be helpful in drawing attention to the growing problem facing red squirrels, and will make us all, including the Government, determined to save that treasured species of English wildlife from extinction.

1.9 pm

Mr. Robert Atkins (South Ribble): I am grateful to my hon. Friend the Member for Hexham (Mr. Atkinson) for allowing me a moment or two in the debate, and we are all keen to hear what my hon. Friend the Under-Secretary has to say.

When I was doing the job that my hon. Friend the Under-Secretary is now doing, I paid a visit to Mere Sands wood, which is adjacent to my present constituency of South Ribble and will form part of my new constituency. The wood is controlled by the Lancashire Wildlife Trust, and it contains a small number of red squirrels, largely because of the island habitat to which the hon. Member for Glanford and Scunthorpe (Mr. Morley) referred. The grey squirrels cannot jump across to the island to cause problems.

When I was a small boy, I used to walk to school through Highgate woods—a very ancient woodland area—in London, and I saw red squirrels there. A small amount of money was offered at one stage to people who killed grey squirrels, which were even then damaging the red squirrels' habitat. I believe that there are now no red squirrels in London or the south-eastern area. My part of world is the first place on the way north in which you would bump into red squirrels, Mr. Deputy Speaker, as opposed to black ones.

I urge my hon. Friend the Under-Secretary to pay great attention to the problem. The red squirrel is a very important part of the indigenous mammal life of this country. I am delighted that Viscount Ridley and the Red Alert campaign are trying to save the red squirrels. I hope that we can generate more red squirrels in the future, because they are important for our native habitats. I will do all I can to ensure a future for the red squirrels in Mere Sands wood and other areas.

I congratulate my hon. Friend on raising this subject. It might be thought by those outside to be a slightly esoteric subject to raise on the Adjournment, but it is important. If we do not address the problem now—as the Minister of State, Home Office, my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) knows from his knowledge of his constituency—there will be no red squirrels left in England. Content as I am to see my right hon. Friend the Member for Dumfries (Sir H. Monro) in his place representing Scotland, I wish to keep red squirrels in England, not just Scotland.

My hon. Friend the Member for Hexham has done the country and the House a service by raising the issue.

1.12 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I am pleased to have the opportunity to make a contribution to this important debate. I warmly congratulate my hon. Friend the Member for Hexham (Mr. Atkinson) on securing a debate on an important subject of wide interest in the House and outside. I am sure that it will be of great interest to many of my hon. Friend's constituents. I am also grateful to my right hon. Friend the Member for South Ribble (Mr. Atkins). I take on board the strong message about the importance of this subject and the need to maintain the bastions of red squirrels to help their survival.

My hon. Friend the Member for Hexham has spoken about the significant pressures on our native red squirrel. Indeed, the United Kingdom's red squirrel population has suffered a marked decline in the past 50 years. It is, after the water vole, our second most rapidly declining mammal. During the same period, we have seen the grey squirrel increase in numbers and range throughout most of England and Wales.

The spread of grey squirrels is one of three factors that have had a negative effect on reds. Habitat fragmentation is a second contributory factor, where areas become less able to support reds and thus indirectly increase their

[Mr. James Clappison]

vulnerability to displacement by greys. Disease is another contributory factor. However, although such situations are complex, conservationists agree that the spread of the grey squirrel, which was first introduced to this country from America about a century ago, is a main factor in the decline of the red squirrel. The Government do not underestimate the threat to that popular and important native species, and we are committed to its conservation.

The current population estimate of red squirrel numbers is at about 160,000. Its distribution, as the House has heard, is now largely confined to Scotland, Northern Ireland and the extreme north of England. There are scattered and isolated populations persisting in southern England, on three islands in Poole harbour in Dorset, at Cannock Chase in Staffordshire, at Thetford in Norfolk, and, as the House has heard, on the Isle of Wight. The last mentioned is an important colony, and I am glad to see my hon. Friend the Member for Isle of Wight (Mr. Field) in his place.

Mr. Barry Field (Isle of Wight): Is my hon. Friend aware that it is an offence to take a grey squirrel to the Isle of Wight? In view of the declining population of red squirrels, will he consider whether that legislation is still adequate?

Mr. Clappison: My hon. Friend makes a valuable point, and I will consider the legislation to which he has referred.

In Wales, only a few thousand red squirrels remain, confined to scattered localities. In northern England, they are found only where greys have not yet established themselves.

It is estimated that the largest populations remaining in England are those in Cumbria—my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) is in his place—north Lancashire—my right hon. Friend the Member for South Ribble mentioned the island with which he is so familiar—and Northumberland. Those locations contain about 85 per cent. of the total red squirrel population in England. As my hon. Friend the Member for Hexham rightly said, it seems that Northumberland is relatively important in its red squirrel numbers, in comparison to the rest of the country, and it is therefore vital to safeguard its population from the encroachment of the grey.

The steps that I will outline as taking place to prevent the red squirrel from disappearing from this country are fully in accordance with the undertaking to maintain biodiversity which my right hon. Friend the Prime Minister made at the earth summit at Rio in 1991. I hope that it will be helpful to the House if I put this subject in that context.

At that summit, more than 150 countries recognised the importance of maintaining the existing range of fauna and flora species by signing the convention on the conservation of biological diversity. That convention recognised that action must take place locally, nationally and globally, if global biodiversity is to be protected. The conflict that we see in Britain between our native red squirrel and the introduced grey, and the threat that the latter poses to the red squirrel, encapsulates the need for our intervention to prevent a species from disappearing from our shores and perhaps further afield.

The United Kingdom has been at the forefront of the recognition of the importance of conserving biodiversity and, in response to the commitment made in article 6 of the biodiversity convention, in January 1994 the Government were the first to publish an action plan to secure that biodiversity. The House may be interested to know that my right hon. Friend the Secretary of State for the Environment recently chaired the OECD environment policy committee at ministerial level. The meeting was very successful and identified a number of strategies and tools required to meet the environmental challenge facing OECD countries in the next century.

The biodiversity steering group, which was established early in 1994, produced its report and recommendations last December. While the Government will not formally respond to those recommendations until the spring of this year, the recommendations recognise the need to take action at a number of levels to conserve a species' status.

The red squirrel is one of 121 species for which the steering group has proposed a species action plan. The plan recommends a set of targets for the species and a range of actions to support those targets. Those actions form a wide-ranging strategy and fall into six broad categories: legislation and policy; site protection; species management and protection; advisory; continued research and monitoring; and communications and publicity.

The Government are already carrying out or considering many of those recommendations. I hope that, after hearing what I have to say, my hon. Friend the Member for Hexham and the House will be satisfied that the Government are taking seriously the threat to this native species. In the areas of legislation and policy, the red squirrel is afforded the fullest protection under the Wildlife and Countryside Act 1981. Under that Act, it is an offence intentionally to kill, injure, take, possess, disturb or sell any wild specimen.

Furthermore, in an effort to control its spread, the grey squirrel appears on schedule 9 of the 1981 Act, which lists those species which it is an offence to release or allow to escape into the wild. I hear what my hon. Friend the Member for Isle of Wight says about the circumstances in his constituency. However, with numbers of the larger grey squirrel estimated to be 2.5 million and rapidly encroaching on the remaining red squirrel populations, more positive action is required to address this problem.

Additionally, good progress has already been made by the Joint Nature Conservation Committee to complete the first target recommended by the biodiversity steering group, to achieve agreement on a UK red squirrel strategy. Indeed, this strategy is now nearing the end of an extensive consultative process, and is aimed to be published in the spring of this year.

The Forestry Commission will in turn be seeking to ensure that the needs of red squirrels are taken into account when indicative forestry strategies are prepared or reviewed. I take on board the important points that my hon. Friend the Member for Hexham made about the forestry role.

In respect of site safeguard, the Government have encouraged their agencies to work closely with conservation organisations to meet this challenge. The Joint Nature Conservation Committee, the Forestry Commission and conservation bodies are currently developing a strategy to maintain the red squirrel in its

current strongholds. Management plans for all key sites with viable populations will be prepared and are to be phased, with plans for all marginal sites by the year 2000 and all other sites by 2005. For example, a 2,000-hectare conifer woodland in north Wales has been set up as a special reserve for red squirrels by the Forestry Commission, working with the Countryside Council for Wales.

It is generally accepted that greys usually out-compete reds in deciduous woods, while reds are better able to survive in coniferous forests. Grey squirrels are much bigger and heavier than reds, and are better able to compete for the large seeds that many of our broadleaved trees produce—either because they can harvest them before the red squirrel or because they can digest them better. Therefore, in the typical broadleaved British wood, with its mix of oak, beech, hazel and chestnut, the American grey effectively out-competes the British red. The result is that the red squirrel cannot put on enough fat to survive the winter, and either starves or suffers reduced breeding success the following year.

Conservationists agree that, over time, red squirrels will disappear from areas invaded by greys. The prognosis is not, however, entirely gloomy because, in mixed coniferous forests, where the small and more nimble reds are better able to access the tiny conifer seeds, scientists currently believe that the British reds can, the House will be pleased to hear, out-compete their American cousins.

Government agencies are encouraging research into exactly what type, or more likely mix, of conifer trees are best for red squirrels. This research will consider how we should design such forests so that they may stand as a refuge for the red squirrel. In the Kielder forest—this will be of interest to my hon. Friend the Member for Hexham—the Forestry Commission is planting Scots pine and Norwegian spruce in preference to the more commonly planted Sitka spruce. These are varieties which produce the larger cones which red squirrels prefer.

Although the Kielder forest is currently the only site where the Forestry Commission is actively switching the type of tree being planted, it has produced guidelines for the management of coniferous woodlands, which encourage the planting of large-coned coniferous trees. This policy is aimed at encouraging landscape biodiversity as well as the survival of red squirrels. In the long term, this will be the most efficient way of conserving our red squirrels—managing the habitat so that they can compete for themselves.

At a more local level, the Forestry Commission's woodland improvement grant scheme, which was introduced last year, provides one-off grants for work programmes in woods and forests. Although the scheme is currently applicable only to recreational projects, the Government will shortly be considering proposals to extend its scope to other activities. We shall consider my hon. Friend's suggestions during that review process.

Action on species management and protection work has been targeted with the development of strategies to guide and co-ordinate work. This has been addressed with a major campaign—Red Alert. I join the tribute which my hon. Friend rightly paid to that campaign. As he said, it has been initiated to raise public awareness. The establishment of a UK squirrel forum brings together Government agencies and interested parties. They all attend the forum to exchange information and to co-ordinate their actions for the benefit of red squirrel conservation.

While habitat modification is widely accepted as the long-term solution, in the short term the strategy includes a recommendation to provide food for red squirrels in selective hoppers. That will give the more specialised red squirrel a better chance to survive shortages of its normal food. Consideration is being given to the control of grey squirrels on the borders of red squirrels' territories. It is hoped that, if they are carefully targeted and carried out in conjunction with woodland habitat management, these measures will help to protect the remaining red squirrel strongholds.

Importantly, English Nature, the Government's scientific adviser in England, has introduced a species recovery programme, which includes the red squirrel, and aims to achieve long-term sustainable survival of endangered species. English Nature's work has centred largely on Thetford forest, Norfolk, where, jointly with the Forestry Commission, it has been removing grey squirrels from a designated red squirrel reserve and managing the forest to benefit the reds.

The project has already seen some positive results, as more red squirrels have been seen in the area recently. However, the population is believed to be too small to be viable in the long term, and some restocking, in partnership with the People's Trust for Endangered Species, will be carried out once an ideal donor population can be identified from the results of a current genetics study. In Scotland, the red squirrel is one of Scottish Natural Heritage's top priority species within its species action programme.

The Forestry Commission in particular is undertaking research into methods of controlling grey squirrels. Live trapping is labour-intensive, but it is a commonly used method. I understand that the wildlife trust in my hon. Friend's constituency promotes training courses on live trapping. Warfarin poisoning is possibly as effective if carefully managed, and the Forestry Commission has developed a hopper for dispensing poisoned wheat to grey squirrels, which excludes red squirrels.

The Forestry Commission is discussing the use of the poison in this way with the pesticides safety directorate, with the aim of trailing the hopper for wider use in this way in 1997. I understand that the use of the poison in areas not specified in the warfarin order will not require any amendments to legislation, as permission may already be given under the control of pesticides regulations. If the trials are successful, there will be a major advance in controlling greys in areas where red squirrels are found.

I appreciate, and I am sure that the House will understand, that many of the public would view the destruction by poisoning of a species to control it as rather brutal, particularly as many people have not seen a red squirrel—that is why the grey squirrel is regarded as a welcome visitor to urban gardens and parks. Conservationists agree, however, that, where there is possible conflict between the two species, the control of the grey squirrel may often be necessary to conserve the red stocks.

The Forestry Commission is considering alternatives to warfarin poisoning and is sponsoring a research project at Sheffield university into immuno-sterilisation, making grey squirrels sterile by using a vaccine in food. This is a promising line of research, but, even if it is successful, it will be at least eight years before it can be implemented.

[Mr. Clappison]

Government agencies are asked to provide advice to land managers on the relationship between reds and greys, and appropriate management. Guidance on forestry design has been developed to benefit red squirrels. The Forestry Commission offers advice to landowners in the form of technical publications and personal visits, and through the local squirrel management groups and the squirrel forum, and is preparing a comprehensive report on squirrel management. The commission also chairs the squirrel forum, and is involved in setting up a Scottish squirrel group.

Future research and monitoring will undoubtedly be necessary to ensure a secure future for the red squirrel. Many of the measures that I have described this morning will meet that objective.

Communicating the issues calmly and concisely to the public and landowners will be important, whatever action is decided on further to protect this species. The issue of the balance between red and grey squirrels can be an emotive one, and it is therefore essential that clear information to explain their relationship is made available to the public. Towards that end, the JNCC UK strategy will be made freely available to everyone. Educational material on the interactions between our native red squirrel and the American grey squirrel should also be made available, particularly to schoolchildren.

I hope that my hon. Friend and the House will agree that the Government are taking a wide range of action to preserve this important native species, which will benefit many hon. Members' constituencies that still have red squirrels. I once again pay tribute to my hon. Friend for raising this important subject, on which I am sure the House will hear more.

Mr. Sodagar Hussain

1.30 pm

Mr. Max Madden (Bradford, West): I am very pleased to have this opportunity to introduce a brief debate on the case of Mr. Sodagar Hussain, who, as a visitor, married in this country in 1985. He was advised to observe the law, returned to Pakistan and applied for a visa to rejoin his wife in the United Kingdom. He has made several unsuccessful visa applications since then, and he has had at least three appeals in Leeds dismissed.

Mrs. Hussain has had extended visits to Pakistan to be with her husband—not to be with him, but to demonstrate what the immigration laws describe as intervening devotion. Mr. and Mrs. Hussain have two children, a son of nine and a daughter of eight. Both children were born in this country and are, therefore, British citizens by birth.

Mr. Hussain's initial visa applications were turned down by entry clearance officers in Islamabad on the basis of the primary purpose rule. That hated rule is one by which the authorities say that the primary purpose of an application is to gain entry to the United Kingdom. By using that rule, the authorities are clearly saying that a marriage is not, in their view, genuine, and that it is bogus.

Mr. and Mrs. Hussain's marriage was viewed in those terms as late as 1990, after the birth of their two children. It is interesting to note that the Government's position on the primary purpose rule was radically affected by a critical judgment delivered by the European Court of Human Rights, following which the Government introduced a so-called concession by which couples who have been separated for five years or who have children are able to apply for a review of their case. I emphasise that it is only a review and does not in any way imply a guarantee that applicants will be granted a visa.

In April 1993, Mr. Hussain was refused another visa application because an official in Islamabad was not satisfied that adequate maintenance and accommodation were available in the United Kingdom without what is termed "recourse to public funds". John Molloy, the adjudicator in Leeds, dismissed Mr. Hussain's appeal against that decision in March of last year. Mr. Molloy clearly had considerable sympathy for Mr. Hussain and, especially, for Mrs. Hussain. In his verdict, which was published last year, he said:

"I also bear in mind that she,"—

that is, Mrs. Hussain—

"perhaps more so than other people in this country, would wish to secure employment not only to provide for her family but also to satisfy the Immigration Rules. In these times of economic uncertainty and difficulties in the labour market her efforts do her credit. The fact that she is able to save from her earnings also does her credit. These points count in favour of her husband.

Sadly, what does count against the appellant,"—

that is, Mr. Hussain—

"and tellingly so in this appeal, is the fact that the sponsor has when entitled to do so claimed and received not only Income Support at the date of the decision but Family Credit some months after she commenced her first period of employment . . . in 1993."

Mr. Hussain made yet another application last year, which was refused, and he is now awaiting yet another appeal, to be heard in Leeds.

I met the hon. Member for North Dorset (Mr. Baker), the Minister's predecessor, at the Home Office on 9 August last year. I subsequently received a reply, dated 16 November, from the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope), whom I am pleased to see in the Chamber, and who will reply for the Government in this debate. In that letter, he said:

"Where a couple both work, family credit would be payable if their wages were low. The amount of family credit would depend on the wage but for a couple with two children, £195 is the lowest wage they could earn without receiving family credit.

The Immigration Department does not object to the settled partner receiving any assistance to which he or she is entitled in his or her own right, nor, in the short term, would there be any objection to assistance provided by third parties. However, the Immigration Rules do envisage both parties becoming self-supporting in the long-term and I am afraid that the evidence which Mr. and Mrs. Hussain have so far produced does not suggest that they would be able to maintain and accommodate themselves without recourse to public funds. I am afraid that in these circumstances it would not be appropriate for me to reverse the decision to refuse entry clearance, which, as you know, was upheld by the appellate authorities."

The Minister went on to say that he was copying the correspondence to our post in Islamabad.

How does the Home Office now define "long-term"? As this is clearly a significant shift in policy, when was guidance issued to adjudicators about the phrase "long-term"? Last year, Mr. Molloy was clearly unaware of that shift in policy when he took the decision to which I have referred.

On 22 November, I replied to the Minister's letter and said:

"I must say I am most concerned it has taken the Home Office so long to reach such a monstrous decision. There can be very few couples, who have been separated for more than ten years, with two children, whose case has been dealt with so shabbily.

I would be most grateful for an early opportunity of discussing this case with you further to see if there is some way it can be resolved in favour of Mr. Hussain and his wife and family."

On 10 January this year, the Minister replied and again referred to Mr. Hussain's application of 1993. He went on to say:

"Mr. Hussain appealed against the decision to the independent appellate authorities and at the time of the appeal hearing in March 1995, Mrs. Hussain was employed by a clothing company . . . She was earning £155 a week.

Mr. Hussain re-applied for entry clearance in June 1995 and there had been a change of circumstances as Mrs. Hussain now worked for"—

another company—

"for . . . £89.75 for a 40 hour week."

I shall repeat that:

"for . . . £89.75 for a 40 hour week."

The Minister goes on to say:

"The entry clearance officer considered that the wages were very low and as Mrs Hussain had two children to support it was likely that she would need that assistance of Family Credit payments. Moreover, the entry clearance officer discounted the possibility that Mr Hussein would gain employment in a reasonable time, or that Mrs Hussain's family would provide third-party support."

Mr. Hussain is now 36. When I first met Mrs. Hussain, in the late 1980s—I made representations by way of parliamentary questions in 1989—she was a bright and confident young woman looking forward to married life in Bradford with her husband and her children. Now, I am sad to say, she is dejected and defeated, approaching her middle years and uncertain whether she will ever be united in this country with her husband and children. It is monstrous that a British citizen who has married and wishes to remain in this country with her husband and her British-born children should face such insecurity and uncertainty.

Mrs. Hussain has had to give up working full time, even for the miserably low wages that I described, because her sister, who is also married with children and has the misfortune to live in a low-income household, is no longer able to take Mrs. Hussain's young children to and from school. Mrs. Hussain, who was rightly praised by the adjudicator for all her efforts during those 11 years to establish a home and obtain employment, now works from 9 am until 3 pm from Monday to Friday, on commission, for the princely sum of £60 to £70 a week.

Low pay, especially for women, is endemic not only in the region that I and the Minister have the honour to represent, but across our country. The Government encourage low-paid workers to take family credit. Millions of pounds are spent on advertising to encourage low-paid workers to take advantage of family credit. The Government constantly boast of the number of workers who are supported by family credit. Over the years, what was Mrs. Hussain expected to do? She had struggled to obtain and keep a job, despite children. The view of the officials who were interviewing and refusing applications from her husband in Islamabad so frequently was that the pay was too low to support herself, her children and her husband. Was she expected to deny herself and her family the subsistence income that family credit provides, in the knowledge that if she accepted it there was every prospect that she would disqualify her husband indefinitely from ever being given a visa to join her and the children in Bradford? Was she to deny herself and her children that subsistence income in the forlorn hope that one day her husband would be given a visa? That is the dilemma that has haunted Mrs. Hussain and her family in the 11 years that she has been waiting for a decision to be taken.

The only sin committed by Mr. and Mrs. Hussain is that they are poor, and that is something with which many people caught up in immigration laws are afflicted. There seems to be one law for the well-off and an altogether different law for the poor and the most vulnerable. If the decision to refuse to grant Mr. Hussain a visa stands, many will conclude that only the well-off will be allowed to live together in this country in future.

I strongly believe that this case illustrates the overwhelming need for family credit to be taken off the list of public funds, so that no one who has the support of family credit, which is encouraged by the Government, is disqualified in the same way as Mr. Hussain. Unless and until that is done, low-income applicants and sponsors will be denied not only a basic decent income but their fundamental right to family union in this country. It is appalling that the Government have separated this couple for 11 long years. It is wrong that they should separate a husband from a wife, a father from his children. The time has come for the Minister, exceptionally and outside the immigration rules, to allow Mr. Hussain to join his family, so that he may enjoy the family union to which they are entitled.

[Mr. Max Madden]

I hope very much that, as a result of this short debate, the Minister will agree to consider my request, which would restore some prospect of hope for this couple to enjoy what is left of their married life together in Bradford, and send an important message to others in similar circumstances, that they should not forsake their hope of family union in this country. I hope very much that family credit, which has caused this couple such great difficulty over the past 11 years, will soon be exempted from the list of public funds.

1.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I listened most carefully to what was said by the hon Member for Bradford, West (Mr. Madden), and I appreciate the reason for his determination to draw the attention of the House to his constituent's case.

The case concerns a decision to refuse entry clearance to the spouse of a person—the husband of the hon. Gentleman's constituent—settled in the United Kingdom. The application was refused because the entry clearance officer was not satisfied, as he must be, that adequate maintenance and accommodation were available to the couple in the United Kingdom without recourse to public funds. As the hon Gentleman said, this is the second time that the applicant has been refused entry clearance because the entry clearance officer was not satisfied that that requirement was met.

Parliament has provided a right of appeal to the independent appellate authorities in such cases. The applicant exercised that right against the earlier refusal, but his appeal was dismissed by an adjudicator in March last year. The applicant then re-applied for entry clearance in June. The application was refused in November. His appeal against that decision will be heard by the appellate authorities as soon as possible. The responsibility for the arrangement of hearings rests with the Lord Chancellor's Department, but I understand that the appeal is likely to be heard towards the middle of this year.

I have taken particular note of what the hon. Gentleman said about the steps that the sponsor has taken to find employment and to repay the mortgage on her home. Although it is impossible not to sympathise with her, the burden of proof as regards satisfying the requirements of the immigration rules in question rests squarely on the applicant. In other words, her husband must show that he and his wife can maintain and accommodate themselves without recourse to public funds. Although I hear what the hon. Gentleman says about that rule, he will know that there are many examples where we require those who come to this country not to be a drain on public funds, of whatever kind. As the hon Gentleman will be aware, the independent appellate authorities, after carefully weighing all the evidence, concluded that the applicant had not discharged that burden.

The hon. Gentleman has presented his case thoroughly, but I am sure that he will not mind if I go over some of the facts that led the entry clearance officer to refuse the latest application, which was made just three months after the appellate authorities dismissed the applicant's appeal. At the time of the appeal hearing, the hon. Gentleman's constituent was employed by a clothing company, earning £155 a week. There was also an offer of employment to Mr. Hussain in the same company. Moreover, the sponsor's sister had offered third-party support from her own funds.

The adjudicator considered all the facts. He noted that, in addition to working, the sponsor had been claiming family credit. He dismissed a job offer for the applicant as vague and inconclusive. He also dismissed the offer of third-party support as unrealistic, given the circumstances of the person making the offer and also given the fact that none had been paid so far. When the entry clearance officer came to consider the latest application, he found a change of circumstances. The sponsor no longer worked for the clothing company, although she had found alternative employment—but at a salary of just over £2 an hour.

Given that the adjudicator was unhappy with the sponsor's earlier employment, her present rate of pay was clearly equally unsatisfactory, and the entry clearance officer could not be satisfied that she would not have recourse to public funds. The entry clearance officer also considered it reasonable to discount the possibility that the sponsor would gain better-paid employment in a reasonable time, or that her family would provide third-party support.

The entry clearance officer acknowledged that the sponsor had now started making mortgage repayments from her own account, but, as she was probably still in receipt of family credit, he could not be satisfied that the payments were not being made, at least indirectly, from public funds. He concluded that, since the appeal hearing, there had been no improvement in either the maintenance or the accommodation aspect of the case, and he therefore refused the application. I am satisfied that that decision was fully in accordance with the clear requirements of the rules. An appeal has been lodged, and, if there is any further change to the couple's circumstances, it will be thoroughly considered by the appellate authorities.

The hon. Gentleman referred to the hardship that the decision has caused the couple's two children, and suggested that I consider allowing the applicant to come to this country on an exceptional basis outside the rules. I agree that the welfare of children is an extremely important aspect, but it must be borne in mind that someone claiming an important benefit such as admission to this country with a view to settlement should have to demonstrate his eligibility. It is an important principle that, in both the immigration rules and most other functions of government, people must show that they are entitled to the benefit that they are claiming.

The applicant clearly does not qualify for admission, and only in the most exceptional circumstances would it be appropriate to waive the requirements of the rules, which have been approved by Parliament. The compassionate considerations in this case cannot be considered most exceptional, and I would not be applying the rules fairly and consistently—as I must do in order to maintain fair and firm immigration control—if I overruled the conclusions reached by the entry clearance officer and the appellate authorities, and issued entry clearance to the applicant.

The hon. Gentleman criticised the way in which the maintenance and accommodation requirements of the rules operate. I am glad to have the opportunity to put

their operation in context. We are not the first Government to act to prevent the admission of spouses when the parties to the marriage could not maintain themselves without drawing on public funds. As the hon. Gentleman is doubtless aware, the last Labour Government found it necessary to apply a similar requirement. It would be impossible to overestimate the additional burdens that would be placed on the welfare services were we to cease to apply such tests.

The hon. Gentleman suggested that the test discriminates against sponsors who, like his constituent, are making commendable efforts to combine the responsibilities of work with bringing up children. That is not the case. We would not normally object to the settled partner's receiving any assistance to which he or she is entitled in his or her own right; nor, in the short term, would we normally raise any objection to assistance provided by third parties.

The hon. Gentleman also asked for family credit to be discounted when it comes to deciding what constitutes public funds. On 5 February this year, regulations came into force that tightened Department of Social Security procedures to ensure that ineligible persons from abroad were excluded from receiving certain non-contributory benefits, including family credit. Our intention is that those who are in the United Kingdom either illegally or on a temporary basis—including spouses who are admitted for an initial probationary period of 12 months—should not receive benefit intended for those who are settled here and genuinely entitled to it.

Mr. Madden: Will the Minister give way?

Mr. Kirkhope: I want to deal with a point that the hon. Gentleman raised earlier, and I have not much time in which to do so.

The curbs are intended not only to strengthen immigration controls, but to save taxpayers' money and greatly reduce the incentive for people to enter the country illegally. The key question, therefore, is whether additional recourse to public funds would be necessary as a result of the applicant's arrival here. The fact that a sponsor may not be claiming public funds at the time of the application is not in itself evidence that the couple have adequate resources to satisfy the requirements of the rules. The couple would need to provide evidence that the foreign partner would not, in the long term, need to claim public funds in his or her own right.

The hon. Gentleman raised the question of the definition of "long term", suggesting that we might have changed it. We have not, but the definition depends very much on the circumstances involved in individual cases. Adjudicators examine such cases and determine what would constitute a long-term or short-term position in those cases, but nothing is defined in the way in which the hon. Gentleman suggested. Certainly, no case law is available to benefit either him or me.

Mr. Madden: This is an important point. Does the Minister agree that, if Mr. Hussain were allowed to enter the country, he would not be eligible to claim family credit until he had been granted indefinite leave to remain, which would be at least 18 months after his entry? Will the Minister provide adjudicators with guidance on the definition of "long term"? Mr. Molloy was clearly unaware of what the Minister has told us, and I suspect that many other adjudicators are as well.

Mr. Kirkhope: I cannot discuss Mr. Molloy's views, nor do I wish to; but I can say that adjudicators are well aware of the need to define "long term", and do so on the basis of individual circumstances. That has been the case in this instance as in others.

Practical experience confirms that the tests are not too difficult to pass. The figures for migration from the sub-continent show that entry clearance was granted to 8,610 spouses, whereas 1,160 were refused solely because there was insufficient maintenance and accommodation.

I repeat that the sponsor's position deserves some sympathy, but I cannot believe that either she or her husband was entirely ignorant of the requirements of the immigration rules when they entered into the marriage. As the hon. Gentleman knows, it is my responsibility to maintain a fair and firm policy on immigration control. The majority of spouses applying for entry clearance to join persons settled in the United Kingdom are able to satisfy the requirements of the immigration rules.

Having said all that, I assure the hon. Gentleman that I have taken careful note of what he has said. Despite my remarks, I shall of course consider the matter in the light of what he has told me: that is a courtesy to which he is entitled, and one that I am pleased to exercise. I shall come back to him in due course.

It being three minutes to Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

Training Objectives

1. **Mr. William O'Brien:** To ask the Secretary of State for Education and Employment when she last met the chairmen of the training and enterprise councils to discuss the Government's objectives on training issues; and if she will make a statement. [14662]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice): I regularly meet training and enterprise council representatives to discuss a wide range of topics, including the Government's objectives on training.

Mr. O'Brien: Will the Minister consider extending the coal funding for training and enterprise councils beyond March this year? That funding was introduced to help train redundant mineworkers and other workers in coal areas where pits have closed. Less than a quarter of the work force in Wakefield has academic or professional qualifications. Cuts in vocational training services to help people into the next century will be devastating to Wakefield. Will the Minister ensure that there will be no cuts in training provision for Wakefield because the redundant mineworkers, the unemployed and the young will suffer more? Will he assure me that training programmes to help people obtain professional and academic qualifications will continue?

Mr. Paice: Officials in the regional office are currently in discussion with Wakefield training and enterprise council, as they are with all TECs throughout the country, about its contract for next year. Those discussions will take into account the unemployment situation and the perceived needs of every TEC. I therefore cannot tell the hon. Gentleman what the budget for Wakefield TEC will be next year because it has not yet been resolved.

There is no overall reduction in the amount of money being made available to TECs this year compared with what we expect them to spend. We have increased their overall resources and made more available for modern apprenticeships, for example. Negotiations are continuing and I shall make sure that regional officers are aware of the situation in Wakefield which, as we understand, reflects the decline of the coal industry.

Mr. Byers: Is the Minister aware of the concern expressed by training and enterprise councils about the bureaucratic burdens that are imposed on them? Has he had an opportunity to examine the report of the Employment Select Committee on the work of TECs and, in particular, the evidence that individuals on training for work schemes have to complete no fewer than 31 separate forms and that training providers calculate that 40p out of every £1 allocated for training is eaten up by administration costs? Can the Minister explain how, at a time of training cuts, the Government are spending more on bureaucrats and administrators rather than providing for the training and skills needs of our people and our country?

Mr. Paice: We had to wait for the soundbite at the end of that question. In reality, as I said in reply to the hon. Member for Normanton (Mr. O'Brien), there are no cuts overall in training budgets this year. We are increasing TEC budgets by 5 per cent., which is considerably ahead of inflation this year. The hon. Gentleman knows full well that the administration of training programmes is predominantly the responsibility of individual TECs, and we are pressing them to reduce the burden that they put on providers.

I have had a chance to study the Select Committee report briefly. Clearly, we shall examine the recommendations in considerable detail and respond to them in due course. That is the correct approach. My immediate reaction was basically that the report is extremely good in its attitude to training and enterprise councils and I welcome many of the Committee's supportive remarks. I emphasise that we are very much aware of the need to reduce bureaucracy for TECs. We are already dealing with that aspect and we shall obviously consider the recommendations in that light.

Mr. Sykes: That was a good answer from the Minister. Does he not think it a bit rich to be taking lectures about bureaucracy from Labour Members, when they voted against the Deregulation and Contracting Out Bill?

Mr. Paice: My hon. Friend makes his point perfectly well. We hear so much about reducing the burdens when the Opposition think that it is someone else's fault, but when they are given the chance to do something about it, as in so many other cases, they are woefully lacking.

Departmental Co-ordination

2. **Mr. Janner:** To ask the Secretary of State for Education and Employment what consultations she has had with other Government Departments about co-ordination on employment issues since the abolition of the Employment Department. [14677]

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): The merged Department for Education and Employment discusses employment issues with other Departments where appropriate, not least the policies which have been successful in reducing unemployment in the United Kingdom to one of the lowest levels of any major European country.

Mr. Janner: Is the Minister aware that many people take the view that the Government's abolition of the Department of Employment—and with it the Select Committee on Employment, which will not now be in a position to consider the Government's response on training and enterprise councils—has something to do with trying to take the spotlight off employment issues and the existing level of unemployment, which is still well over 3 million in real terms? *[Interruption.]* They can wait until they get the next report from the Select Committee. Will the Secretary of State, who took a great interest in employment issues in her previous incarnation and was sometimes even constructive about them, at least admit that the five Departments among which the issues have been spread should meet to discuss them and try to formulate some policy on them?

Mrs. Shephard: There are many regular contacts between relevant Departments—Trade and Industry, Social Security, Environment and the Treasury—and the Central Statistical Office, at both official and ministerial level. It is disappointing that the hon. and learned Gentleman should not only continue to peddle very curious unemployment statistics, but insist that what matters to unemployed people are the Whitehall committees which exist to examine their plight. I should have thought that what mattered was the rate of reduction in unemployment. It is truly extraordinary for the hon. and learned Gentleman, who has close links with employment activities both within and outside the House, to focus on the machinery of government and not on the fact that, on a claimant count, unemployment fell to 7.9 per cent. last month.

Mr. Congdon: Does my right hon. Friend agree that, in terms of dealing with unemployment and creating more jobs, having the right macro-economic framework in this country is far more important than the organisational structures of government? Have not the Government been uniquely successful in reducing unemployment? Would that not all be put at risk if they were foolish enough to adopt the minimum wage and the social chapter, as the Labour party advocates?

Mrs. Shephard: The Government have indeed achieved an excellent record in reducing unemployment, and it is the envy of some of our major European competitor economies. As my hon. Friend says, we put that down to the pursuit of strong economic policies, the reduction of inflation and the rejection of a national minimum wage and of the provisions of the social chapter.

Mr. Ian McCartney: The Opposition Front-Bench team is concerned that the new arrangements for the Select Committee will be insufficient to meet the necessity for thorough investigation of the incompetent Ministers across the Floor from us. An example of that must be the announcement that £500,000-worth of equipment has been lost by the right hon. Lady's Department in the past year while the Health and Safety Executive has managed to lose £800,000 worth of equipment in the past three years. Given the cuts in the budget, has there been an inquiry into those losses at the Department, and have the police been involved to try to find out what is going on? It seems that crime is the only growth industry in employment.

Mrs. Shephard: The hon. Gentleman has quoted well from what may turn out to be the silliest press release of the year. With regard to his question about the Health and Safety Executive, I refer him to the Department of the Environment. If the hon. Gentleman is so expert in preventing crime and theft from Departments, he should offer his services to Scotland Yard.

Mr. Riddick: Despite the fact that the Department of Employment has been abolished and merged with the Department for Education, will my right hon. Friend ensure that the British people are fully aware of the fact that unemployment in France is 3 million and increasing and unemployment in Germany is 4 million and increasing, while this country compares favourably with unemployment at 2.2 million and decreasing?

Mrs. Shephard: The Government have a strong record on employment and unemployment, particularly when compared with that of some of our European neighbours. For that reason, the Government have produced a booklet—which they have helpfully sent to all hon. Members—dispelling some of the myths that Labour Members try to convey. Our employment and unemployment records have been widely praised by other major European economies. For that reason, we have had the booklet translated into French and German the better to convey our message.

Private Schools (Inspections)

3. **Dr. Wright:** To ask the Secretary of State for Education and Employment what plans she has to review the inspection arrangements for private schools. [14678]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): The arrangements for the Office for Standards in Education's registration inspection of independent schools are working well, and we have no plans to change them.

Dr. Wright: Has the Minister had a chance to see the recent report showing the unsatisfactory nature of the inspection arrangements for private schools? Can it be right that there should be such a cosy complicity in the arrangements? Can it be right that a school which would be judged a failing school in the public sector will be given a clean bill of health in the private sector? Can it be right that the inspection reports in the private sector are not even published? Is it not time for the Government to ensure that good public sector practices are brought into the private sector to protect unsuspecting parents from being taken for a very expensive ride?

Mr. Squire: I hope that in referring to unsuspecting parents the hon. Gentleman was not referring to one of his hon. Friends. There is a small problem in the hon. Gentleman's question: he referred to the Douse report, which was not on Ofsted/Her Majesty's chief inspector of schools inspections, but on the inspections carried out and the arrangements made by the Independent Schools Joint Council. The Ofsted inspections, to which the latter part of the hon. Gentleman's question referred, are just as rigorous for the private sector as for the state sector, and will continue to be so.

Primary School Standards

4. **Mr. Lidington:** To ask the Secretary of State for Education and Employment what action she is taking to raise standards in primary schools. [14679]

Mrs. Gillian Shephard: The Government have introduced a coherent programme of reforms designed to raise standards in all our schools.

Mr. Lidington: Does my right hon. Friend agree that the leadership of the head teacher and the quality of classroom teaching are the keys to improvements in standards? Will she and her ministerial colleagues take the lead in seeking to improve those key determinants and encourage the teaching profession to reflect critically and responsibly on its contribution?

Mrs. Shephard: The chief inspector makes it very clear in his report that the leadership of the head teacher in raising standards of public achievement is the critical factor. For that reason, the Government are devoting a lot of resources to improving the performance of head teachers who are already in post and to the headlamp programme, and it is why we shall be piloting work on a new qualification for head teachers with effect from September.

Ms Estelle Morris: Is it not amazing that the crisis in primary education seems to be everyone's fault but the Minister's? Has it not entered her head that constant changes in the national curriculum and testing, larger class sizes, crumbling buildings, too few resources and low teacher morale might just have something to do with the fact that half our 11-year-olds are under-achieving? Would the Government not make a useful first step towards finding a solution if they accepted that most of their policies were part of the problem?

Mrs. Shephard: It would be a useful first step for the Opposition to have supported all the Government's measures that have been introduced to improve standards. The Opposition have consistently opposed testing and assessment, regular inspections, publication of examination results and the greater involvement of parents. Those are just some of the measures that the Government have introduced to improve standards in schools. It would sit better on Opposition Members if they had supported those measures before making comments such as those that the hon. Lady has just made.

Mr. Pawsey: Does my right hon. Friend agree that the contribution of the hon. Member for Birmingham, Yardley (Ms Morris) would have been better received in the House if the Labour party and the Liberal Democrats had not opposed testing when it was introduced by the Government? Does my right hon. Friend agree that Opposition Members live in a time warp in which only permissive methods of education hold sway?

Mrs. Shephard: I am sure that hon. Members on both sides of the House will make their own judgment about which particular time warp is inhabited by Opposition Members. There is no question but that the processes of inspection and testing contribute to the improvement in standards in schools, and we set great store by them.

Higher Education Tuition Fees

5. **Ms Corston:** To ask the Secretary of State for Education and Employment what representations she has received regarding top-up tuition fees for higher education in the 1997-98 academic year. [14680]

The Minister of State, Department for Education and Employment (Mr. Eric Forth): We have had representations from students, parents and others with a direct interest in higher education, expressing concern at the proposal of the Committee of Vice-Chancellors and Principals to introduce top-up entrance fees. The Government share that concern and see no need for universities or colleges to impose such fees.

Ms Corston: Does the Minister accept that while a fundamental review of the funding of higher education is welcome and overdue, action must be taken now to deal with the funding crisis which has caused universities even to consider top-up tuition fees? Is he aware that the vice-chancellor of Bristol university has said that this year's 7 per cent. real terms cut, coming on top of cuts of 3 per cent. to 4 per cent. per year every year for the past 15 years, is doing irreversible damage and is irresponsible because the quality of education cannot be maintained?

Mr. Forth: Vice-chancellors are free to give their judgment at any given time, and I have heard similar quotations from other vice-chancellors from time to time. That has occurred against the background of our investing an enormous amount of money in higher education, which represents a large proportion of the total educational spend in this country.

I hope that no vice-chancellor is suggesting that the quality of education at his university is anything less than ideal or the maximum. If that were so, that vice-chancellor and his colleagues would have a lot of questions to answer when their position was set against the background of the amount of public money that they receive and the work that they do at their institutions. I therefore hope that we can put that matter to one side.

I pay tribute to Bristol university and other universities which have done excellent work to achieve productivity and efficiency gains over a period of years. We expect them to continue to do so.

Dame Elaine Kellett-Bowman: Does my hon. Friend accept that some universities run themselves much better than others, and that some pay their way while others just bleat and moan? I am happy to say that Lancaster university has always paid its way. Its standing is so high that it has raised no less than £10 million in a bond on the financial market, allowing it to build new buildings for undergraduates and graduates and to peg rents. Why cannot other universities follow that example?

Mr. Forth: As always, my hon. Friend makes a pertinent and penetrating point. Among our higher education institutions are many which do excellent work, manage themselves efficiently and effectively and deliver the highest quality of education, while others may not carry out such excellent work. If institutions were to share information with one another and adopt best practice, many of them would achieve better results with the money that they already have.

Mr. Don Foster: Further to the response that the Minister gave to the hon. Member for Bristol, East (Ms Corston), will he answer her question? Can he confirm that the setting up of the Dearing inquiry in no way absolves him from taking action now to resolve some of the serious problems in higher education, not least in relation to capital funding? Is the Minister aware that the chairman of the private finance panel has said that the private finance initiative is ill suited to many non-commercial academic projects? As PFI will not be suitable to solve those problems, what action will the Minister take now—or will he use the Dearing inquiry as an excuse for a complete cop-out?

Mr. Forth: My right hon. Friend the Secretary of State and I are in close touch with the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom and with those responsible for making progress with the private finance initiative to discover exactly how it can meet the needs of higher education, where there may be difficulties and how those difficulties may be resolved. There is no sense in which the Secretary of State and I are not listening to what the CVCP has to say; we are doing so and we shall continue to do so. We are working hard to ensure that the private finance initiative can work as effectively as possible in higher and further education, as it has done in the past, and we expect it to work more effectively in future.

Mr. Bill Walker: In considering education, fees and expenditure, will my hon. Friend condemn the action of the students of Stirling university, who have invited Gerry Adams and Sinn Fein to Stirling? Following the bombings in London, is that not at best insensitive and at worst stupid?

Mr. Forth: My hon. Friend raises a difficult issue. The tradition of free speech on our campuses probably overrides any other concern, and I have always said that all students should be able and free to listen to all points of view that are offered to them, no matter how unpopular or unpalatable, and make up their own minds. Although I well understand my hon. Friend's concern, on balance I would stand firmly on the principle of freedom of speech and the ability of students to make up their own minds about what they hear rather than any suggestion of discouraging or, even worse, banning any individual point of view.

Mr. Steinberg: Does the Minister agree that if the universities introduced a top-up charge, it would be the straw that broke the camel's back in terms of student debt? Does he also agree that students find it extremely difficult to manage at university, that many are suffering tremendous financial hardship, and that such a charge would be a further burden on them? Does the Minister further agree that we are reaching a stage when only well-off families are able to send their children to university?

Mr. Forth: I do not agree with the premise of what the hon. Gentleman says, but I do agree with him that the registration fee proposal recently floated by the CVCP would, if implemented in what I understand to be the suggested form, bear most heavily on middle and lower middle-income families, as the hon. Gentleman suggests. That is one of the many reasons why the Government completely oppose the suggestion and hope that it will not be implemented by the CVCP.

Drugs Education

6. **Mr. Waterson:** To ask the Secretary of State for Education and Employment if drugs education is taught as a part of the national curriculum. [14681]

The Parliamentary Under-Secretary of State for Education and Employment (Mrs. Cheryl Gillan): Drugs education is a statutory requirement of the national curriculum for pupils aged five to 16.

Mr. Waterson: Is my hon. Friend aware of the excellent and pioneering work being carried out in East Sussex on drugs education? Despite disappointment at the recent unsuccessful bid for further grant for education supported training funding, is it not excellent news that a charitable trust may be interested in providing financial backing for those efforts?

Mrs. Gillan: I am delighted to hear of the interest in the drugs prevention initiative to which my hon. Friend refers. I take the opportunity to congratulate my hon. Friend, who organised a seminar in his constituency on drugs and brought together head teachers, the police, the health authority and education agencies to consider the issue of drugs and young people. He is well known for his determination to combat drugs, as are the Government.

Mr. Alan Howarth: While acknowledging the pressures on the curriculum and the imperative not to compromise the commitment to improve academic standards, may I suggest to the Minister that the Government have not ensured that personal and social education receives the attention that it should and that the national curriculum inadequately addresses the need to educate young people to be responsible towards themselves and towards others, not least in relation to drugs?

Mrs. Gillan: I cannot agree with the hon. Gentleman. Drugs education in the school curriculum is covered at key stages 1, 2, 3 and 4. The Government's strategy on drugs, starting with the White Paper entitled "Tackling Drugs Together", is followed by GEST funding of nearly £6 million, which is made available to train teachers with responsibility for drugs education and to provide support to innovative drugs education projects. In addition, last May we issued a circular on drugs prevention in schools. The hon. Gentleman should familiarise himself with the two guidance documents from the School Curriculum and Assessment Authority, entitled "Drug Education: Curriculum Guidance for Schools" and "Digest of Drug Education Resources for Schools". The Government are firmly committed to stamping out drugs misuse by young people.

Mr. Spring: Is my hon. Friend aware how much parents, teachers and governors have welcomed the new measures to tackle drugs misuse in schools, particularly the new role of drugs education co-ordinators in all secondary schools? Is my hon. Friend aware that in my constituency, spurred on by those initiatives, we have appointed a substance misuse training officer who will help to maximise schools' efforts to combat the drugs menace?

Mrs. Gillan: I am delighted to hear that news. My hon. Friend will be interested to learn that the Ofsted framework now includes specific reference to drugs education. As part of the regular four-yearly cycle of school inspections, Ofsted will look at schools' drugs education programmes and policies.

Employment Policy Priorities

7. **Mr. Llew Smith:** To ask the Secretary of State for Education and Employment if she will make a statement on her priorities in respect of her employment policies. [14682]

Mrs. Gillian Shephard: My priorities are to continue with the policies which have reduced unemployment by three quarters of a million since December 1992 to one of the lowest rates of any major European country.

Mr. Smith: Would the Secretary of State care to comment on statistics that I have received from the Library which show that, since the Government came to power in May 1979, 500 million working days have been lost in Wales through unemployment? The figure for the United Kingdom is 9,400 million days. Will the Minister comment on the effect that that has had on the economy and on those individuals and families whose lives have been destroyed by unemployment?

Mrs. Shephard: Certainly. It is clear that unemployment is very distressing for individuals and families. That is why I hoped that the hon. Gentleman and other hon. Members on both sides of the House would be as enthusiastic as the Government about our record in pushing down and beating unemployment, which is better than that of many of our major European partners.

Sir Ralph Howell: May I congratulate the Secretary of State on the success of the workstart scheme, which she initiated as Secretary of State for Employment? Why have the Government never claimed the credit for the money saved under that scheme, as I believe that we have saved at least £40 per week for every person who participated in the workstart pilot scheme?

Mrs. Shephard: As usual, my hon. Friend makes a valuable contribution. Workstart was a very useful pilot scheme. It worked well, and the fact that it also saved money should be built into our appraisal of it. I hope that my hon. Friend will be just as enthusiastic about the project work pilots due to begin in Medway and the Hull area after Easter.

Ms Eagle: Will the Secretary of State comment on the findings of the Select Committee report on training and enterprise councils which was published today? It points to evidence that some providers are spending 40p on administration out of every £1 meant to be used for training because the systems are so complex and bureaucratic. How do the Government intend to simplify those systems so as to ensure that the money allocated by Parliament for training is used for that purpose?

Mrs. Shephard: I was under the impression that, in answer to Question 1, the Under-Secretary of State for Education and Employment, my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice), had explained in some detail what the Government are planning to do. We are concerned to reduce bureaucracy in TECs and are working with them in order to do so. I have not yet had a chance to study the Select Committee report on TECs because it has only just been published, but I welcome its strong support for the concept of TECs.

Mr. Yeo: Will my right hon. Friend confirm that unemployment is now falling steadily in Britain, whereas it is rising in much of Europe, notably in Germany? Will she also confirm that one of the main reasons for those contrasting performances is that we have an opt-out of the highly burdensome social chapter whereas other countries do not? Does she think that there is any risk of Britain ever adopting those burdensome provisions?

Mrs. Shephard: Certainly not while the Conservative party is in control of the Government. We are absolutely convinced that the combination of the pursuit of sound economic policies, low inflation and not adopting the national minimum wage or the social chapter has resulted in unemployment in Britain now being lower than in many European countries.

Mr. Meacher: How can the Secretary of State boast about her employment policies when Britain now ranks 20th out of 24 OECD countries in terms of job creation since 1979, when civilian employment has fallen since 1979, whereas in Germany, the Netherlands and Australia it has risen by more than 30 per cent., and when unemployment here is still twice as high as it was in 1979 and the only jobs being created are overwhelmingly insecure, short term and part time? When will the Secretary of State admit that the fall in unemployment in the past three years has nothing whatsoever to do with the Government's deregulated labour market and everything to do with the fact that the Government were forced, kicking and screaming, out of the exchange rate mechanism in 1992?

Mrs. Shephard: Opposition Members like to make much of what they call an insecure jobs market dominated by temporary and part-time work. Such a description of our jobs market is nonsense. Socialist Spain, which embraces the social chapter and the national minimum wage—policies that the hon. Gentleman would be keen to adopt—has nearly six times as many people in temporary work as Britain. Opposition Members must learn to strike a balance between employees' rights and the risk of deterring job creation. The hon. Gentleman's recent press release came second as silliest of the year. It not only sought to compare like with unlike, but contained two spelling mistakes and a curious new definition of the OECD. Perhaps that is to be expected from Opposition Front Benchers.

School Inspections (Barnet)

8. **Mr. John Marshall:** To ask the Secretary of State for Education and Employment how many Barnet schools were recently commended by the chief inspector of schools. [14683]

Mr. Robin Squire: Five Barnet schools were commended in the chief inspector's annual report.

Mr. Marshall: Will my hon. Friend join me in congratulating the head teachers, pupils, parents and staff of those schools? Does he find it significant that the three secondary schools that were commended were single-sex schools? Does he agree that one of the factors in the great education service in Barnet is the ethos created during 30 years of Conservative control of that borough?

Mr. Squire: First, I willingly join my hon. Friend in congratulating all the schools in Barnet that he has identified. I am sure that he will understand if I extend my congratulations to the other schools identified in the

chief inspector's report and, as it gives but a snapshot of the year, to the many good schools throughout the country that were not identified in the report but, year in, year out, deliver good-quality education through the hard work of teachers.

Primary School Standards

9. **Mr. David Nicholson:** To ask the Secretary of State for Education and Employment what measures she is taking to improve standards of reading and arithmetic in primary schools. [14684]

Mrs. Gillan: The Government have taken a wide range of measures to raise standards in English and mathematics in primary schools.

Mr. Nicholson: My hon. Friend is right to point out that a number of measures have been taken. While reminding her that primary education standards in part of my constituency would be enhanced by a successful outcome to discussions—in which I hope to participate—between the diocese, the local education authority and the Department to secure the early replacement of Dulverton first school, may I ask my hon. Friend what the Teacher Training Agency is doing to improve standards of English and arithmetic teaching?

Mrs. Gillan: I congratulate my hon. Friend on raising on every possible occasion the subject of Dulverton first school, of which he is an assiduous champion. The TTA has not only identified English and mathematics as priorities but commissioned research into the effective teaching of numeracy and literacy. The evidence will be disseminated to teachers.

Mrs. Helen Jackson: Does the Minister agree that one of the most important factors in upgrading and enhancing reading and arithmetic standards in primary schools is the ability to finance special needs auxiliary teachers to help pupils who encounter difficulties with those subjects? Does she further agree that primary schools' present level of resources, and the low morale of their teachers, is having a detrimental effect on the crucial quality standards that we expect?

Mrs. Gillan: No, I cannot agree. We have made available £878 million more for schools in the Budget, including £264 million of grants to help schools to improve their performance. The grant for education support and training allocations for 1996-97 are intended to increase primary teachers' subject knowledge and school effectiveness.

Mr. Dunn: Surely one factor in improving standards is making schools more accountable to the parents and children they serve. Is not it interesting that we continue to champion the cause of parental information against the representatives of vested interests on the Opposition Benches?

Mrs. Gillan: My hon. Friend is as familiar as I am with the fact that Labour Members always vote against anything intended to progress the education of young people. Ofsted has announced that it is to investigate mathematics teaching in primary and secondary schools, including standards, levels of achievement in numbers, teaching approaches and the extent to which teaching and courses prepare pupils for each stage of their education and for employment. The advances that we are making in education are improving opportunities for all pupils throughout the country.

Mr. Blunkett: Is that why the Government cut £14 million from the reading recovery scheme, pushed up class sizes and have over the past 17 years overseen a clear deterioration in the way that primary school teachers can do their job—as exemplified by test and Ofsted results? Is not it a fact, to use Scottian language, that the Government have designedly led the public to believe—or, in normal language, have deliberately misled the public to believe—that they have put £878 million into the budget for the coming year, when the actual grant is 1.2 per cent. only? The Government know that the standard spending assessment does not equal grant, and they are deliberately trying to delude the British people into thinking that they care about education when they do not.

Mrs. Gillan: That is pretty rich coming from the hon. Gentleman. We provided funding for a pilot project to assess the value of reading recovery, which is now over. We have disseminated the results, and it is now up to schools and LEAs to decide whether they want to include reading recovery in their plans. A number of them have done so within their own resources, in some cases supported by funds from the single regeneration budget. The hon. Gentleman ought to know that it is not the Government's job to dictate teaching methods to schools and LEAs, or to tell them how to use their budgets.

Post-16 Education

10. **Sir Sydney Chapman:** To ask the Secretary of State for Education and Employment what percentage of 16-year-olds stay in full-time education; and what was the figure 10 years ago. [14685]

Mr. Paice: I am pleased to tell my hon. Friend that 71.5 per cent. of 16-year-olds were in full-time education in 1994-95. This compares with 47.3 per cent. in 1985-86.

Sir Sydney Chapman: I welcome that dramatic increase. Given that there has been an even more dramatic increase in the number of young people going into higher education, does my hon. Friend agree that encouraging pupils to stay on for an extra year in school and encouraging even more people to take higher education courses are the best ways of equipping our young people with the skills necessary for the jobs of the future?

Mr. Paice: My hon. Friend is absolutely right. It is essential that our young people have a range of opportunities to continue learning. That is why the Government introduced general national vocational qualifications—to re-excite young people who have been turned off by conventional education. It is also why we set further education colleges free from the dead hand of local authorities—so that they can go on finding new ways of teaching. It is, moreover, why we introduced the guarantee that no 16 or 17-year-old need stop learning once he has left compulsory education.

Mr. O'Hara: Is it not a bit short-sighted of the Government to congratulate themselves on staying-on

rates at 16? The rates for 17-year-olds and beyond are disastrous. Surely the Government should pay attention to the fact that ours is one of the lowest staying-on rates for 17 and 18-year-olds in the Organisation for Economic Co-operation and Development.

Mr. Paice: The staying-on rate at 16 is excellent, and our higher education numbers are among the best in Europe. The staying-on rates for 17-year-olds are 77 per cent. in the United Kingdom, 86 per cent. in Canada, 82 per cent. in Switzerland and 93 per cent. in Germany. Of course we would like an improvement in the figures for 17 and 18-year-olds. That is why we have challenged FE colleges to increase their recruitment again this year. Growth is continuing. We are also developing modern apprenticeships; more than 20,000 will be in place this year. We hope for 60,000 next year, providing a range of opportunities so that all young people can continue to learn.

Mr. Harry Greenway: Does my hon. Friend agree that the improved staying-on rate for 16-year-olds almost certainly reflects improved examination achievement at that age and at A-level? It is amazing that more than one in three now go into higher education. Does my hon. Friend share my suspicion that the recent test results of younger children understate their achievements? It seems odd that they can under-achieve to the extent that the tests seem to show and yet do so well at 16 and in higher education.

Mr. Paice: I do not intend to second-guess the results of Ofsted's work, or the results of the tests, but my hon. Friend's important point needs examining. Our GCSE results at 16 are improving every year, as is the number going into higher education. That is exceptionally good, and the Government are extremely proud of it—despite the continual bleatings and whingeings of the Labour party.

Primary Schools (Specialist Staff)

11. **Mr. Jon Owen Jones:** To ask the Secretary of State for Education and Employment what steps she is taking to assist primary schools with the recruitment of specialist staff to assist with the delivery of the national curriculum. [14686]

Mr. Paice: The Government have invested more than £4 million on training specialist teacher assistants during the past two years and we plan to invest a further £3.5 million over the next two years.

Specialist teacher assistants help qualified teachers to give primary pupils a good grounding in the core national curriculum skills of reading, writing and arithmetic.

Mr. Jones: I welcome that amount of support, but does not the Minister believe that the chief inspector's report on primary schools in England showed a significant failure in the delivery of various specialised elements of the national curriculum, especially technical education? Do the Government agree that extra help is needed to bring English primary schools up to a level of which we can all be proud?

Mr. Paice: That is precisely why my right hon. Friend has announced the setting up of literacy and numeracy centres. We have had 87 bids and we are currently considering which ones to accept. I hope that they will be running by the autumn. In addition, the Teacher Training Agency is surveying current training providers to obtain much more detailed information about their provision and to ensure that we are providing primary school teachers, to whom the hon. Gentleman rightly drew attention, with the necessary skills.

Mr. Atkins: Is my hon. Friend aware of an organisation calling itself the Wrist Consortium? That organisation is misleading Lancashire parents into believing that the standards of the national curriculum and general standards in primary schools are not being delivered because of savage cuts in Government funding when, in fact, the Government have provided a 5.5 per cent. increase this year. It is also telling parents that standards are suffering because the county council is being forced to pass on the 5.5 per cent. to schools, which is what it should do anyway.

Mr. Paice: I have not heard of that organisation, but the story that my right hon. Friend describes is familiar to all of us who have heard from him and other colleagues from Lancashire about the abysmal goings-on in Lancashire county council and its education authority. I know that my right hon. Friend will do everything in his power to ensure that the people of Lancashire know how much more money the council has available to spend on education this year and that that money will go to schools and be spent in the classrooms, where it matters.

Higher Education Funding

12. **Mrs. Anne Campbell:** To ask the Secretary of State for Education and Employment what is the percentage change in planned capital and recurrent funding for higher education between 1995-96 and 1996-97. [14687]

Mr. Forth: Planned capital and recurrent funding for higher education institutions in England will be £4.6 billion in 1996-97, a reduction of 2 per cent. in cash terms from 1995-96.

Universities and colleges are being encouraged to use private finance to fund capital expenditure so as to maximise the value of taxpayers' money.

Mrs. Campbell: Is the Minister unaware that slashing the capital budget by 30 per cent. next year and by almost 50 per cent. over the next three years will have the most disastrous effect on universities' ability to provide for their students? Further, is he unaware that capital funds are used for the purchase and maintenance of equipment for teaching and research, which is totally unsuited to provision by the private finance initiative?

Mr. Forth: I am aware that we are asking higher education institutions to explore every possibility for the imaginative use of private finance in place of a complete reliance on the public purse and the Government of the day. That is a healthy development.

As I said in reply to an earlier question, my right hon. Friend the Secretary of State and I are in close contact with the Committee of Vice-Chancellors and Principals,

the Higher Education Funding Council for England and others to assess the impact of the switch to private finance on different institutions and types of education resource. The impact will differ for each organisation and resource. We will consider the way forward in the light of that assessment. Much work is being done in close conjunction with higher education.

Mr. Jenkin: Will my hon. Friend ask Sir Ron Dearing to prepare two reports after his inquiry into higher education? The first, for the Conservative Government, could highlight policies that would bring about choice, excellence, private funding and independence for our universities; the second could contain a rag-bag of tired ideas for the Labour party to use in its manifesto, which will be redundant after the next general election.

Mr. Forth: Tempted though I am by my hon. Friend's seductive suggestion, I would not dream of asking Sir Ron Dearing to waste his time doing anything of the kind. Sir Ron need prepare only one report, because only we will be in government after the next election.

Mr. Bryan Davies: The Minister's answers on higher education today have been all sound and no bite. Will he explain how the cuts that are being made in the capital budget—which, as my hon. Friend the Member for Cambridge (Mrs. Campbell) said a moment ago, affect equipment also—can possibly be bridged by the private finance initiative, given that institutions are already telling him and the Secretary of State that, at the most, they will be able to get 10 per cent. support for certain capital projects and that the PFI is entirely unsuited to equipment?

Mr. Forth: I do not know whether that is an implied spending commitment by the hon. Gentleman on behalf of his party. I do not know, either, whether he has the permission of the hon. Member for Dunfermline, East (Mr. Brown) to make it. We are aware, of course, that there will be different requirements in different higher education institutions, that different solutions will have to be brought forward and that an imaginative and positive approach will be required by all. As I have said twice already, I think—but I shall repeat myself for the hon. Gentleman's benefit—we are working closely with all concerned to ensure that the switch to private finance, instead of total reliance on the public purse, is successful. As for the hon. Gentleman's accusation that I was unable to produce a soundbite, I regard that as a badge of honour.

Working Conditions

13. **Ms Quin:** To ask the Secretary of State for Education and Employment when she next expects to meet her EU counterpart to discuss working conditions. [14688]

Mr. Forth: I expect to meet European Union Employment Ministers at the next meeting of the Social Affairs Council on 29 March. On such occasions, I emphasise to them the importance of taking action to help member states tackle unemployment, rather than working up new and burdensome employment law directives which would damage competitiveness and destroy jobs.

Ms Quin: Will the Minister take time to explain to his European Union counterparts and to the House why so many of our more successful firms are ignoring Government advice and views on the social chapter and introducing European-style works councils into Britain?

Mr. Forth: The hon. Lady misses the point. We resisted the blanket imposition of one uniform solution in the private sector throughout the EU. I am relaxed if companies decide to follow a certain course, including the setting up of works councils. That is a matter for companies to decide, and I welcome that. We shall continue to resist the blind desire of some people to impose the same solution on every member state of the EU regardless of its needs. That is the road to ruin.

Sir Donald Thompson: When my hon. Friend visits my constituency again, he will find that working conditions and the amount of work are such that it has one of the lowest unemployment rates in Europe—5 per cent. Will he talk to employers, first, about the reluctance of ladies in my constituency to work full time—they prefer working part time—and, secondly, about more flexible training for people going into manufacturing industry?

Mr. Forth: It is refreshing to hear someone talk with pride about what is being achieved in his constituency. My hon. Friend reflects the sense of pride and achievement that Conservative Members have in their local communities and in what they are achieving. It is not the terrible, abysmal doom and gloom peddled constantly by Opposition Members, who obviously have no confidence in their local communities or in the country.

Mr. MacShane: Is the Minister aware that, in my constituency, in which I take pride and in which tremendous efforts are being made to regenerate the local economy, a job was recently advertised by the jobcentre at £1.44 an hour? Could the Minister live on that?

Mr. Forth: People are free in a flexible labour market to examine the possibilities. Employers are free to suggest their pay rates and individuals are free to make a judgment about what is an appropriate pay rate. I hope that the hon. Gentleman is not suggesting or implying that we should introduce a statutory minimum wage of the sort that has helped to create a 23 per cent. unemployment rate in Spain, for example.

Dismissal of Teachers

14. **Mr. David Evans:** To ask the Secretary of State for Education and Employment what plans she has to make it easier for schools and their governing bodies to dismiss bad teachers. [14689]

Mr. Robin Squire: Schools already have the necessary means to dismiss bad teachers.

Mr. Evans: I thank my hon. Friend for his reply. Does he agree that most teachers are excellent? Is he aware, however, that the results of a recent survey revealed that there were 15,000 bad teachers? Does he agree that they were employed by the lot opposite—the Opposition—in the late 1970s by loony left councils and are still a

protected species in those councils? Is my hon. Friend aware that the leader of the lot opposite has sent his son to a grant-maintained school eight miles from Islington, where he lives, and that the hon. Member for Peckham (Ms Harman) sent her son to a grammar school that involves a one-hour journey from where she lives? Is not this saying, in effect, to the kids of Islington and Peckham, "We say one thing and do another; in other words, get stuffed"?

Mr. Squire: In his typically understated way, my hon. Friend has hit on several excellent points. It is critical that governing bodies across the country should be able—they have the powers—to remove bad teachers. I should stress, in case there is any doubt, that they have those powers. As to the latter part of my hon. Friend's question, I noticed only this month, by chance, that Sheffield city council passed a motion in which it condemned the hypocrisy of senior Labour politicians in seeking privileges for their children in contradiction of their own stated education policy. I could not put it better.

Mr. Barry Jones: Why did not the Government make it harder for bad teachers to enter the profession?

Mr. Squire: The hon. Gentleman knows enough about education to know how long the average teacher is employed in our schools. On reflection, he will recognise that, despite the steps that the Government have taken to tighten up on the quality of new teachers, we still have in our schools—as the chief inspector makes clear in his independent report—15,000 very bad teachers. However, I must put that in context. We are talking of some 15,000 people in a profession composed of nearly 400,000, and there are many excellent teachers who are doing a very good job. Our concern is to ensure that we minimise, if not eliminate, those who are not.

Better English Campaign

15. **Mr. Butcher:** To ask the Secretary of State for Education and Employment what are the aims of her campaign to improve the use of the English language. [14690]

Mr. Paice: The Better English campaign aims to promote the use of good written and spoken English and, in particular, to raise awareness of the importance of good English for people's employment and career prospects.

Mr. Butcher: Does my hon. Friend agree that, such is the ingrained strength of the cult of mediocrity in Labour-controlled local education authorities in our big cities, the sort of initiative he has spoken of may not have the desired effect where it is needed most? May I ask him to write to the BBC sports department to congratulate it on its successful campaign to abolish the adverb, as in, "The boy done great" and, "He did that quick", when no sentence is ever "finished proper"? May I also ask my hon. Friend to write to the BBC children's television department, whose presenters now seem to be completely incoherent, and ask whether they have grades A to C in GCSE English? If they have such grades, we must urgently re-examine the curriculum and the methods of marking examinations.

Mr. Paice: My right hon. Friend the Secretary of State has made it absolutely clear that effective communication is the key to future employment, and that we must do away with communication by grunt. We recognise that no one is beyond redemption. The opportunities for people of all ages to continue their learning and to continue improving their use of English must be open to all—even to people employed by the BBC. I am sure that the Better English campaign, under the chairmanship of Trevor McDonald, might wish to speak to those who run the BBC.

Mr. Sheerman: Is the Minister aware of how difficult it is to teach good English in large classes, and that any teacher would tell him that, to be successful, one must be able to teach in small groups? Is not it very difficult for any teacher to teach English well in schools when children are frequently taken out of school for long periods and no action is taken against the parents?

Mr. Paice: It must be up to the head teacher and the school governors to initiate that action.

The hon. Gentleman knows perfectly well that Ofsted has said that there is no simple link between quality of education and class size. It has made it clear that the selection and application of teaching methods and the form of class organisation have a much greater impact on learning than class sizes. We must all understand that lesson. It is entirely up to schools to decide how to organise their teaching and for teachers to organise their classes in a way that ensures that children are able to pay attention and are not being distracted.

Mr. Gallie: Is my hon. Friend aware that, in an attempt to add a little colour to the English language, the Post Office recently published stamps bearing the words of Robert Burns? Is he further aware that there were spelling mistakes in those words? Does my hon. Friend agree that that suggests that there should be greater concentration on spelling in English schools?

Mr. Paice: Many of the United Kingdom's great poets and authors have contributed considerably to the development of the English language, and Robbie Burns has contributed no less than many others. I am not sure whether I wish to enter a debate about the spelling of his literature, but I can assure my hon. Friend that the Government believe that all national treasures, such as Robbie Burns' poems, must have a place in British education to guarantee young people's understanding of British culture in the future.

Points of Order

3.30 pm

Mr. Denis MacShane (Rotherham): On a point of order, Madam Speaker. You kindly called me in Question Times in which 15 questions were answered, but just three related to employment matters. Of the total number of questions tabled for oral answer, just 10 out of the 37 related to employment. We all understand that that is the luck of the draw, but since the merger of the Departments of Employment and Education, employment issues such as the labour market have been wiped off the parliamentary agenda. I have written to you about that, Madam Speaker, and I have received a courteous reply from the Secretary of State, but could something be done about it?

Madam Speaker: The hon. Gentleman has answered his own point of order. The answer lies in the number of questions on employment that are tabled by hon. Members. Then, of course, whether a question is selected is down to the luck of the ballot, as the hon. Gentleman has suggested. I believe that the answer is to table more questions on employment. The hon. Gentleman has the answer in his hands.

Mr. Tony Banks (Newham, North-West): Further to that point of order, Madam Speaker. May I be helpful on this occasion? My hon. Friend the Member for Rotherham (Mr. MacShane) has made a good point. I do not think that we should rely so much on the luck of the draw. It would be better if the Procedure Committee, of which I am a member, considered whether it would be possible to introduce some sort of allocation, because it is unfair that we have to rely on pure luck to get an answer to a question that has not met the employment criteria currently required.

Madam Speaker: The hon. Gentleman has made an interesting point. He may wish, as a member of the Procedure Committee, to refer the matter to that Committee. I leave it to the hon. Gentleman.

Mr. D. N. Campbell-Savours (Workington): On the same matter—

Madam Speaker: No, there is no other point on the same matter. We are all sympathetic about it. Let us look at what has been suggested.

Constitutional Change

3.32 pm

Mr. Bill Walker (North Tayside): I beg to move,

That leave be given to bring in a Bill to provide for consultation of the people by referendum before the implementation of any constitutional change approved by Parliament.

My Bill seeks to address the public concern that may be expressed if some of constitutional proposals that are currently being discussed within the United Kingdom and the European Union were to be accepted. At the outset, I make it clear that my Bill is not a device to maintain the status quo; nor is it a device to frustrate Parliament.

I sincerely believe that the United Kingdom's constitution and Parliament have served the people of these islands well. In particular, Scotland and the Scottish people have been well served by the constitution and by Parliament. Sometimes that arrangement is called sovereignty—the right to make one's own democratic decisions.

I acknowledge that the constitution's great strength is that it is not cast in stone. In fact, since 1707, it has changed to meet the needs of the times. In other words, it has evolved, and the people have accepted the evolution. Only during the past 20-plus years might change have occurred in some instances by default rather than by consent. That is important, because consent is at the heart of the United Kingdom constitution and it is vital to the way in which we are governed. If Parliament deliberately or inadvertently ignores that, it does so at its peril.

The single-Member constituency is a cornerstone of the discussion. Once elected, the Member represents all the people of that constituency. Another cornerstone is the Member's right to ask questions and to have them answered. That, coupled with parliamentary privilege, means that Members can, through questions, debates or motions, address problems that are brought to them by their constituents, and all of this is free. There is no cost to the constituent. Any change that affects those cornerstones should have the consent of the people. My Bill seeks to ensure that that will happen.

Members of Parliament have the least hold on the constitution during their time in Parliament. They can make changes, which can be reversed the following year or the following month if Parliament so decides. What we cannot do is bind future Parliaments, which is why I said that Members have the least hold on the constitution or sovereignty during their period in Parliament. The freehold of the constitution belongs to the people, so if Parliament wishes to make permanent, constitutional change, it must have the consent of the people. Only the people can give away our grandchildren's inheritance—the constitution of the United Kingdom and Parliament.

Many who propose referendums do so because they see them as a means of obtaining consent before Parliament decides. The main problem with such a proposal is the difficulty in framing the question to be put to the people. Secondly, there is the problem of the complexity of the change and the difficulty that it creates for public debate. My Bill will ensure that any change proposed is fully debated by Parliament, and only after Parliament has decided and a Bill has completed its passage through both Houses will the matter be put to the people. That means a straight yes or no. Do the electors accept or reject Parliament's proposed change?

[Mr. Bill Walker]

During the passage of any constitutional Bill, the proposers—probably the Government of the day—will have to tell the millions who voted for them what Members of Parliament will or will not be able to do if their proposal becomes law. They will quite properly have to explain the impact of their proposals on the ability of the House to influence future matters of great importance to the people. Sovereignty or the constitution is not some theoretical abstract matter. It is a living thing that impacts on everyone living in the United Kingdom. It influences tax decisions, spending decisions and unemployment levels, all of which will be argued in Parliament during the passage of any Bill for constitutional change, be it change for devolved assemblies, for example, to Cardiff, Edinburgh or Belfast, or for European Union federal matters.

I remind the House that my Bill is not a novel proposal. It was tested and tried during the referendum on entry to the European Economic Community. It was used again during the referendum on the Scotland Bill. Consequently, the precedents are there. My Bill ensures that full, frank and open debate on constitutional change is held in Parliament against a background of the knowledge that the proposals, when agreed, will be put to the people in a referendum, thus ensuring that consent will occur before sovereignty or the constitution is changed. Change by default will cease, and the risks of constitutional unrest following unwanted change will have been banished.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bill Walker, Mr. Allan Stewart, Mr. Iain Duncan Smith, Mr. William Cash, Sir Teddy Taylor, Mr. Andrew Hargreaves, Mr. Richard Shepherd, Mr. Jacques Arnold, Mr. Barry Field and Sir George Gardiner.

CONSTITUTIONAL CHANGE

Mr. Bill Walker accordingly presented a Bill to provide for consultation of the people by referendum before the implementation of any constitutional change approved by Parliament: And the same was read the First time; and ordered to be read a Second time upon Friday 8 March and to be printed. [Bill 65.]

Orders of the Day

Asylum and Immigration Bill

Not amended (in the Standing Committee), considered.

New clause 1

REGISTRATION OF IMMIGRATION PRACTITIONERS

'.—(1) It shall be an offence for a person who is not a qualified person within the meaning of this section to undertake for reward (whether by himself or through his servants or agents, or otherwise) the business of giving advice to, making representations on behalf of or acting as the representative of a person in respect of a matter to which subsection (2) of this section applies unless he is registered as an immigration law practitioner with the Immigration Practitioners Registration Authority ("the Authority") established under this section.

(2) This subsection applies to applications to—

(a) an immigration officer, or

(b) the Secretary of State for the Home Department, or

(c) the Department of Education and Employment

made by or on behalf of another person who does not have the right of abode in the United Kingdom for—

(i) leave to enter or remain in the United Kingdom, or

(ii) asylum in the United Kingdom, or

(iii) revocation of a decision to deport that person from the United Kingdom, or

(iv) a residence permit or document, or

(v) a work permit.

(3) For the purposes of this section, "qualified person" means a person who is—

(a) a lawyer who is subject to the disciplinary jurisdiction of the Law Society or Bar Council in respect of any services which relate to a matter to which subsection (2) above applies; or

(b) an employee of an advisory organisation or registered charity approved by the Authority; or

(c) an employee of a qualified person who is registered under this section.

(4) A person guilty of an offence under subsection (1) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) Proceedings for an offence under subsection (1) above may be brought only by the Authority.

(6) It shall be the duty of the Lord Chancellor to appoint such person or persons as he considers to be fit and proper to constitute the Authority.

(7) It shall be the duty of the Lord Chancellor to make regulations to give effect to the establishment of the Authority under this section, which may include provisions for—

(a) fees payable for applications for registration;

(b) requirements for registration, including requirements as to—

(i) how the Authority is to be satisfied of the competence of a registered person to act as an immigration practitioner,

(ii) the proper management of the business of a registered practitioner,

(iii) the keeping of records,

(iv) the supervision of employees, and

(v) such other professional standards in the carrying on of a business as are considered necessary;

(c) powers to impose conditions on registration and to cancel registration where there has been a failure to comply with any such conditions;

(d) the giving of written notice of lists of approved organisations, decisions to register, refusals to register and revocations of registration; and

(e) such other matters so as to regulate the procedures to be adopted where the Authority is minded to refuse a registration or revoke a registration.

(8) Regulations under this section shall be made by statutory instrument which shall be laid before Parliament in draft and shall be subject to approval by resolution of each House.

(9) Where the Authority has reasonable grounds to suspect that—

(a) the terms of registration have been breached, or

(b) that an offence under subsection (1) above has been committed by a person who is neither a qualified nor a registered person,

it may apply by written information to a circuit judge for a warrant to enter premises occupied by or on behalf of such a person, or other premises specified by the Authority where there are reasonable grounds to suspect that documents or other records will be found belonging to or held by such a person which relate to matters to which subsection (2) above applies.

(10) Any written information made under subsection (9) above must state the grounds for suspicion and the class of documents or records that the Authority consider will be relevant to the discharge of its duties under this section.

(11) Where the Authority has entered premises pursuant to a warrant issued under subsection (9) above it may take possession of any such documents or other material found on the premises as are specified in the warrant; and it may hold such material solely and for so long as is necessary to discharge its duties under this section; and it may not disclose such material to any person other than in the course of discharging its functions under his Act save to the owner of the documents or to such other persons as the owner may have authorised.

(12) There shall be a right of appeal to the High Court against a refusal of registration or the imposition of any condition on registration or the revocation of registration by the Authority; and no revocation of registration shall have effect while any such appeal is pending.

(13) In this section, "to undertake for reward" means to carry out an activity in return for payment to which the person carrying out the activity is entitled, whether by contract or otherwise.'. —*[Mr. Straw.]*

Brought up, and read the First time.

3.40 pm

Mr. Jack Straw (Blackburn): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss new clause 7—*Council for licensed immigration advisers*—

'.—(1) There shall be a body to be known as the Council for Licensed Immigration Advisers.

(2) It shall be the general duty of the Council to ensure that the standards of competence and professional conduct among persons who practice as licensed immigration advisers are sufficient to secure adequate protection for their clients, and that immigration advisory services offered by such persons are provided both economically and efficiently.

(3) The Council shall, with the approval of the Lord Chancellor, make rules relating to the education and training of those seeking to practise as licensed immigration advisers, and those rules shall, in particular, include provisions prescribing—

(a) the examinations to be taken by such persons, and

(b) requirements as to practical training and experience.

(4) The Council shall issue licences to permit persons to practise as licensed immigration advisers, and shall have power to revoke those licences or to place conditions on those licences.

(5) The Council shall maintain a register of licensed immigration advisers, and shall make it available for inspection by the public.

(6) The Council may, with the approval of the Lord Chancellor—

(a) make such charges for the issuing of a licence as may be necessary to cover its administrative costs; and

(b) require applicants for a licence to deposit a bond or other security which may be forfeit in circumstances specified in rules made under subsection (7) below.

(7) The Council shall, with the approval of the Lord Chancellor, make and publish rules as to professional practice, conduct and discipline for licensed immigration advisers.

(8) In approving rules made under this section, the Lord Chancellor shall have regard to the desirability of maintaining necessary protection for persons seeking advice on immigration and asylum matters without imposing unnecessary burdens on those whose business includes the provision of such advice.

(9) The Council shall have powers of investigation where a breach of its rules by a licensed immigration adviser is suspected, and these powers shall include the power to intervene in a licensed immigration adviser's practice, to inspect the accounts of a licensed immigration adviser, and to require the production of documents by any person involved in the operation of a licensed immigration advisory practice.

(10) The Council may, with the approval of the Lord Chancellor, make rules—

(a) making provision as to the management and control by licensed immigration advisers of bodies corporate undertaking the provision of immigration advisory services;

(b) prescribing the circumstances in which such bodies may be recognised by the Council as being suitable bodies to undertake the provision of such services; and

(c) regulating the conduct of the affairs of such bodies.

(9) An individual shall not describe himself or hold himself out as a licensed immigration adviser unless he holds a licence in force under this section.

(10) A body corporate shall not describe itself or hold itself out as a recognised body unless it is for the time being recognised under this section.

(11) A person who contravenes subsection (9) or (10) above shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding six months.

(12) A person who does not hold a licence in force under this section who offers, or purports to offer, advice to other persons on their rights under the Immigration Act 1971, the Asylum and Immigration Appeals Act 1993 or this Act, in return for payment or other material reward or in the expectation of payment or other material reward, shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding three years or to a fine or to both.

(13) The Lord Chancellor may make regulations governing the composition, method of appointment, powers, duties and conduct of its proceedings of the Council established under this section; and

(a) the first regulations made under this section shall be made by statutory instrument which shall be laid before Parliament in draft and shall be subject to approval by resolution of each House; and

(b) any subsequent regulations made under this section shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.

Mr. Straw: New clause 1 is intended to establish effective regulation of those who give advice on immigration matters, and to end the scandal of unscrupulous advisers who make their living by manufacturing bogus claims for settlement through false applications for asylum, marriage, study and employment.

[Mr. Straw]

In nearly every town and city containing large ethnic minority settlements, self-appointed immigration advisers are leeching a living from their clients and, indirectly, from the state. As there is currently no regulation, no one can know the size of the unofficial profit-making immigration advice sector, but I believe that it is large and growing. It is almost certainly among the principal causes of bogus asylum and other immigration claims. In my 17 years as Member of Parliament for Blackburn, which contains a large ethnic minority community, I cannot recall being presented with a bogus immigration case that has not involved an unscrupulous adviser. I am sad to say that, in some instances, that adviser or his or her principal has been legally qualified—a point to which I shall return later.

This is a serious scandal. The first question is whether it can be dealt with other than by statutory regulation. We believe that the answer is no, and I am glad to note from the record of the Committee stage that that view is widely shared on both sides of the House. In Committee, the hon. Member for Brentford and Isleworth (Mr. Deva)—

Mr. Keith Vaz (Leicester, East): Where is he?

Mr. Straw: I am sorry that the hon. Gentleman has not yet arrived. In Committee, he said:

"I do not believe that self-regulation will work. It works only when it is applied to genuine and legitimate advisers, who have the qualification to advise properly . . . Cowboys will not regulate themselves. If they did, they would go out of business. They are not qualified and their modus operandi is to encourage people to prolong the application process by going from one type of application to another. To introduce self-regulation in an area like this is like asking a fraudster who is intent on committing a crime, or a burglar who wants to rob someone's property, to self-regulate himself."—[*Official Report, Standing Committee D*, 8 February 1996; c. 604.]

I entirely agree with that.

The question of the regulation of the immigration advisory sector raises issues of principle similar to those raised by the statutory regulation of the private security industry, which we debated last week.

Mr. David Winnick (Walsall, North): Is my hon. Friend aware that when I was involved in the Immigration Advisory Service—which is funded by the Government, as it has been over the past 25 years—I was shocked when clients came, before 1979, and told me that they had been to commercial agencies? Even for a letter to the Home Office on the most simple matter, £25 was charged—and that was before 1979. Does not that, with the examples that he has given, illustrate that it is wrong that such so-called agencies should exist to exploit people, rather as they do on the Indian subcontinent, who know no better and who should be advised to go to the Government-funded agency or to genuine solicitors?

Mr. Straw: I share my hon. Friend's concern and experience and pay tribute to the work that he did with the Joint Council for the Welfare of Immigrants and the Immigration Advisory Service. I know that his experience is shared by hon. Members on both sides of the House.

Madam Speaker: Order. The hon. Member must speak through the microphone so that he is recorded. He is not being recorded because I cannot hear him myself.

Mr. Straw: Time after time, people come to us late in the day, perhaps when they are about to be deported, who have been ripped off by unauthorised, unregulated groups of so-called immigrant advisers. I am glad that my hon. Friend the Member for Walsall, North (Mr. Winnick) also referred to genuine solicitors because, as I will suggest later, there is a problem with some legally qualified people who operate such practices.

The issue raises matters of principle similar to those raised in last week's debate on the private security industry. I do not want in this debate, any more than in that one, to get involved in an ideological discussion about the role or extent of regulation.

The Minister of State, Home Office (Miss Ann Widdecombe): I bet the hon. Gentleman does not.

Mr. Straw: I hear the Minister of State, the hon. Member for Maidstone (Miss Widdecombe), whom I welcome, saying, sotto voce, that she bets that I do not. She will recall that during the debate on the private security industry, the hon. and learned Member for Burton (Sir I. Lawrence) and the right hon. Member for Sutton Coldfield (Sir N. Fowler) announced their general subscription to the principle of deregulation but said that it should not apply to the private security industry. I suspect that they would not wish it to apply to immigration advisers either.

The hon. and learned Member for Burton said:

"I am as deregulating a Conservative as anyone can be, but there is regulation and regulation: some regulation is necessary and some is not."—[*Official Report*, 13 February 1996; Vol. 271, c. 893.]

He went on to explain why regulation of the private security industry was necessary to deal with what he called the crooks who are running that industry.

The same applies to immigration advice. There are crooks, or people indulging in behaviour that is close to criminal, who provide bogus advice for a lot of money. I believe, as I hope that the Minister will acknowledge, that even the Home Office recognises that there is a problem. That is why it initiated discussions two years ago with the group that deals with immigration practitioners and the Law Society. I hope that she will be more forthcoming this afternoon than she was in Committee about what the Government intend to do about what is unquestionably a serious scandal.

If it is accepted that there has to be statutory regulation, the next question is how best it should be achieved. New clause 1 proposes the establishment of an immigration practitioners registration authority, under the supervision not of the Home Office but of the Lord Chancellor. Under our scheme, any person who is not described as a qualified person has to be registered with the authority to practise in the field. If they practise but are not so registered, they will commit a criminal offence. In sub-sections (8), (9) and (10) of new clause 1, power is given to the courts and others to secure the enforcement of the scheme.

Qualified persons who are exempt from the scheme are practising barristers and solicitors or advisory organisations, such as the Immigration Advisory

Service—to which my hon. Friend the Member for Walsall, North referred—or charities approved by the regulatory authority.

As I have made clear, the Lord Chancellor and not the Home Secretary would be the supervising Minister for the authority. That follows a standard arrangement for similar quasi-judicial bodies. It is better that they should be at arm's length from the Department that deals directly with the policy. The Lord Chancellor's Department has a lot of experience of administering such schemes and there is an exact parallel with the arrangements made for the appointment of adjudicators to immigration appeals tribunals.

I am sorry that the hon. Member for Brentford and Isleworth, whose name is attached to new clause 7, which is in this group, is not in his place. He moved an equivalent clause in Committee. The purpose of new clause 7 is identical to that of new clause 1, but there are some important practical differences. First, I remind the Minister that our proposal involves a much lighter touch in terms of regulation than that of the hon. Gentleman. Secondly, our proposal excludes directly barristers and solicitors from the scheme of regulation laid down in new clause 1.

The case for excluding practising lawyers is that they are already regulated by their own professional bodies—solicitors are regulated under statute. In making a case for their exclusion from regulation by the authority, it is not our intention that the entire legal profession should be given a clean bill of health from the charge of abuse in this area.

To return to the argument of my hon. Friend the Member for Walsall, North, I know of solicitors who have taken thousands of pounds from constituents to pursue wholly unwarranted cases, who at the very last minute, when it was far too late, sent the constituent to me to sort out the mess, charging them for a letter merely telling them the address of my advice surgery, and I am sure that that has happened to hon. Members on both sides of the House. Had the constituents come to me in the first instance, nine times out of 10 I would have had to tell them that I was sorry, but they had no right to stay in this country and that it would be in their best interest and that of their families to go back as quickly as possible. In saying so, one would have saved the constituent not only a lot of distress and worry but a large amount of money.

There is abuse of the green form scheme and an abuse whereby solicitors use non-qualified staff to operate unofficial advisory services under the front of a solicitor's firm. Those abuses need to be dealt with firmly by the Law Society and the Legal Aid Board. A full franchising scheme should be introduced for legal aid in such cases, including the use of the green form, so that publicly funded legal advice would be available only from franchised solicitors. Many solicitors from whom I have received letters not only abuse the system but show a surprising ignorance of immigration law and practice. A franchising system would sort that out. There has to be far more effective regulation by the Law Society of such solicitors' branch offices, which masquerade as such but are little different in character from the bogus, non-qualified consultancies.

New clause 1 is a sensible and practical proposal which would tackle abuse of the immigration rules, and asylum abuse in particular, at its root. We hope that it commends itself to the House.

Miss Widdecombe: I am grateful to the hon. Gentleman for giving way. I am sorry, but I did not realise that he was coming to the end of his speech. He has made a number of important points and I think that he will agree that the issue is not only whether people charge for fairly trivial services, but whether they are competent to advise in the first place. Can he help me to understand his proposal? Obviously, with lawyers there is a test of competence because they have all passed examinations and gained qualifications. What is a practitioner of immigration advice going to have to do to persuade anyone—regulatory or otherwise—that he or she is competent?

Mr. Straw: The Minister has made a generous assumption that lawyers who pass legal exams are qualified to advise on immigration law. For example, as a young barrister, the two areas in which I immediately practised were landlord and tenant law and family law—two areas in which I had never passed an exam. That is true of a great many young lawyers. Therefore, no assumptions should be made because people are formally qualified as solicitors or barristers or that, by virtue of that fact, they know anything at all, particularly about immigration law. I am unaware of Law Society or Bar Council exams that make compulsory a paper in immigration law. That is why there should be a franchising arrangement by the Law Society so that public funds are available only where people are properly qualified in this area.

The Minister asked me how the authority could be satisfied that other people in this area are competent. There would have to be a test of competence—there is no other way out of that. Some people gain competence as a result of long practice. For example, people who work in the Immigration Advisory Service, in the Refugee Legal Centre and in well-known and accepted charities may not be legally qualified but they may have built up immense expertise over the years. It would be easy for the authority that we propose to give such people a practising certificate. The authority that we propose may agree to a scheme with those accepted charities. There would have to be a system of qualification for other people, and I do not resile from that conclusion.

Mr. David Alton (Liverpool, Mossley Hill): I support new clause 1. I am sorry that the hon. Member for Brentford and Isleworth (Mr. Deva) is not present in the House. In Committee he put forward a fundamentally good idea, which has given rise to this debate. However, I believe that his new clause 7 creates conflicts, complications and contradictions. The hon. Member for Blackburn is right: new clause 1 has a lighter regulatory touch and, therefore, should commend itself to the House.

Hon. Members will have dealt with immigration cases over the years and will have horror stories to tell, so I do not think it is necessary to detail such cases. All hon. Members are aware that bogus and fraudulent advisers have taken money from people and abused their position. The issue is not so much about qualifications and passing exams, but more about the bona fides of the people who are involved in this work.

New clause 1 is a good stab at trying to deal with this problem. It is illustrative of one of the difficulties that arose during Second Reading and Committee stage. These are sensitive questions, they are often controversial and

[Mr. David Alton]

they often raise highly charged issues. In my view, they are questions that are far better settled as a result of consensus and as a result of hon. Members trying to come to a commonly agreed conclusion.

We have missed a unique opportunity to use the special procedures that can be used when debating bills by not having the chance to call witnesses and to draw evidence and to go into that in some detail in Committee. If we had done that, we would have incorporated the sort of ideas put forward in Committee without any controversy whatsoever—instead, it was turned into yet another football. It is a classic example of legislation that should have been examined coolly, calmly and dispassionately. If it had been, new clauses such as these would have presented themselves, would have been scrutinised and would have been incorporated without controversy.

New clause 1 creates a registration system and a new authority under the supervision of the Lord Chancellor. This is long overdue. I draw the attention of hon. Members to the judgment given by Mr. Justice Stephen Sedley in the High Court in ex parte motion Miranda on 31 March 1995. He said:

"It would be of advantage to everybody who gets involved in these cases in this court if one day there were some such control over those who are able to give advice, in order to attempt to ensure that the sort of problem that this court is looking at does not continue to occur."

That day has arrived and we have the opportunity in the context of the legislation to do something about the issue that Mr. Justice Stephen Sedley highlighted in the High Court.

4 pm

It is absurd to suggest that it is impossible to legislate on the subject. We can look at overseas examples to see how we could proceed. Australia set up a migration agents registration service in 1992. It has three specific objectives, most of which are incorporated in new clause 1. It was successfully operated in Australia and its three objectives were: to deter professional misconduct by people working as migration agents and immigration advisers; secondly, to improve the standards of professional conduct and quality of service in the industry; thirdly, to provide a way of dealing with complaints against a particular agent. The Australian service highlighted those objectives—dealing with bona fides, setting up a regulatory authority and monitoring the work of people engaged in giving advice to immigrants. The Australians have successfully operated that system.

In this country, the Law Society has a view on the subject. Karen Mackay, who is the secretary of the immigration law sub-committee, says that the society has been concerned for a number of years about the problem of bogus immigration advisers. She said:

"We believe that the Government needs to take action to regulate the activities of fraudulent advisers who prey on vulnerable immigration clients. The Society has discussed this issue with the Home Office, and has pointed out that we have powers only to regulate solicitors, and can do nothing to regulate non solicitor advisers."

The new clauses address the issue head on and are worthy of support.

Lack of control, and the cost of bogus applications and appeals for legal aid on judicial review, lead to enormous costs, which often have to be met by the taxpayer. The new clause should commend itself to the House on the ground of obtaining value for money. In addition, the existence of frightened asylum seekers means that justice requires that such measures should be taken. Many immigrants, frightened at the possibility of having to return to a country where persecution and human rights abuses are rife, will inevitably do all in their power to avoid deportation. To obtain what they assume to be good advice, they will go to anyone who says that he or she is an expert. Many of them will part with their meagre life savings to protect themselves and their families. The persecuted then become doubly exploited as they are ripped off by fraudsters and tricksters, some of whom have no qualifications and, even worse, some of whom have extremely tarnished track records.

The new clause tackles such problems. It ensures that the sort of protection that is already available for registered conveyors is also available for immigrants. The new clause will ensure that bad advice that is given as a result of lack of control will no longer be given.

On that basis, I hope that the new clauses commend themselves to the House.

Mr. Winnick: I must first apologise to you, Madam Speaker, and to the House. As well as an important meeting with the Select Committee on Procedure, I also have an appointment on parliamentary business. I hope that you, Madam Speaker, other occupants of the Chair and the two Front-Bench teams will accept my apologies if I am not present for the winding-up speeches.

The new clause is important. It is strange that such regulations have not been introduced before, as they have been needed for a long time. Often, people seeking advice are unfamiliar with any form of legal practice. They are encouraged by agencies such as those mentioned by my hon. Friend the Member for Blackburn (Mr. Straw) to make applications that in many cases serve no purpose.

A genuine agency such as the Immigration Advisory Service, or a solicitor or a Member of Parliament, would explain why, in many cases, an application would serve no purpose. Let us take the examples of someone who is in the country genuinely as a visitor and wants to extend his stay, or someone who wants to extend the stay of a close relative who is in the country on a temporary basis. I am sure that I speak for most hon. Members when I say that, when approached by a constituent, a Member of Parliament would explain that an application may be made for an extension but that, regardless of whether that is granted, it may be taken into consideration if the person wants to visit the United Kingdom again. We would explain the options, as would a genuine solicitor or the Immigration Advisory Service.

A commercial organisation, which has no other purpose than to make as much money as possible, would not explain that. It would simply say, "We shall write a letter on your behalf to the Home Office," without explaining some of the disadvantages. From its commercial point of view, there is no reason why it should do so. In so doing, it can cause many difficulties.

Let us suppose that an appeal has gone to an adjudicator and the adjudicator has decided, on hearing oral evidence, to turn that appeal down. There is a further appeal, but

only on points of law to the immigration appeal tribunal. Anyone who is familiar with immigration law knows that there are rarely sufficient points of law to take the appeal further. We would advise that there is no purpose in appealing and that it would be pointless to appeal to the immigration appeal tribunal.

Many organisations, however, which are only in the business of making money and have no genuine concern for people's plight, give different advice. They say, "We shall lodge an appeal on your behalf," and name a sum—not always, but often, exorbitant—and the person knows no better. He believes that it is perfectly in order. It is legally in order, but no purpose is served.

An important distinction should be made in immigration law—and no doubt in other parts of law—between sound advice, based on experience, and the type of advice that is often bad and counter-productive. That is why it is necessary to consider closely the organisation that sets itself up and states on a plaque outside the door, "We will write to the Home Office on any matter concerning immigration, passport applications, extending visitors' stay" and so on. The sums involved are exorbitant.

Mr. James Couchman (Gillingham): Can the hon. Gentleman give the House an idea of the fees charged in those instances by people masquerading as advisers? Does he have any proof of those fees, or is what he says based on anecdote?

Mr. Winnick: Not entirely. If the hon. Gentleman had been present earlier when my hon. Friend the Member for Blackburn spoke, he would have heard me say that when I was involved in a genuine agency funded by the Government, we were told by some clients that a letter to the Home Office would cost £25. That was before 1979; there has been a fair amount of inflation since then. That was the charge to make a simple request of the Home Office—nothing complicated. No doubt, some agencies charged more even then.

Some of those organisations—if they can be described as such—are only in the business of making as much profit as possible and are not concerned with giving genuine advice. In all fairness, some are genuine, but others would charge as much as possible. That is why they are linked with some agents who operate on the Indian sub-continent. Hon. Members who have heard stories from constituents about relatives or close friends who have received advice from agents on the Indian sub-continent—many of whom operate outside immigration offices in India, Bangladesh and Pakistan—will know that they give bad advice. Those agents are notorious, as are those operating in the United Kingdom—although perhaps not to the same extent.

Some agencies have names that are similar to that of the genuine agency—the Immigration Advisory Service—which has been referred to on several occasions. Such agencies tend to give the impression that they are an official agency. They will not admit to that device and, if pressed, I am sure that they would deny it. Nevertheless, they give the impression that they have much the same powers as the official Government-funded agency. That is extremely regrettable.

I find it difficult to understand why the Government should resist new clause 1. Any exploitation is undesirable, and more so when people, who are unfamiliar with our law and practices, are ripped off in the way described. There is a strong case for accepting new clause 1. There are some complications, but when the Minister pressed my hon. Friend the Member for Blackburn about how one would decide who is a properly qualified agent, my hon. Friend replied accordingly. I am sure that he would be the first to acknowledge that certain complications must be resolved; it is not easy to decide who should or should not be qualified.

If the Government accept the new clause—it will be interesting to see the attitude adopted by the Minister in replying to the debate—at least there will be some form of much-needed protection in law. Such protection was needed before 1979 and it is even more important now. People are being exploited in a disgraceful manner, so I hope that the amendment will be accepted. If those responsible for drafting legislation believe that there are weaknesses in the wording of new clause 1, I am sure that those weaknesses will be rectified accordingly.

Mr. Couchman: I should like to press the Opposition on the point that my hon. Friend the Minister made about new clause 1 during her brief intervention. It seems to me that a parallel has been drawn with licensed conveyancers. The conveyancing of property is a well-recognised part of the law and is undertaken by all solicitors. The process of conveyancing is well known: certain things must and must not be done. Therefore, we can set an industry standard.

I should like to know precisely what the hon. Member for Blackburn (Mr. Straw) has in mind when he suggests that agents should have some form of qualification. I am sure that all hon. Members would like to see the agency racket scotched once and for all: we could certainly do without those who are at present profiting from racketeering in that business.

Mr. Straw: I do not think that we need to make heavy weather of the issue. Someone could be identified as being qualified through a mixture of accreditation and formal qualifications. I said in answer to the Minister that, as in the case of existing well-established charities which operate in London and elsewhere, it would be quite straightforward to introduce an accreditation system. If necessary, it could be organised by an outside body which would accredit those people. Perhaps some commercial organisations of good standing could accredit long-established practitioners. As to new entrants, I accept that there should be a qualification system which could be run by one of the well-known accrediting bodies. I shall anticipate the hon. Gentleman and raise the issue of money: it seems to me that such a scheme would have to be self-regulating because it is in the interests of those who are seeking accreditation.

4.15 pm

Mr. Couchman: The new clause mentions giving such advice for reward. Presumably, registered charities do not charge for their services. When those seeking my help in immigration cases approach my advice bureaux, frequently they are accompanied by a member of the local mosque or other religious organisation, who acts as their interpreter and advocate. What would be the position of such a person? One does not know whether money changes hands in those cases. Presumably, a small donation is made to the religious organisation. I have no way of knowing that. Would those people automatically find accreditation? They are certainly not experts.

[Mr. Couchman]

Finally, I am worried by the automatic assumption that any practising lawyer should be considered an expert in these matters. On several occasions, I regaled the Committee with the case of an Albanian who, as a last resort, was advised to try to stay here by applying for political asylum. He had been advised by a Greek friend, but his solicitor accepted instructions and made the application. Although that application for asylum has now been withdrawn, it was manifestly bogus and it seemed to me that the solicitor should not have been prepared to take instructions that were obviously outside our laws on asylum. I would be interested to hear the view of the hon. Member for Blackburn on that point.

Mr. Vaz: I shall not repeat what other Members have said, but I should like to raise three new points that are important to the new clause. I fully associate myself with the comments of my hon. Friend the Member for Blackburn (Mr. Straw). As he has been in the House much longer than I have, he will know that, during the passage of every immigration Bill, Members have drawn attention to racketeering immigration advisers. We should have the opportunity to deal with the issue once and for all.

It should be remembered that the increase in immigration advisers in the past few years is a direct result of Government policy. The complicated legislation that has been introduced and the fact that the political atmosphere surrounding every immigration Bill has created fear has led many people to seek advice, and they are ripped off in the process. I cannot think of a single political asylum case that I have dealt with in the past nine years in which the person who comes to me has not consulted an immigration adviser. Frankly, such advisers usually cock the matter up, and nothing can be done to address the case properly.

People come to see Members of Parliament. We write to Ministers who write back, not to excuse the actions of the person who came to see us, but to blame the immigration adviser. That does not prevent Ministers from making catastrophic decisions in regard to our constituents.

I shall give the House one current example. Mr. Sumra and his wife Mrs. Kasan, who live in my constituency, have been in the country since 1991. They are waiting at their home for an immigration officer to call and remove them from the country. We have had lengthy correspondence with Ministers and the last letter I received was dated 26 October 1994. Mr. Sumra and his wife have four children and their last child was born three months ago. That child was born here and should be regarded as British; however, they are being told that they have to go. Their case became complicated because they initially consulted immigration advisers, who gave them the wrong advice and ensured that they made the wrong applications and, as a result, four years later, they are now at risk. We must resolve such terrible situations.

I refer the House to the role of Ministers in cases raised by hon. Members, because it is important to regulate the activities of immigration advisers. I have been writing to Ministers since I first entered the House, and I have always enjoyed a decent relationship with Immigration Ministers—despite the fact that they always say no when I write asking them to act beneficially on behalf of my constituents. That was the case until I received a letter dated 8 February from the Under-Secretary of State for the Home Department, telling me of a change in the practice of informing Members of Parliament about the progress of immigration cases. Ministers are no longer obliged to inform us of the outcome of cases such as those that may have come to us via immigration advisers. Instead, a case goes to the immigration and nationality department, which informs the constituent. Then it is up to the constituent to inform the Member of Parliament. It is exactly at that point that constituents go to see immigration advisers.

I hold two surgeries once a fortnight. One cannot deal with immigration or deportation cases over a pager or mobile phone. At some stage, one must see the constituent, for example to discuss an urgent letter from the IND. If Ministers renege on their responsibility to the House, to inform hon. Members of the progress of cases, that will create even more serious considerations. More of our constituents will be forced to approach advisers and pay enormous amounts of money to obtain information that they ought to get free of charge from their Members of Parliament. It costs us nothing to write to the Minister for a response, whereas the public are charged £25 or more by an immigration adviser.

The case to which I referred came to me via an immigration consultant, three firms of solicitors, then a fourth firm of solicitors in Leicester, which was acting perfectly properly in urging me to telephone Castle Donington, which in turn urged me to contact the Minister's private office. When I did so, I could not talk to the hon. Gentleman because he was in the House. The complications are made worse by the Government's actions.

Mr. Max Madden (Bradford, West): The change to which my hon. Friend referred was made about 12 months ago, when Ministers said that they would no longer undertake to inform hon. Members of the outcome of applications. Does my hon. Friend agree that a major safeguard against abuse would be the simple practice of the Home Office copying all correspondence not only to the applicant's representative but directly to the applicant? That would be the simplest way of overcoming the problems that we are discussing.

Mr. Vaz: My hon. Friend is absolutely right. The matter is further complicated for constituents who do not read or speak English. The Minister dealt recently with the case of a lady who arrived in this country four years ago and married a British citizen. The marriage broke down and the couple divorced. Subsequently, she fell in love with and married another British citizen, and they have a child aged six months. That lady still does not speak or read English, and the IND continues to communicate directly with her. We must make sure that the department acts in a consumer-friendly and proper way. I am grateful to my hon. Friend the Member for Blackburn is raising that matter with the Home Secretary on my behalf and that of other hon. Members.

There would be no need for immigration advisers if the IND were much more responsive to the needs of our constituents and was prepared to advise them on the law. People should be told the facts about changes in legislation. Instead, rather unhelpfully, when constituents ring up they are told by the IND to go to see a legal

adviser or, foolishly, they are referred to Members of Parliament like me, who then chastise them for so doing. The IND should give helpful advice and facts about the law to everyone who needs them.

I am worried about the number of former immigration officers who set up in practice as immigration counsellors and advisers. They obviously know what is happening in the Home Office because they used to work in it. They know the personnel there. I recently saw a huge advertisement in the tube—it is so big that it appears that my hon. Friends the Members for Barrow and Furness (Mr. Hutton) and for Blackburn have seen it too—which looked for all the world like an official notice from the immigration department. People would naturally think that it came from the IND—indeed, it even includes that name somewhere under the heading in italics.

What guidelines are there to ensure that former Home Office immigration officers who become advisers follow certain procedures? It might be useless asking the Government to do anything about this, given that Ministers on leaving their posts go off to become directors of companies that they have privatised, but I must ask the Government about the guidance. People should not be allowed to hold themselves up as experts merely on the basis that they used to work for the Home Office.

I support the new clause. I hope that the Minister will recognise the issue as a genuine one that has come up often before, and that the right action will be taken to implement what we suggest.

Mrs. Maria Fyfe (Glasgow, Maryhill): My hon. Friend the Member for Leicester, East (Mr. Vaz) mentioned the large advertisement at Heathrow underground station. It is set out in a way that gives the impression that some sort of Government body is behind it. It goes on to provide a list of services that are all provided free by Members of Parliament. The final words of the advertisement claim that "success is certain". That is an outrageous claim; we all know how uncertain success really is and how often our most determined efforts fail to help people with immigration and asylum problems.

Mr. Keith Hill (Streatham): Given that these utterly fraudulent advertisements are appearing at Heathrow, is it not ironic that the British Airports Authority should recently have decided that bona fide immigration legal advice organisations may not put up notices at airports advising people of the necessity to register their asylum claims immediately or face losing benefits and other rights? Does my hon. Friend agree that the Government should insist that the BAA allows such notices to be put up?

Mrs. Fyfe: That is a good point. I am surprised that the BAA should have done that. I hope that hon. Members on both sides of the House will take up the matter with local representatives of the BAA, to persuade them to change their minds. Perhaps the Government should make them change their minds, for the service is certainly needed.

I believe that the Government should take firm action to counter misleading advertising of the kind that we have been describing. What advice in writing is given to people on arrival in Britain—people who may find themselves in difficulties? Are they given a note printed in a variety of languages, telling them where they can go for free advice? Is there a list of bodies that are recognised as competent and well informed on such matters? It would be interesting to know whether any such advice is given. I do not remember the subject coming up in Committee, but we should not continue tonight without knowing whether the Government will quibble about the meaning of regulations and competence.

It is incumbent on the Government to say what they are willing to do to protect people from being ripped off or losing their chance to appeal on time because of incompetent conduct by someone who might just be there to rake in the cash and is not concerned about providing a competent service.

Problems can also arise from advice given by somebody who is trying to do their best, but who simply is not appropriately qualified or experienced to handle the task. In one case in my constituency, someone lost the right to appeal because a registered letter posted to his solicitor's office was apparently not received. There are doubts about whether someone signed for that letter, and, if so, how it was lost, but my constituent has lost out. It is not his fault that the solicitor cannot run his office competently—if the letter was received there, which has still to be decided.

I hope that we will not continue further tonight without discovering precisely what protection the Government will give to people in such desperate circumstances.

4.30 pm

Miss Widdecombe: This has been an important debate. I congratulate—to a limited extent—the hon. Member for Blackburn (Mr. Straw) and, more particularly, my hon. Friend the Member for Brentford and Isleworth (Mr. Deva), who led so magnificently on the issue in Committee. By raising the issue in Committee, ahead of the official Opposition, he drew attention to a major problem, which the Opposition have now been only too delighted to recognise for themselves.

The debate has thrown up some serious issues. Hon. Members on both sides of the House share the perception of the problem. We will, I am afraid, disagree about the solution, but there is a genuine shared perception of the problem.

It is obviously undesirable that people who are vulnerable and not competent in the ways of this country can be ruthlessly exploited. People in that situation are sometimes given not only incompetent advice, but advice that can be highly counter-productive to an otherwise perfectly straightforward procedure and claim. I wish to acknowledge that problem, because the Government share the concerns about those practices. We must ensure, however, that we have found the best way to address the issue.

Although I fully sympathise with the claim that somebody who is vulnerable, muddled and bewildered can be led into making untrue statements, nevertheless we must proclaim the simple message that honesty—which individuals should exhibit anyway—in immigration and asylum cases is absolutely the best policy.

Mr. Straw: I entirely share the Minister's view on that point, but does she accept that in many cases—not all of them, I agree—the issue is not honesty or the lack of it,

[Mr. Straw]

but ignorance of law? The advisers provide a bogus interpretation of the law, and the potential immigrant cannot be expected to know what the law is.

Miss Widdecombe: I understand that. My point related to cases in which immigrants are advised to claim, not on an interpretation of the law, but on a completely false basis as students or spouses.

There is a simple message for the immigrant community, which is that the best policy for those applying for extensions or renewal is straight honesty with us.

Mr. Vaz: I do not think that there is anything between us, given what the Minister has said so far. Will she give a commitment, however, that, when Ministers examine cases that have been raised by hon. Members, in which constituents have been wrongly advised by immigration practitioners who have acted irresponsibly, Ministers will not prejudice such cases because of the wrong advice that individuals have received?

Miss Widdecombe: If the hon. Gentleman reflects, I am sure that he will realise that I cannot give a blanket exemption for any false statements made, or any approach to the Home Office that is wrongly constructed, merely because an immigration adviser was involved. If the hon. Gentleman or any other hon. Member has especially difficult cases that they wish to draw to Ministers' attention, I am sure that Ministers will examine them, with a view to the individual and to evidence of the extent of the problem, which is one of the stumbling blocks.

Those who are seeking immigration advice already have a number of outlets to which they can turn. They can go to law centres, citizens advice bureaux, the Refugee Council, refugee legal centres, the Immigration Advisory Service, reputable solicitors and Members. These outlets give reputable and, I hope, nearly always competent help to those seeking their advice.

The second message that needs to go out is that it is not necessary to consult someone round the corner. There are many places where individuals can go to get reputable help, even if that help is only to steer them in the direction of further reputable help, which I consider to be important. It may sound simple to send out messages about honesty and seeking reputable help, but it is necessary that the points are made.

The main thrust of the new clause—

Mrs. Fyfe: A variety of advice is available, but is someone who arrives at a port of entry given that information in several languages, so that he might understand what is available, or is he expected to understand English?

Miss Widdecombe: The hon. Lady raised that matter this afternoon, as she did in Committee. We give advice to entrants on arrival. I do not mean that we would give detailed advice in a particular case. We give general advice on the help that is available. We have a number of information leaflets available to those who make applications to remain in this country. They include asylum seekers, but the leaflets are not exclusive to them. Information is available in a number of languages. It is important that people should at least be told where they can go to obtain reasonable advice.

Mr. Madden: Will the Minister at least consider the suggestion that I made during the remarks of my hon. Friend the Member for Leicester, East (Mr. Vaz) —that the Home Office might adopt a procedure whereby all communications are sent both to the applicant and to his or her representative, and not only to the representative? It would be a simple procedure that would not cost the earth. It would help to minimise the damage that might be done by some unscrupulous advisers who do not act upon communications or respond to them, often leaving applicants in serious difficulties.

Miss Widdecombe: I understand the difficulty that the hon. Gentleman has identified. However, I think that the procedure he mentioned would be somewhat more complicated and expensive than he suggests. I shall, however, undertake to write to him with the rationale for our not going down that route, so that he will at least have full information as to why we do not think that it is feasible.

Mr. Neil Gerrard (Walthamstow) *rose—*

Miss Widdecombe: I hope that I will eventually be able to get to the new clause.

Mr. Gerrard: I thank the Minister for giving way, because this is an important point. Will the Minister consider, if not copying all correspondence to the applicant as well as the adviser, ensuring that at least the absolutely vital documents, such as notices of appeal, are sent to the applicant as well as to the adviser? I certainly—like, I am sure, other hon. Members—have come across cases in which people have lost rights of appeal simply because an adviser never acted on a notice. If the applicant had at least those essential documents, that problem might be avoided.

Miss Widdecombe: I understand what the hon. Gentleman is saying, but one has to consider normal practice. If one is dealing with a normal legal practice, for example, the normal practice is to send documents that relate to a case to the legal practitioner. I have already told the hon. Member for Bradford, West (Mr. Madden) that I will set out the rationale for our position, and I will ensure that the hon. Member for Walthamstow (Mr. Gerrard) receives a copy. We can manage that duplication on this occasion.

Mr. Vaz: I am sorry to prolong this point, but does the Minister accept that, when a Member of Parliament writes to a Minister to makes representations on a case, and the letter is sent on by the Minister to the immigration and nationality department, it is absolutely vital that that hon. Member should be informed of the outcome of the case? If not, we are left to track cases with our very limited resources.

I have an on-going case load of about 2,000 immigration cases, and it is simply not possible to track each one of them, whereas the IND will have a file and will know when an hon. Member has written about a case. It would be ever so easy to inform that hon. Member of the case's outcome.

Miss Widdecombe: I must tell the hon. Gentleman that, although I cannot boast a case load of 2,000, as a constituency Member of Parliament I also deal with immigration cases. My practice is very simple: I ask the constituent to let me know as soon as there is any development, regardless of whether it is positive or negative. That is how I operate.

Mr. Vaz *rose—*

Miss Widdecombe: Before I give way to the hon. Gentleman again, and I shall do so, I should like to return to the point made by the hon. Member for Bradford, West, which was whether we could simply duplicate the correspondence to representatives and to applicants.

If an applicant asks for it, he can, of course, have a copy. We restrict our communications to the applicant's representative, because he has appointed the representative to act on his behalf. Therefore, to all intents and purposes, the representative is the applicant—in the legal sense of word.

Mr. Straw *rose—*

Miss Widdecombe: I now have a queue. I shall first give way to the hon. Member for Blackburn.

Mr. Straw: I understand the point that the Minister is making, but will she acknowledge that the Inland Revenue's practice, for example, is quite different, in that, partly to protect itself—I think that this would be a protection for the Home Office as well—it has a standing rule by which it copies the notice to the taxpayer whenever it writes to a taxpayer's adviser?

Miss Widdecombe: I acknowledge the Inland Revenue's practice, but the Home Office's practice is under discussion. I have said—I do not think that I can improve on it—that I will set out our rationale in writing. I shall take one more point from the hon. Member for Leicester, East (Mr. Vaz), and then leave this point and proceed with the debate.

Mr. Vaz: I think that the Minister acknowledges that these matters are very serious and important.

Miss Widdecombe: Yes.

Mr. Vaz: If a constituent receives a notice saying that he is about to be deported, the difficulty in getting in touch with an hon. Member who is in the Chamber—or for an hon. Member from a constituency outside London to see his constituent—to take fresh representations, and to pass those on to the private office and from the private office to Castle Donington, for example, is a long and complicated route.

In his letter of 8 February, which caused me concern, the junior Minister responsible for immigration stated that it is normal practice not to write to tell me what is happening after I have raised a case with him. That has never been the practice of Ministers charged with immigration matters. I always received a response from his predecessors, as far back as the right hon. Member for Mid-Sussex (Mr. Renton), when he was Minister of State, Home Office. They always kept Members of Parliament informed when we raised cases with them. It has never been the case that we have not been told of the outcome.

4.45 pm

Miss Widdecombe: At the risk of becoming repetitive, which I am sure that you, Madam Deputy Speaker, would not approve, I have said that we will communicate with hon. Members who have raised points on this issue, explaining the full rationale as to why we implement the practices that we implement and have implemented for some time.

I now come to the essence of new clause 1, much of which is the same as new clause 7. The distinction between the two is that, in the Opposition's amendment, an authority would be created, whereas, in the amendment my hon. Friend the Member for Brentford and Isleworth, a council would be set up to distribute licences.

We had a full discussion in Committee about licensing immigration practitioners, and I explained then that we shared many of the views expressed by my hon. Friend the Member for Brentford and Isleworth. Indeed, I was joined in that concern by my hon. Friends the Members for Harrow, West (Mr. Hughes) and for Gillingham (Mr. Couchman). I am delighted to see them here today.

We made it clear that a statutory scheme, such as that envisaged by the Opposition, would not necessarily be the best option, nor did the scale of the problem merit a response based on a statutory scheme. I pressed just one small example with the hon. Member for Blackburn about tests of competence, and he acknowledged absolutely, as did the hon. Member for Walsall, North (Mr. Winnick), that it would have to be worked through and that it was not entirely straightforward.

The setting up of bodies—examining bodies, qualifying bodies and the rest—is quite a complex procedure. We are not convinced, for example, that it could be done without expense, at least not at start-up, and at the moment the Bill has no money resolution attached, so it would give us a major problem.

Mr. Nirj Joseph Deva (Brentford and Isleworth): Does my hon. Friend agree that it is difficult to quantify the extent of the problem, because sometimes the person has gone away, has left the country, has not arrived in the country, or has been deported and has no recourse to complain negligence or tort because he or she does not know how or where to go to complain, or is not here?

Miss Widdecombe: I acknowledge that that is one of the complications. A further complication is that much of the information we have is anecdotal rather than empirical and fully worked out. We need to examine the scale of the problem. We also need to examine what protection already exists.

The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) raised a point about a poster that advertised success. I must point out the obvious, that there are controls on misleading claims in advertising, and it should be possible for anyone who is misled in such a way to seek redress under that part of the law. We also have a clear law on trade descriptions, and a number of other perfectly reasonable devices are in place to try to control such activities. That needs further examination.

Mr. Alton: It seems to me that the Minister is saying that, if the empirical evidence can be provided, at least the Home Office might have an open mind. I want to be clear whether that is really what she is saying. Will she ask Mr. Justice Sedley, to whom I referred, to give evidence to the Home Office on his recommendation, and undertake to look at the Australian scheme, which functions perfectly properly?

Miss Widdecombe: If only the hon. Gentleman were patient, he would hear what I am going to say. Although it may not meet his requirements precisely, I hope that it will go some way towards doing so.

Along with the Law Society and the Immigration Law Practitioners Association, we have already been considering the best solution. As the hon. Member for Blackburn acknowledged, the Lord Chancellor's Department also has an interest in the matter, not least because of the supervisory role envisaged in both the Opposition's and my hon. Friend's new clauses. The discussions that we have had so far have not suggested a clear way forward, which is why I must resist the new clauses.

The Law Society and the ILPA have given us a good deal of advice, for which I am grateful; but they too are still considering the issues in detail. They consider those issues difficult and complicated, in terms of both statutory regulation and any self-regulation, which is the option that we tried to explore with them. They have communicated their current views, and the extent to which they might be able to contribute to a solution. The Law Society is still discussing the matter; the ILPA may be able to offer some limited assistance, but it has said that it would not be able to run a full-blown self-regulation scheme, for instance.

Neither body—both are entirely independent of Government—has reached a clear view, although, as I have said, I am grateful to them for giving the matter urgent consideration. For the time being, therefore, we cannot be convinced that the way forward lies either directly in a statutory scheme, as proposed by the new clauses, or in self-regulation; but we are still discussing the matter with interested parties.

Mr. Deva: I hope that my hon. Friend will press on. I think that she is now aware of the magnitude of the problem, and the concern that is felt not only by hon. Members on both sides of the House but by ordinary people—largely members of ethnic minorities—who feel that they are or their relatives have been ripped off. I am glad that my hon. Friend has embarked on discussions with various bodies.

Miss Widdecombe: I thank my hon. Friend for his comments. I give him an undertaking that we shall continue to consider the problem—whose existence I acknowledge, although I cannot yet acknowledge its extent, because that is not yet clear. We shall go on discussing it with interested parties, and we shall try to arrive at a balanced and proportionate solution. On that basis, however, I must urge the House to resist the new clause.

Mr. Straw: With the leave of the House, Madam Deputy Speaker.

My hon. Friend the Member for Leicester, East (Mr. Vaz) raised an important matter that is related the issue of advice: the right of hon. Members to receive copies of correspondence. I listened carefully to what the Minister said; I hope that she will take up the points raised by my hon. Friend the Member for Leicester, East, which I followed up with a letter to the Home Secretary.

I believe that the current arrangements, under which hon. Members do not automatically receive copies of the result or disposal of a case that they initially raised, lead to more paperwork for the Home Office. In my experience, the constituent will come back, and I will have no knowledge of how the case involved has been disposed of. Constituents often do not have a copy of the letter that they have received—although they may give an imaginative interpretation of the letter they think they received. I end up having to write a further letter to the Home Office to get the reply, whereas, if I had had it in the first place, it could all have been resolved. It is a question not only of the rights of the House but of good administration.

When I raised the example of the Inland Revenue, the Minister said that she was speaking of the Home Office. I know that the Home Office regards itself as a part of the British constitution separate from other Departments, but it sometimes helps if one Department learns from the experience of another. I urge that on her.

Although the Minister has been uncharacteristically reasonable, at least in tone, I did not consider her answers satisfactory.

Miss Widdecombe: The hon. Gentleman surprises me.

Mr. Straw: The hon. Lady says that I surprise her. The reason for that—

Miss Widdecombe: Will the hon. Gentleman give way?

Mr. Straw: Of course I give way to the hon. Lady.

Miss Widdecombe: I have undertaken to write to the hon. Gentleman about our practice, and I will do so. We receive approximately 10,000 letters from Members of Parliament on immigration cases. Some cases take a considerable amount of time to resolve, go through various stages and generate an enormous volume of correspondence. We must consider the feasibility of duplicating that.

I must add one thing, because, as the hon. Gentleman knows, I never like to mislead the House. When, in response to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe), I discussed the advice that we give people arriving in this country, I should, of course, have said—this is technical, but I want to correct it, anyway—that the advice we offer is to applicants, not to all entrants.

Mr. Straw: I am sure that we are grateful for that clarification. We take note that the hon. Lady is learning the dangers of even inadvertently misleading the House.

When I said that the hon. Lady's answer was unsatisfactory, I was trying to be economical with my language. I meant that her responses both to the discrete but important point raised by my hon. Friend the Member for Leicester, East and to the general principle raised by the new clause were unsatisfactory. She has admitted that there is a problem, but denied it an effective solution. I regret that she has done that.

We have accepted, as is inherent in any such scheme, that important administrative details must be worked through. The hon. Member for Gillingham (Mr. Couchman) raised some points of that sort.

We are not suggesting that genuine family friends should be prohibited from speaking on behalf of their friends. In the real word, it would not be possible to prohibit that. As with every scheme of statutory regulation—indeed, with the whole criminal law—one cannot deal with every conceivable mischief. However, the fact that one cannot do everything does not mean that one should do nothing. A statutory scheme would be a significant advance on what exists.

The Minister said that she was not aware of the scale of the problem. That is why I am deeply unhappy about her response. Any number of staff in the immigration and nationality department could rapidly give her a sense of it, but it is not one capable of scientific measurement. It would be difficult to measure, because such people, by definition, are not subject to regulation. One would not know where to start. We all know that it is a major problem.

Mr. Deva *indicated assent.*

Mr. Straw: I am glad to see the hon. Member for Brentford and Isleworth (Mr. Deva) nodding. The Home Office also knows it, because it is caused immense additional paperwork and cost by the way in which unscrupulous advisers operate.

The Minister raised the position of the Immigration Law Practitioners Association and the Law Society. They are still working through their ideas, but it is my understanding that both bodies support our scheme.

I would have much preferred the Minister to say that she recognised the problem, and that the broad outline of the scheme that we propose in new clause 1 marks out the solution that ought to be followed, but that more work should be done and, therefore, Ministers would invite us to withdraw it and would table appropriate, properly drafted amendments in Committee in the other place.

Although the Minister says that she will now give her urgent attention to the matter, frankly, I do not believe that she has given it sufficient urgent attention to date. It is two years since the discussions with the ILPA and the Law Society began. For that reason—we do not want to detain the House with a Division—we shall not seek to withdraw the new clause.

Question put and negatived.

New clause 2

CONSULTATION

':—(1) Orders made under section 8 or section 9 of this Act shall be made by statutory instrument which shall be laid before Parliament in draft and shall be subject to approval by resolution of each House.

(2) No motion to approve a draft order laid before Parliament under subsection (1) above shall be made before a period of 28 days has expired after the Secretary of State has laid before Parliament a statement of the consultations he has undertaken on the likely effects of making any such order, and summarising the responses he has received to his proposals.

(3) In discharging his duty under subsection (2) above, the Secretary of State shall have particular regard—

(a) to the effect on race relations of any order made under sections 8 or 9 above;

(b) to the anticipated effects on employment of members of the black and ethnic minority communities of any order under section 8 above;

(c) to the provisions of the Race Relations Act 1976 insofar as they relate to the duties of housing authorities;

(d) to the provisions of the Local Government Act 1985 insofar as they relate to the duties of housing authorities;

(e) to the provisions of the Children Act 1989 or the Children (Scotland) Act 1995, insofar as they affect social services authorities as a result of any order proposed to be made under section 9 above; and

(f) to the provisions of the National Health Service and Community Care Act 1988 and of the Social Work (Scotland) Act 1968 insofar as they affect social services authorities as a result of any order proposed to be made under section 9 above.

(4) It shall be the duty of the Secretary of State, in discharging his duty under subsection (1) above to consult—

(a) organisations appearing to him to be representative of the authorities concerned and other organisations having an interest;

(b) organisations appearing to him to be representative of employers and employees; and

(c) the Commission for Racial Equality.'.—*[Mr. Henderson.]*

Brought up, and read the First time.

5 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following: New clause 3—*Costs and benefits*—

'. It shall be the duty of the Secretary of State to lay before Parliament, within two years of the coming into effect of this Act, a Statement of the effects of the provisions of the Act and of any order made under the Act on—

(a) employment;

(b) the social security budget;

(c) the demands placed upon social services authorities; and

(d) the demands placed upon housing authorities.'.

Amendment No. 17, clause 8, in page 5, leave out lines 42 to 44.

Amendment No. 54, in page 5, line 44, at end insert—

'(8) No order shall be made under this section until the expiration a period of three months after the publication by the Secretary of State of the provisions of the order, during which period the Secretary of State shall—

(a) give notice of the terms of the proposed order to organisations appearing to him to be representative of employers;

(b) make all reasonable efforts to publicise the duties on employers proposed in the order; and

(c) establish a telephone enquiry service from which employers may obtain advice on the duties which will be placed upon them.'.

Amendment No. 18, clause 9, in page 6, leave out lines 13 to 15.

Mr. Henderson: As became obvious to those of us who served on the Standing Committee, the Bill is

[Mr. Henderson]

something of a pig in a poke. It is an enabling Bill that does not specify how it will impact on the manner in which applications for political asylum are dealt with and how employers' checks are made, or the documents that will be relevant and what will happen with housing and child benefit. It does not even designate in detail who will be affected.

Three crucial parts of the Bill are left for the Secretary of State to introduce by order. The Bill empowers him to determine which categories of immigrant are covered by clause 8, to classify which documents may be used to check whether someone is legally able to work and to decide which category is excluded from housing entitlement.

If it were not bad enough that the Government cannot give the House details on those matters—and failed to do so in Committee—when the Government are able to produce the orders, the House will not have an opportunity to discuss them before they come into effect because the Bill—we may return to this matter—adopts the negative resolution procedure.

This is an enabling Bill and none of the people affected by it—whether they are persons seeking asylum, persons assisting those seeking asylum, persons checking the legitimacy of documents or persons providing housing benefit, assistance or child benefit—will know what obligations it will impose on them until the orders are produced. That is unacceptable.

The Opposition oppose clauses 8 and 9 on principle and will deal later with some of the reasoning behind them. It would be more appropriate to leave my comments on that matter until then. I can assure the House, however, that I am opposed to those clauses on principle, first, because they are wrong and secondly, because they will not work. That was one of the principal reasons why, on Second Reading, a Special Standing Committee was proposed—a proposition that was supported by the Opposition parties. That procedure would have made it possible to discuss the detail and enabled those with an axe to grind or with expertise or knowledge of the issue and those who felt that they would be particularly affected to make representations before the House considered them in Committee and before the Secretary of State drew up his proposals on the orders.

As I hope I have explained, the reasoning behind new clause 2 is that something should be done before the Bill, and the orders for which it provides, take effect. The new clause would require the Government to meet a number of obligations before introducing the orders. If the Government had accepted the proposal for a Special Standing Committee, some of those obligations might not have been necessary but, particularly as they rejected that procedure, they clearly are.

The new clause is also important for democracy. Too often in recent years, the authority of the House has been abused by the Government, who have said, "We know better than Parliament. We're going to take ministerial decisions regardless of what Parliament says. We're going to draft legislation to minimise the impact of Parliament and give us the maximum scope to do what we think is right." On occasions, they might be right, but it is an affront to parliamentary democracy when a Government continue relentlessly to abuse their position.

The Bill is a classic example of the Government's deciding to take away the authority of Parliament. They have not been prepared to come up with their views—perhaps because they do not yet have any on some of the matters or, as is more likely, because they think that their views will be unacceptable to the House. Rather than argue about what the obligations of employers or the responsibility of a housing authority should be, or about the procedure that should be adopted to deal with political asylum cases, the Government have produced an enabling Bill and said that they will draw up the guidelines in secret, get them through Parliament in an order and, essentially prevent Parliament from debating them before they come into effect. That is wrong and it is why we have tabled the new clause.

The Government will argue that the Bill has few race relations implications—perhaps they will argue that it has none. I must remind the House that that is not what the Conservative candidate for the South Cambridgeshire European parliamentary constituency said when he was head of the research department at Conservative central office. He wrote in *The Observer* that the Conservatives played the race card at the European election, that they played the race card at the last general election and that if they played it again it would hurt.

Whatever else one might think of the Conservative candidate for South Cambridgeshire, he understands the implications of Bills such as this. He is not the only one. The Federation of Small Businesses said in its presentation that race relations would be damaged. The Trades Union Congress has said that it is "extremely concerned" about the Bill's impact on race relations. In its representations, the Association of British Chambers of Commerce said that race relations are crucial. Amnesty International said that it sees many implications for race relations in the Bill. The Commission for Racial Equality—a Government-appointed body—also said that it sees many implications for race relations in the Bill.

The Confederation of British Industry said—the detail of this was dealt with in Committee—that there are very serious implications for race relations in the Bill. Although the Institute of Directors has withdrawn some of its original objections to the Bill, and to clause 8 in particular, it still acknowledges that there are implications for race relations.

What is more important—if we are to have a secure and stable society—is the fact that the black, Asian and other ethnic communities believe that the Bill will have serious implications for their lives and those of their friends and communities.

Many Conservative Members—especially those who represent constituencies with multi-racial and differing ethnic community groups—recognise the serious implications that the Bill will have on the communities that they represent. It is noticeable that a number of them, who I thought would have spoken in this debate, are keeping their heads down and leaving it to Ministers. I believe that, ultimately, they do not support the Government on many provisions in the Bill.

The Labour party has tabled new clause 2 because it believes that paragraphs (3)(a), (b) and (c) will provide a little mitigation against the damage that the Government might do. Before they pursue a particular course of action, the Government have an obligation to investigate and consult various bodies—including the Commission for Racial Equality—on the impact of the Bill.

The Government believe that they have reassured housing authorities on how they will be affected by clause 9. When the Secretary of State for Social Security made a statement on this matter a few weeks ago, he gave the impression that he had managed to reach an understanding, a rapport and an arrangement with housing authorities, but that is not what housing authorities think—in fact, it is not even what Westminster city council thinks. It is not satisfied with the Secretary of State's assurances relating to clause 9. As I understand it, the authority will take action in the courts in the coming weeks to seek guarantees on the impact of the Bill.

The council believes that Westminster council tax payers may have to pick up the tab for what amounts to Tory national propaganda and electioneering. That is a fear of Westminster city council—which is always cast as an ideal council. The Government have spectacularly failed to persuade Westminster city council of the implications of the Bill—never mind the rights or wrongs of it. That is why the Opposition have included paragraph (d), which requires the Government to look at the implications before decisions are made on this issue.

The same applies to social services where, no doubt, the Government will repeat what the Secretary of State for Social Security attempted to say some weeks ago—that local authorities' responsibilities in relation to the care of children have been taken into account and solutions have been found. Many social services departments that I have spoken to, especially those in the London area where many people initially seek political asylum, are not convinced. They fear for the effects on their communities and on their councils' budgets. The Government have not convinced many bodies that may be charged with implementing the proposals what the effect will be.

Ms Glenda Jackson (Hampstead and Highgate): The Government have failed to consult and to make matters clear to local authorities' social services departments—and that failure is having a serious impact on people who do not come under the prescriptions of the Bill.

For example, a family is engaged in a struggle with Westminster city council on a housing issue because children are involved. The council has denied them a house. Westminster social services visited the family and demanded their passports—the children were born in this country and the woman is a British citizen, but is dark of skin and dark of hair. When I called Westminster social services to discover why, I was told that a young trainee social services worker had processed the case and that she may have been confused by the requirements of the Asylum and Immigration Bill. If such confusion is impacting on people who do not come under the Bill, what effect will it have on those who may come under it?

5.15 pm

Mr. Henderson: I am grateful to my hon. Friend for that example, which illustrates some of the damaging effects that are taking place even before the Bill becomes law. In employment, many millions of people who should not be affected by the Bill will be caught. That is further evidence of its damaging nature.

New clause 3 requires the Secretary of State to lay before Parliament—within two years of the Act's coming into effect—the Bill's effects on employment and the social security budget and the demands it would place on social services and housing authorities. New clause 2 requires consultation and that the results of it should be made available to hon. Members before anything happens; new clause 3 requires further investigation of those matters. Amendment No. 54 requires an impact audit. I draw the importance of that amendment to the attention of hon. Members.

The main thrust of this group of new clauses and amendments is that the Government have yet again ignored Parliament—they think that they know better, that they can pursue their own course and that the Secretary of State should have the power to draw up orders that can only be negatived by Parliament, even before Parliament is given information about how the Secretary of State reached his decision. I commend them to the House.

Mr. Alton: In political life, we are all prone—especially in the lead-up to a general election—to making quite a lot of the motives of our opponents. Much has been said on Second Reading, in Committee and today about the possible motives behind the timing and nature of the Bill. These new clauses move us from the debate about motives to evaluation—what the impact of the Bill is likely to be. That allows us to assess it rationally to see what effects it is having and whether our worst fears are being borne out and, if so, what might be done to remove the worst effects.

The new clauses should be commended. Far too often, legislation is rushed through pell-mell, without proper consideration, and we do not consider its effect. It is almost as though, once a Bill completes its stages here, we forget about it and no longer care about it. I have thought for some time that we should, perhaps, have family impact statements, rather like environment impact statements, to assess the effect legislation has on families. They would be a useful indicator of what measures or policies did to vulnerable people.

The new clauses give us a chance to consider what the Bill would do in practice to asylum seekers and refugees. New clause 3 is interested in the effect on employment, on the social security budget and on the demand placed on local authorities, housing associations and so on. It gives us a chance to reflect on the fears that people such as the right hon. Member for City of London and Westminster, South (Mr. Brooke) have raised in relation to the effect on councils' local budgets. It gives us a chance to see whether the Government have made adequate resources available to compensate for the money that they are boasting they will save—up to £200 million—in the social security budget.

If savings are being made by central Government, we would expect some of them to be made available to local authorities. Unless there is some form of assessment, we shall never know whether that has been done.

This is an age in which we are constantly assessing everybody. The Government are always encouraging us to assess the performance of local authorities, schools and individual pupils, and we are constantly being given league tables. It is therefore not unreasonable for hon. Members to suggest that the same principle might also be applied to the Government's legislation: we should assess its effect.

The two new clauses deal with clauses 8 and 9 and are extremely helpful in pinpointing two of the Bill's most damaging features. The first is the effect on good race

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relations; the second involves the onerous burden that the Bill will place on employers and local authorities. The new clauses aim to monitor those who will suffer disadvantageous effects and to build in a mechanism to assess the impact and damage of the worst effects.

The Opposition have been accused of exaggerating the worst effects of the Bill. Throughout the Committee stage, the Minister said that hon. Members were exaggerating. Perhaps she will listen to someone such as Adair Turner of the Confederation of British Industry, who said:

"The proposed legislation will do nothing to improve equal opportunities and may undermine employers' commitment to implement equal opportunities policies."

I was staggered to see in the briefing provided by the Trades Union Congress and the CBI that 42 different documents at one time or another may have to be validated by an employer.

Miss Widdecombe: No.

Mr. Alton: Yes—42 different documents may have to be validated by an employer at one time or another. The documents range across a spectrum of subjects. I see that the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) has the list in his hand.

Miss Widdecombe: Surely the hon. Gentleman understands that the employer does not have to validate 42 documents each time. We are trying to make it easy for the employer by giving him a range of documents to which he can refer—the greater the choice, the easier it is.

Mr. Alton: I know that the hon. Lady argues for choice, but we are talking about 42 separate and different documents, any one of which could come before a perplexed employer at any time. Over the years, if people arrive from different parts of the world, an employer may have to deal with any one of those 42 documents—that is clearly what the effect will be.

The provision is in line with the Government's approach. They do not merely try to turn airline stewards into quasi-immigration officials, but try to turn employers into part-time immigration officials. The effect of the Bill would be to corral employers and personnel officers into the same service as that which airline companies were pushed into four years ago.

The Bill will not just involve additional burdens; it will dramatically and radically alter for the worst the relationship between employers and employees. Those damaging effects were underlined in a joint letter to *The Times* signed by John Monks of the TUC, Ron Taylor, CBE, of the Association of British Chambers of Commerce, Jacqueline Jeynes of the Federation of Small Businesses, Tim Melville-Ross of the Institute of Directors, Roger Young of the Institute of Management and Geoff Armstrong of the Institute of Personnel and Development. Presumably not even the Minister would suggest that those people are all card-carrying members of the Labour party or Liberal Democrats. They said:

"As well as placing an unjustifiable burden on employers, the proposal threatens to damage race relations. There would be every incentive not to hire black staff or people with foreign sounding names; and to concentrate checks on ethnic minority employees."

The new clauses are designed to address those concerns and to assess the impact that the new law would have.

The Bill also contrasts with the Government's much-vaunted concern about red tape and bureaucracy and the removal of unnecessary burdens on employers. It contrasts the manifesto promises and claims that are constantly made with the reality of what is likely to happen when Parliament passes the Bill, the latest piece of burdensome legislation.

Miss Widdecombe: I am grateful to the hon. Gentleman for his generosity in giving way again. He is pouring scorn on our proposals. What proposal does he have for stopping illegal employment?

Mr. Alton: The hon. Lady knows that I am opposed to the breaking of the law. There are already laws that provide safeguards: where abuses occur, it is possible to take the matter to court. It is also possible—the hon. Lady knows this as she does it all the time—to remove people from this country if they break our existing laws. Had the CBI, the chambers of commerce, and employers exerted pressure and said that the law was being broken all the time or if the TUC had exerted pressure and said that British workers were being denied many employment opportunities owing to the large number of abuses, I might well have been convinced of the need for reform, but the hon. Lady knows as well as I do that no such representations were forthcoming.

Miss Widdecombe: The hon. Gentleman is right: we can remove people who are working illegally. What remedies exist in current law—without the proposal—to prosecute employers who employ illegally? Does the hon. Gentleman want employers to be able to go on doing that?

Mr. Alton: I do not particularly want employers to be taken to court by the Minister's Department, or punitive sentences to be placed on them, or to see their businesses crippled and them broken as a result. I do not think that such a system would help the cause of the unemployed or businesses. I do not think that there is a problem of the magnitude that the hon. Lady tries to imply. Action can be, and sometimes is, taken against the illegal employee, and the hon. Lady knows that as well as I do. The Government are making a legislative mountain out of a molehill. The Bill will have disastrous consequences, not just for employers, but for good race relations.

The Association of British Chambers of Commerce was in no doubt about the Bill's deleterious effect, and the damage that it would cause, when it said:

"We are concerned that this could manifest itself into racial discrimination. In a situation where there are two similarly qualified potential employees, employers may be biased towards selecting the person with a P45 and an NI number. Even firms with a racial equality policy may select someone with a P45 and an NI number to ensure they cannot possibly face a fine."

Those are the consequences which, we are being told—with our eyes wide open—we shall face if we pass the Bill.

I fear that we shall create a situation analogous to the one that exists in many parts of the United States, where there are shanty towns of illegals—people who have been driven out of the benefit system, who have no assistance or aid from the state and who have been refused any

legitimate help. Such people are driven into an illegal status and then into illegal forms of work. Aspects of the Bill will compound the problem, which is not currently serious.

Mr. Madden: I agree with all that the hon. Gentleman is saying. Does he remember that, in Committee, the Minister, when pressed, found it impossible to quantify the extent either of illegal working or of illegal employment? Does he also recall that, in the consultation exercise, of the 43 respondents, only three gave broad support to the Government's proposals? Does he remember the Minister of State telling the Committee that the Government had every intention of implementing the proposals with what she described as a light touch?

Mr. Alton: The hon. Gentleman was right to mention the "light touch", which contrasts with the Minister's earlier heavy-handed intervention. She is now promising us punitive prosecutions that will be deployed against employers throughout the land. That will have a disastrous effect on industrial relations. I hope that members of the CBI will read carefully the report of our debate in *Hansard* so that they understand what, according to the Minister's words this afternoon, lies in store for them.

Before flying in the face of such strong and well-founded objections, most rational people would at least pause—but not the Home Office. If the Government were to accept the new clauses they would at least be creating a system of evaluation. It would be an extremely good principle if many of the other hasty and ill-considered measures that are railroaded through the House at breakneck speed were similarly subjected to an appraisal to discover whether, when enacted, they achieved the objectives set out for them by Ministers at earlier stages of deliberation.

In that spirit, I commend to hon. Members new clauses 2 and 3, which my right hon. and hon. Friends and I shall certainly support.

Mr. Gerrard: I shall be brief.

My hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) spoke about the enabling nature of much of the Bill. Clause after clause of recent Bills has given Ministers powers to introduce regulations instead of detailing on the face of the Bill what will happen.

The Asylum and Immigration Bill is no different. Under clauses 8 and 9 especially, Ministers are given powers to specify who will be affected by restrictions on employment and, rights to housing and withdrawal of child benefit.

Although the difference between the negative resolution procedure and the positive resolution procedure may seem technical to many people outside the House, it is important. If the procedure proposed in the Bill is used—the negative resolution procedure—an order may be laid by the Minister but not debated for several weeks.

5.30 pm

Let us suppose that a Minister chooses to lay an order just before the summer recess. There are 40 days in which prayers can be laid against a negative order, but the clock stops ticking during the long summer recess. We then have only a few days in the spill-over to finish the Session before taking another recess. It may be the end of November before those 40 days run out and a debate takes place—if there is a debate as a result of a prayer against the negative resolution. In other words, that resolution may be in effect for five months before a debate can take place on it.

The decisions that are to be made in resolutions under the clauses are not trivial. Clauses 8, 9 and 10 depend on the definition of the word "immigrant". The Minister stated on Second Reading and again in Committee how the Government intend that the definitions will be written, but there is nothing to prevent a future Minister—or the same Minister—from deciding to change the definition of the word "immigrant". Once that happens, a new range of people may find that they lose employment, housing and child benefit.

Decisions to remove those rights from people are not trivial, and they certainly should not be taken without any opportunity for debate or scrutiny in the House. The regulations may be in force for five months before they are debated. What would happen if, at the end of that period, by some chance, Parliament were to decide to reject the Minister's regulations, which rarely happens but is possible? What is the position of a person who, in the meantime, has lost his job or house as a result of regulations introduced five months before? Decisions with such major implications for people's lives should not be made in that way.

New clause 2 proposes an alternative mechanism, requiring consultation and a positive resolution of the House before regulations come into effect. The report on the results of the consultation would allow an informed decision to be taken on the likely effects of the regulations.

The hon. Member for Liverpool, Mossley Hill (Mr. Alton) spoke of the need to examine how the Bill will operate and said that, far too often, we pass legislation without considering thereafter what happens as a result.

The Minister says that the effects of the Bill are being exaggerated. If so, I do not understand why there should be any unease about reporting its effects to Parliament. We were told that we were exaggerating the effects of the social security changes. Refugee organisations say that people turn up in their offices, penniless, because benefits are being withdrawn. I was recently told of a man who wanted to buy a bag of rice but had no money, so he tried to bargain with the shopkeeper to hold his passport as security against the bag of rice. That man was an asylum seeker whose benefits had been withdrawn. If Ministers are not worried about the effects of the Bill, let them report back.

The Bill places demands on social services and housing authorities. Ministers have said that the Government will provide local authorities with money to meet those demands; let us ensure that they do. I suspect that, in a year's time, local authorities will tell us that the sums that they have had to spend are far greater than Ministers estimated, and Ministers will tell us, "The local authorities are wrong; we have met the bills." It will probably be impossible to decide because there will be no hard factual evidence to make comparisons easy. Let us have a report showing exactly what has happened.

Amendment No. 54 deals with employment issues. The Minister scoffed when the hon. Member for Mossley Hill said that 42 different documents might have to be

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recognised by an employer. In Committee, the Home Office provided us with a draft schedule, suggesting several documents.

The schedule included documents issued by previous employers, the Inland Revenue, the Benefits Agency, the Contributions Agency and the Employment Service that contain a national insurance number. That is half a dozen to start with. Also included were a birth certificate, a passport describing the holder as a British citizen or having the right of abode in the United Kingdom, a certificate of registration or naturalisation and a letter issued by the Home Office or the Department for Education and Employment, stating that the person named in the letter has permission to take employment. We are up to 12 or 14 now.

The schedule also includes a passport issued by a state that is a party to the European Economic Area agreement—not one document, but one document for every state—and an identity card issued by a state that is a party to the European Economic Area agreement, which is also not one document but may be from any of the states.

If I were presented with a document and told that it was an identity card from Luxembourg, I should have the greatest difficulty knowing whether it was an identity card from Luxembourg. What is being produced is to some extent a forgers' charter. Employers will be given documents and told, "This is an identity card from Liechtenstein"—or Luxembourg or Belgium—which they will not be qualified to recognise.

As my hon. Friend the Member for Bradford, West (Mr. Madden) said in Committee, the Government have still not closed the loophole on birth certificates, although an amendment has been tabled for consideration on Report. Anyone can obtain a birth certificate without proving that they are the person identified on it.

Those provisions will be unworkable and wide open to fraud. According to evidence gathered in the United States, where similar legislation was introduced, the measures will deter employers from employing people on whom they may have to make checks. It is not my son who will walk through an employer's door and be asked to produce a passport or birth certificate: it is the sons and daughters of my black and Asian constituents. It is likely that they will not be asked for interviews or offered jobs because employers will simply want to avoid making checks. Research in the United States showed that that is what occurred: employers were scared by the legislation and they tried to avoid implementing its provisions. They achieved that end through discrimination.

If the Government intend to press ahead and retain the powers in the Bill, it is vital that they consider seriously the proposals in amendment No. 54, under which employers would receive clear information and a telephone helpline would be established, to allow the Government at least to make an effort to ensure that employers understand what is and is not required of them. Employers should not start imagining that they must comply with conditions that do not exist. We can return later to the issue of turning employers into pseudo-immigration officers. The point in amendment No. 54 about supplying information is absolutely vital. If employers are allowed to operate in relative ignorance, the guaranteed effect will be discrimination.

Ms Glenda Jackson: I concur with everything that my hon. Friend the Member for Walthamstow (Mr. Gerrard) said. I shall speak particularly to new clause 2 and to paragraphs (d) and (e).

Even before the legislation is on the statute book, its provisions are being put into effect. Today I met a constituent who is a member of a religious order whose chapter house is located in my constituency. She is particularly concerned about the measures in the Bill because they will impact on local authorities and because they are already impacting on asylum seekers.

My constituent told me about a woman whom her order has taken in. She is eight months pregnant, entirely alone and homeless and penniless. When I intervened on my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson), I referred to the Government's failure truly to consult local authorities about their responsibilities under the Housing Act 1985 and the Children Act 1989. I said that that failure is percolating through the system and I provided an example.

The woman I spoke of has every right to be housed by a local authority: she is a British citizen and her children were born in this country. However, because the Government have failed genuinely to consult local authorities and because that woman's skin is dark and her hair is black, a junior social services worker automatically presupposed that she was attempting to find housing under the asylum and immigration legislation and that her application would be denied.

My local authority has estimated that the cost of its additional responsibilities will be £4.6 million. Although the Government claim that they are consulting local authorities, they have not confirmed whether local authorities will be fully compensated for those additional costs or for how long the costs will be funded by Government. Council services to taxpayers are already diminishing in London boroughs and council tax will increase as an inevitable result of the Government's actions. I believe that the indigenous population will perceive—however wrong it may be—that it is paying more because asylum seekers are being allowed into this country. It beggars belief that the Government cannot see that that may have serious consequences for race relations. That would seem to be an inevitable outcome of the Government's absolute failure genuinely to consult on the Bill's real effects on people's lives.

5.45 pm

My constituent to whom I referred earlier works very closely with the Refugee Advisory Council and she told me that she has documentary evidence to prove that more than 100 asylum seekers are living on the streets of London without any means of financial support. The Bill has not yet become law. If that is the situation now, what will happen when it is enacted? The Government must accept our seemingly simple amendments and exercise some common sense. They must consult genuinely with those who will be responsible for administering what appears to be an inordinately ill-thought-out legislation.

My hon. Friend the Member for Walthamstow referred to the identity card requirement as a forgers' charter. I agree with him absolutely. In the light of the Government's failure to consult on the Bill's real implications, we must also ask whether we shall see an increase in opportunistic crime. Will there be more

beggars on our streets? I do not claim that begging is a crime—people may have no alternative if they have no money and no means of finding support. Shall we receive complaints from our constituents about being harangued by beggars in the streets? Will letters appear in *The Times* and *The Daily Telegraph* complaining that so many beggars on our streets is bad for tourism? Such problems will increase because the Government have failed to speak to the people who, first, know what the Bill's implications will be; and, secondly, will be at the sharp end and will have to deal with its disastrous effects.

The Government have argued that it is vital to save British taxpayers £200 million. They have acknowledged, too, that the majority—some 90 per cent.—of asylum seekers and immigration applicants can be found in London. My local authority has estimated that the Bill will cost it an additional £4.6 million. If we multiply that figure by the number of London boroughs, we are looking at a cost that is infinitely greater than the supposed saving of £200 million. Of course, it is absolutely impossible to define in financial terms the human misery, degradation and despair that the Government's failure genuinely to consult will inevitably cause.

I urge Conservative Members to open their minds and imaginations—perhaps for the first time during the passage of the Bill—to what is buried under the simple words of the clauses and to think again.

Miss Widdecombe: I thought that the previous debate was productive and sensible, but this one is a marked deterioration. I shall deal first with what I can describe only as the rantings of the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) who led for the Opposition. He began with the usual allegation that Ministers are playing the race card. One of the most damaging aspects of the debate is that Opposition Members regularly stir up alarmism and fear while accusing us of deliberately promoting discrimination. I believe that that is far more destabilising to race relations than firm and fair immigration controls, which is what the Bill is about. During his rant about racist comments, he omitted to refer to the hon. Member for Leicester, East (Mr. Vaz). I am sad that the hon. Gentleman is no longer in his place, and I acknowledge that he has been here for most of the proceedings. I should have liked to have heard him defend himself against the allegation that some of his remarks were not wholly unracist in tone.

Mr. Bernie Grant (Tottenham): On a point of order, Madam Deputy Speaker. The Minister is making allegations about my hon. Friend the Member for Leicester, East (Mr. Vaz), who is not here, and she should know better. Will the Minister tell the House what she is alleging that my hon. Friend for Leicester, East said before she criticises him? It is not reasonable for her to do so without Members knowing what she is talking about.

Madam Deputy Speaker: I must confess that I am not very clear either.

Miss Widdecombe: I shall not provide further clarification for the very good reason that I did not give the hon. Member for Leicester, East notice that I wished to raise the issue. If he returns to the Chamber, and I have an opportunity to give him notice, I shall give the details, although they are quite well known.

I shall deal now with what I hesitate to call the substance of the speech by the hon. Member for Newcastle upon Tyne, North—there was precious little substance to it. He said that the Government were afraid to discuss details of our proposals in Parliament. He ignored the fact that we have made available information about how the order-making powers under clauses 8 and 9 are intended to be used and, as has been acknowledged, we have produced a draft statutory instrument on the documents that employers will have to examine. I consider that to be most helpful of us, but it obviously passed by the hon. Gentleman's notice. He then referred to local councils, as did the hon. Member for Hampstead and Highgate (Ms Jackson). He was exercised about Westminster council for some wholly charitable reason on which I compliment him.

Mr. Henderson: I am a resident.

Miss Widdecombe: The hon. Gentleman is a resident, so of course he is worried.

The hon. Gentleman said that Westminster council was worried about our housing proposals. We need to determine the fears of local authorities, as we need to understand them. Westminster's concern, and I assume Camden's, involves the timing of the impact of the housing provisions. It is concerned about the time gap between the ending of benefit entitlement, which has come into force, and the ending of housing entitlement under the Bill. We regard those fears as unfounded because we have made it supremely clear that money will be available to cover unavoidable additional costs, but I emphasise that if we followed the route proposed in the new clauses and amendments and provided a consultation period, the clause would then increase the delay in aligning housing and benefit entitlement. That would worsen the position of Westminster and, presumably, Camden. If the hon. Gentleman is really concerned about Westminster—I take it that he is—he should immediately rethink his support for the new clauses.

Ms Glenda Jackson: I am sure that the Minister understands that for Westminster—which was so busy selling off its council stock—and for Camden, it is not just a matter of housing people who are on the streets because they cannot claim housing benefit. There is also a problem in the private sector because of the Government's failure to consult. Private landlords are turning people out because they believe that those people will no longer be able to claim housing benefit, so will be unable to pay their rent. I refer the Minister to what I said earlier. Incredibly reliable sources are saying that more than 100 asylum seekers have nowhere to live other than the streets of London.

Miss Widdecombe: As I explained in some detail in Committee—as the hon. Lady did not serve on the Committee, she would not have heard me—when I was challenged several times about the effects of the Bill, there are already points at which we withdraw benefit not only from asylum seekers and people who sought leave to stay here under some other head, but from people who have long been settled here and who might be called the indigenous population. There are already points at which we withdraw benefit, yet it does not have the effects that are being described.

Mr. Gerrard: Does the Minister acknowledge that it is not simply a matter of people losing benefit and being unable to pay their rent? Many local authorities are worried about their position under the Children Act 1989. When they have to decide how to keep a roof over children's heads, should they take them into care or—as the Children Act suggests—should they try to keep the family together, knowing that there will be no income to pay the rent?

Miss Widdecombe: We have acknowledged that there could be increased responsibilities under the Children Act. We are also discussing with local authorities how to address that. How local authorities respond to particular cases and decide whether a child is taken into care or whether another arrangement is made is a matter for them.

The hon. Member for Liverpool, Mossley Hill (Mr. Alton) is a nice chap, but he is a Liberal and he suffers the same difficulty as all of that ilk—he is a victim of his own propaganda. He has heard so much ranting about the ill effects of the Bill that he started to believe it and rant it all out in turn.

I became curious, as I listened to several speeches, as to whether we were debating the substantive issues of clause 8 rather than the new clauses and amendments. As we shall debate clause 8 in some detail in respect of other amendments on which I understand that the Opposition have asked for a sizeable debate—we all look forward to that—I do not intend to go into detail now, as it would be repetitious.

The hon. Gentleman was unable to tell me how we should tackle the problem of employers deliberately taking on illegal employees, although what he said was quite interesting. He suggested that we should throw the whole burden on the employees and take action against them, never mind the employer. That is a most interesting position for one of his persuasion. I can see that the hon. Gentleman is dying for me to give way, and I feel obliged to do so.

Mr. Alton: I would not want the Minister to misrepresent me. I said that existing law already covers employees. In her estimation, how many employers are guilty of breaking the laws by employing people illegally? When she gives us the figures, as I hope that she now will, we shall know whether there is a problem that needs to be addressed.

Miss Widdecombe: There were at least 10,000 cases of illegal working last year, and those were the ones that we found. Even if the hon. Gentleman believes that the ones that we found represent the whole case, it is obvious that there is a sizeable problem.

Perhaps I could deal with the hon. Gentleman's question about the burden on local authorities. The homelessness code of guidance for local authorities, to which they are obliged by law to have regard, already requires them to check the immigration status of homelessness applicants. It is an important point that I made in Committee, but the hon. Gentleman may have been away with his broken ankle in Liverpool and his very ill mother in Essex, as he was away for some time owing to that combination of circumstances. Since December 1994, the code has contained recommended screening procedures to achieve that without damaging race relations. There is nothing new in the measure to place on local authorities a burden of checking that does not already exist.

Mr. Alton *rose—*

Miss Widdecombe: If I give way to the hon. Gentleman now, it will be for the last time, and he will not get in on another point.

Mr. Alton: I am grateful to the hon. Lady. If she says that she is giving me up for Lent, I shall be quite happy to accept that privation. I must press her further on the number of employers who were prosecuted last year. Will she confirm that the number was fewer than 15?

Miss Widdecombe: It would have been difficult to prosecute when we had not yet created the offence of employing an illegal immigrant. The hon. Gentleman asks a nonsensical question.

I shall quickly address the essence of the two new clauses and the amendments, which have not been much debated. The first proposition is that procedures that we have designed to be negative should be affirmative. The regulations introduced by my right hon. Friend the Secretary of State for Social Security to restrict benefit entitlement for persons from abroad were not subject to the affirmative resolution procedure, and neither are the immigration rules. I see no justification for picking orders under clauses 8 and 9, which are substantially lesser measures, to be specially subject to the affirmative procedure.

We are already consulting the Commission for Racial Equality, which has kindly offered to help us with drawing up guidance for employers on the avoidance of discriminatory recruitment practices. I share the aim of reducing, wherever possible, any adverse effect on race relations that the legislation might have by promoting discrimination. It is important that that does not happen.

6 pm

Mr. Keith Hill: Does the Minister share the concerns about the Bill's adverse effects on race relations that were expressed by the majority of organisations that responded to the illegal working proposals—in particular, those of the CRE? Is she aware of the evidence produced by the Organisation for Economic Co-operation and Development conference in Paris a couple of years ago, showing—as my hon. Friend the Member for Walthamstow (Mr. Gerrard) demonstrated—that wherever such measures have been implemented, they have had an adverse effect on race relations? Does the Minister acknowledge the need to go further than merely consult on the terms of the documents and to measure the consequences of her proposals on race relations?

Miss Widdecombe: We are consulting the CRE because we acknowledge the genuineness of the concerns that have been expressed, and we shall draw up guidance precisely because we are anxious to avoid the effects that have been suggested. I have no reason to believe that, if that guidance is implemented, there will be the adverse effects suggested. If they were to show themselves, we would look to see what we could do to strengthen the guidance and practice.

Mr. Henderson: The hon. Lady accused me of having a rant at Andrew Lansley. If there is one thing that the hon. Lady would recognise, it is a good rant. I make no apology for having a rant about Andrew Lansley, CBE and the things that he has written. I will have a rant before breakfast, before lunch, before tea and before dinner every day until the general election and beyond, if that is required to fight the Bill and its racist implications.

The Minister said that there was a lack of substance in my arguments and those of my hon. Friends, although I believe that comment was particularly directed at me. It ill behoves the hon. Lady to accuse the Opposition of a lack of substance when the Bill is no more than a skeleton enabling Bill to permit the Conservative party to campaign on a racist card from now until the general election. If the Minister wants more evidence, I shall be happy to give it.

The Bill does not specify the time limits for dealing with so-called fast-track applications from designated countries. It does not say which countries will be designated. Even at this stage, we do not know whether the list of designated countries produced in Committee is the final list. I understand from a newspaper report that other countries have been added. We do not know which documents employers will be required to check or the nature of the checks that they will be required to make on national insurance contributions. Neither do we know the resources that councils will be given to meet their housing obligations. We do not even know which persons will be covered by the Bill's provisions.

Miss Widdecombe: The hon. Gentleman proclaims the Opposition's ignorance to the world by listing a number of things that he does not know. The hon. Gentleman was in Committee—he was listening, and he knows nearly all the answers to those questions.

Mr. Henderson: I do not know the answers, and neither do my hon. Friends, because we have not been told. We shall have to wait for the Secretary of State for Social Security eventually to get around to producing an order before we have even a hint of the contents of the Bill's provisions.

The Minister said that the Bill is firm and fair in dealing with immigration rules. If that is so, why does not the hon. Lady prove that it is firm and fair, by accepting the amendments and consulting the various people who will be affected, before proceeding with a Bill that she knows contains little substance? I challenge the hon. Lady to do that. We are told that she is a conviction politician. If that is true, she will know that there is no substance to the Bill and that she will get the answers wrong if she does not consult. I challenge her to consult on the views of the CRE, employers, housing authorities and child benefit authorities.

The Government intend to charge on with the Bill regardless. We shall press the new clause to a vote because that is not good enough in any parliamentary democracy, particularly given this issue—which everyone in the House recognises is one of great sensitivity for many sections of the community.

Question put, That the clause be read a Second time:—

The House divided: Ayes 250, Noes 273.

Division No. 57] **[6.07 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galbraith, Sam
Garrett, John
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum

McFall, John
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Bridget Prentice and Mr. Malcolm Chisholm.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Budgen, Nicholas
Butcher, John
Butterfill, John
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John

Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Mr. Simon Burns.

Question accordingly negatived.

New clause 5

VICTIMS OF TORTURE

'.—(1) Nothing in this Act shall apply to a person who has made a claim for asylum where a registered medical practitioner (within the meaning of the Medical Act 1983) has issued a certificate, in a form to be prescribed, stating in good faith that he is of the opinion that that person has been tortured.

(2) After section 12 of the 1993 Act the following section shall be inserted—

"Victims of torture

12A. Nothing in this Act shall apply to a person who has made a claim for asylum where a registered medical practitioner (within the meaning of the Medical Act 1983) has issued a certificate, in a form to be prescribed, stating in good faith that he is of the opinion that that person has been tortured.".

(3) After section 1 of the 1971 Act the following section shall be inserted—

"Victims of torture

1A. Nothing in this Act shall apply to a person who has made a claim for asylum where a registered medical practitioner (within the meaning of the Medical Act 1983) has issued a certificate, in a form to be prescribed, stating in good faith that he is of the opinion that that person has been tortured.".'.—*[Mr. Alton.]*

Brought up, and read the First time.

Mr. Alton: I beg to move, That the clause be read a Second time.

I am grateful to those hon. Members from other parties who have added their names to the new clause, because that demonstrates the breadth of concern about victims of torture and the way they are treated. That concern extends to the attempt to have them excluded from the fast-track procedures, which is the purpose of new clause 5. The issue has excited interest during the passage of the Bill, and most of us have received letters about the treatment of victims of torture who have sought asylum in the United Kingdom. The issue is consistently raised by the Medical Foundation for the Care of Victims of Torture, and that is why I have tabled new clause 5.

There is always a danger in debates about immigration of over-exaggeration, and expressions such as "being swamped" and "millions of people" are used. I wish to put the matter into perspective. During 1995, the Medical Foundation for the Care of Victims of Torture provided physical, psychological and practical help to approximately 1,600 survivors of torture from 65 countries. The great majority of those people were asylum seekers who had fled persecution, imprisonment and torture, and who had arrived in the United Kingdom to seek a place of safety. They had left everything behind, including families, homes and jobs.

It is impossible to rehabilitate survivors of torture if they are frightened and uncertain about whether they will be returned to their country of origin to face further persecution. The safety and welfare of those people, and anything that affects that, is therefore the paramount concern of organisations such as the Medical Foundation for the Care of Victims of Torture.

The foundation is a dispassionate, impartial body that has an extraordinarily good track record which is admired by hon. Members from all parties. It says that it is

"extremely alarmed at the Government's decision to introduce this new legislation".

It claims that the legislation would

"adversely affect asylum seekers' access to a fair and just determination procedure."

Who are the survivors of torture? Studies, including the Home Office's document "The Settlement of Refugees in Britain", which was published in 1995, confirm that torture victims are, first, people who did not want to be refugees. Secondly, the vast majority have left behind far more in terms of jobs, homes and futures than they will ever gain by coming to this country.

A debate of this kind should centre on justice, not numbers. We often lose sight of the scale of human suffering. I shall give an example from northern Cyprus of the type of people we are talking about. I shall quote Amnesty International and the American State Department, because their comments about Cyprus relate directly to my example. Amnesty International, in its 1995 report, described

"the imprisonment of conscientious objectors to military service, documented cases of alleged ill-treatment and torture of detainees and the apparent absence of thorough investigation into these allegations."

The American State Department, in its country reports on human rights in 1994, said:

"in both Turkish and Greek Cypriot territories, there were 'instances of police brutality.'"

[Mr. Alton]

Those quotations are significant, because Cyprus now appears on the so-called designated list.

The example I wish to mention is a Cypriot opposition politician. In 1990 and 1992, he was put up as a candidate for Parliament. He was working on a federal solution to the Cyprus problems. He was arrested in 1992, and kept in the police station for four days. He was interrogated and accused of illegal activities. He was beaten, and suffered felaka with black plastic truncheons. His feet were swollen and very painful for three weeks, in spite of salt water baths. His daughters were beaten at school.

In October 1993, he fled to the United Kingdom with his family and applied for asylum at the airport. In 1995, his asylum application was refused, and he was deported. On his return to Cyprus, he attempted to leave and go to Turkey. At the airport, the civil police arrested him and took him away. Three police officers and another armed man interrogated him in a small room, and beat him severely on the back and shoulders.

I will not weary the House with all the details of what followed, but I shall quote the view of Dr. Gordon Barclay, who treated that man. Dr. Barclay is a senior fellow of the Association of Surgeons of Great Britain and Ireland and a senior member of the British Association of Urological Surgeons. He said about the man in question:

"After 16 days, he decided he must go to Turkey where he could hide. However, he was picked up at the airport and detained, interrogated and tortured. This included, he says, burning his back with heated iron rods. He has about 100 scars, which bear out his story, though the number and severity are stupendous. I could see no other explanation for them."

Dr. Barclay added:

"His other complaints are those associated with severe post-traumatic stress syndrome still in an acute phase".

I have emphasised this case because, on 17 January, only a few days ago, the immigration and nationality department of Lunar house sent a letter to the individual concerned telling him that he was being deported from the United Kingdom. The letter was signed by Lynn Parsons of the asylum division.

I found the letter extraordinarily brutal, disingenuous and entirely lacking even in common courtesy, let alone compassion. An official who has probably never even met the man concerned, writing on behalf of the Secretary of State, who certainly had not met him, had this to say:

"Taking into account your appalling lack of credibility the Secretary of State considers that . . . these wounds were inflicted at your request in an attempt to strengthen your claim."

We are talking about 100 scars on the man's back. The letter continues:

"There is no evidence to suggest that North Cyprus is anything other than a democratic country with respect for human rights."

I have only recently mentioned the reports of Amnesty International and the American State Department.

6.30 pm

The letter then states:

"He"—

the Secretary of State—

"does not accept that your injuries were sustained in the manner that you claim. He is of the view that the claimed beating is all part of a cynical attempt to circumvent normal United Kingdom immigration rules and to secure your stay in this country."

I do not believe that anyone listening to the account—validated by an eminent doctor—that I have read would believe that anyone would go to such lengths, even if it were possible, to try to obtain the right to stay in the United Kingdom.

The letter adds:

"As such, he places no weight on this alleged evidence. Overall the Secretary of State is of the view that your claim is a mixture of lies and embellishment. He places no weight on your claims and finds them completely lacking in credibility . . . Your application is now formally refused."

I have never read such a brutal and offensive letter from a Government official, who presumably feels that she can write with impunity and even approbation. It was sent to someone who has suffered in the manner that I have described.

I shall refer to one more case before I turn to the substance of the clause. It is the story of a Nigerian, a man called John. He is a Nigerian pastor. He was a Christian minister in Nigeria, as was his father. His father was critical of the Government's handling of oil deposits in the area, and the family was persecuted in consequence. John was arrested and beaten with whips and batons on many occasions between 1990 and 1992. He was accused of inciting people to oppose Government policy.

In December 1993, John was arrested while conducting a church service. He was arrested along with his mother, brother and sister, and almost everyone else in the church who had not already been shot. Almost unconscious from the beatings that he had received, he was stripped, handcuffed and beaten further with a whip, a metal rod and a chair leg. He was suspended by his wrists and beaten on his feet. The following day, he was brought into a room with his mother. Both of them were stripped and abused in front of each other. His interrogators then shot his mother in the legs. She collapsed bleeding, and was then killed in front of him. He was threatened with the same treatment.

In the days that followed, John was subjected to further torture, including being forced to sit on a broken bottle. He also had a large needle passed through him. There followed sexual torture. He eventually escaped detention through bribery. He was assisted in fleeing to the United Kingdom in exchange for a large sum of money, notwithstanding that he was a wanted man. A substantial reward was on offer for his capture.

John was escorted to London, where he was left after one month. He had no idea what to do about claiming asylum. He knew no one in the United Kingdom. After a while, he met people at a church, including other Nigerians and a lawyer, who helped him to apply for asylum.

Initially, the Home Office proposed to consider his case under the short procedure—that is central to the new clause. However, John found good legal advice from an experienced asylum lawyer, and support from the medical foundation. Following representations, the Home Office agreed that his case needed to be dealt with in more depth, including the submission of medical and psychiatric evidence.

John is obviously in a vulnerable and psychological state. He is being cared for in a special hospital. He will probably need surgery for his injuries. Without the benefit of legal advice and help from the foundation, it is likely that his case would have been dealt with rapidly, and he

would have been removed almost forthwith from the United Kingdom. It is most doubtful whether the full horror of what he had suffered would have emerged.

It took medical staff who worked with John considerable time to extract his story from him. Hon. Members, having heard his story, will understand the trauma and distress of anyone in such a situation, and appreciate the time it would take for someone to be able to talk about such an experience.

John's case and the north Cyprus one are not unique. Most people who flee for genuine reasons from countries with despotic and appalling regimes have had similar experiences. If people like John are sent out on the first plane under the fast-track procedures, it will be a crime against humanity and manifestly against the spirit of the 1951 convention, to which we all subscribe and adhere.

I shall take up one of the arguments that has been deployed by Home Office officials against the acceptance of the new clause. It is one of the most risible, ridiculous and desperate arguments that I have ever heard put to Members of this place. It has been suggested that, because people might inflict injury on themselves, the provisions of the new clause could be abused by those seeking to enter the United Kingdom.

I took the trouble to obtain a statement from Professor Bernard Knight, CBE, MD, BCh, MRCP, FRCPath, DMJ, barrister, who has 41 years of experience as a pathologist. He is a Home Office pathologist. He has spent 37 years in full-time forensic medicine, and has published articles in journals and textbooks. The professor says that, although it is impossible always to be certain about a single injury, most self-inflicted injuries are instantly recognisable by an experienced medical observer. He wrote:

"Self-inflicted injury, either for deliberate gain of some type or from psychiatric or emotional disturbance, usually has a well-recognised pattern which can be distinguished by experienced medical examiners. Self-inflicted injury tends to be repetitive, superficial and placed in areas easily accessible, and usually avoids vital structures."

I remind the House of the case of the northern Cypriot who is to be deported as a result of a decision taken by the Home Office. He has 100 scars on his back. We should all be deeply concerned about the suggestion that he inflicted his wounds on himself to remain in the United Kingdom, and that people believed that it was possible to do anything like that.

I am not proposing an open door. I am saying that there should be in place a system that accepts the United Kingdom's moral and international obligations—in other words, a just system that prevents the survivors of torture and repression from being returned to face further imprisonment and even death.

I am grateful to hon. Members from all parties who have supported the new clause. It is not a partisan proposal. I therefore hope that it will be possible for its terms to be incorporated in the Bill. If there are flaws in its wording and the Minister says that it is defective in some respects, I ask the Government at least to accept the principle that lies behind it. We can always ensure that a similar new clause is introduced in another place. My fear is that Ministers will not even accept the principle, on which I hope hon. Members will concentrate their remarks.

Sir Patrick Cormack (South Staffordshire): The hon. Member for Liverpool, Mossley Hill (Mr. Alton) has performed a real service to the House by bringing this important issue before us. When he asked me whether I would support and sign his new clause, I gladly did so, not because I thought it was necessarily a model of parliamentary draftmanship—I am quite prepared to accept, as is he, that it may well be deficient in that respect—but because it is an important issue.

I should tell my hon. Friend the Minister of State, that one occasionally comes across a group of people who are manifestly deserving of the House's concern and—I shall use the word—compassion. I shall give an analogy.

Some years ago, I was involved, along with hon. Members from both sides of the House, in the campaign to give proper aid to haemophiliacs who had contracted the AIDS virus as a result of transfusions. The Prime Minister responded to that campaign within a few days of his taking that office. That particularly deserving group of people were singled out, very properly, and given help, and I doubt whether any hon. Member thought that that was a wrong decision.

This evening, the hon. Member for Mossley Hill has pointed to another group of people who are especially deserving. Torture is a most horrible crime. To inflict physical and mental torment on another human being who is in one's charge is as despicable a thing as one can possibly do. We must, however, reluctantly accept that there are all too many countries in the world where torture is an almost everyday occurrence. We have to accept that there are regimes that are so odious and so precarious that they feel they must inflict suffering on those who express opposition to their diktats.

This century has been defiled by those who have behaved with barbarity towards their fellows. We are within days of celebrating the 50th anniversary of marking the holocaust, and I do not need to dwell or expand on that. During the past few years, I have on occasion, as have others, brought to hon. Members' attention the appalling suffering that has been inflicted on people in the former Yugoslavia. As we speak, a war crimes tribunal is quite rightly seeking to prosecute those who are guilty of those crimes.

Anyone who flees to this country and who has been a victim of torture deserves every possible help and assistance. I do not for a moment think that my hon. Friend the Minister would dissent from a word that I have said. Of course I accept that she has a difficult job, as do her colleagues, in drawing up rules that police the system and try to ensure that it is not abused. However, I would rather that the system were abused by one perverse individual who had mutilated himself—I am prepared to concede that there could be such individuals—than that someone who had been tortured were sent back to further torture or torment. I believe that there are occasions when one must give the benefit of the doubt.

The hon. Member for Mossley Hill spoke of justice. I was reminded of an artist friend of mine who, approached by the husband of the sitter, was asked, "I hope you will do my wife justice." "No," he said, "it is not justice she needs: it is mercy." That is really what we are talking about this evening: showing mercy to those who have suffered and who are, perhaps above all others, incapable of making rational decisions and following rules in the wake of their suffering.

I should tell the Minister that I understand what lies behind this Bill. I have not sought to inflict my presence on the House during its discussion so far, because I know

[Sir Patrick Cormack]

that it is a difficult problem. I understand that there are those who seek to abuse the system, and I know that that understandably arouses feelings of anger in many parts of the country, particularly among our own countrymen and countrywomen who are among the poorest. I know all that. However, we are speaking of a small group of people—the hon. Member for Mossley Hill sought to quantify it, and said he thought that it was about 1,600.

6.45 pm

This is a great country. This is a country that can afford to pay the price of greatness. We cannot and we must not turn anyone away from our shores if there are reasonable grounds to think that his story of torture is true. Yes, perhaps the odd rogue will stay as a result, but I would far rather that than that the man with the 100 lashes or the 100 stripes be sent back.

I thought that the letter read out by the hon. Member for Mossley Hill was incredibly heartless. No civilised Department of State in any civilised country should allow any official to write such a letter. I hope that my hon. Friend the Minister will obtain the letter, see the official and deal appropriately—as only she knows how, because she is a formidable woman—with him or her. Nobody should write such things in the name of our Government.

I shall conclude, because I do not wish to detain the House further, by saying that this new clause is about a small group of people for whom we must do everything to give them the benefit of the doubt. Our country has a proud tradition of helping those who have fled from persecution. No group is more deserving of help than that which comprises the victims of torture.

Mr. Madden: I congratulate the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on his new clause, and agree thoroughly with what the hon. Member for South Staffordshire (Sir P. Cormack) said. I take issue with him, however, on the letter that was written by the Home Office official, to which the hon. Member for Mossley Hill has drawn the attention of hon. Members. The letter was not written by a maverick official expressing personal views; the official was reflecting well-founded Home Office policy on asylum issues.

I note from the letter, which the hon. Gentleman has kindly passed to me, that it was the Cypriot gentleman's second application. He made his first application on arrival in the United Kingdom, in 1993, with his wife and children. He made his second application in October last year. I ask the Minister of State not only to rebuke the official for writing that terrible letter, but to give us an undertaking now that, whatever has happened in the past, the Minister will ensure that this applicant has a right of appeal to an independent body so that his case can be independently assessed. I think that that is the minimum undertaking that the Minister can give.

The new clause tabled by the hon. Member for Mossley Hill would ensure that

"Nothing in this Act shall apply to a person who has made a claim for asylum where a registered medical practitioner . . . has issued a certificate, in a form to be prescribed, stating in good faith that he is of the opinion that that person has been tortured."

As the hon. Members for Mossley Hill and for South Staffordshire have already said, it is clear that the number of tortured persons who seek asylum in this country in any year is extremely small. For the sake of our reputation, or what is left of our reputation, as a country in which to seek asylum, the least that the House can do is to accept the new clause.

The hon. Member for Mossley Hill referred to designation. Hon. Members will be aware that clause 1

"empowers the Secretary of State to designate by order countries where there is in general no serious risk of persecution. It makes the special appeals procedure for claims without foundation available for a wider range of claims, including those by nationals of designated countries."

The purpose of the new clause is to give to those who are clearly victims of torture an exemption from that procedure.

A restricted letter was written on 27 October by the Foreign Secretary and circulated to all parts of the Foreign Office and overseas posts. In that letter he stated:

"UK press has speculated on possible introduction of a 'white list'. This would require primary legislation . . . Cannot anticipate announcement. If it were adopted, careful account would need to be taken of human rights and other relevant conditions in a country before it could be listed . . . However, Home Office has been piloting since May a short procedure for deciding straightforward asylum claims likely to prove unfounded. Procedure limited to selected cases from nationalities which experience has shown generate very high refusal rates . . . These are Ghana, Nigeria, India, Pakistan, Romania and Poland. Consideration being given to possible expansion to other nationalities."

I should like the Under-Secretary to explain why Nigerian nationals are included as part of the short procedure, given the gross human rights violations in that country, which are of concern to many hon. Members, and which have led to international action being taken by Her Majesty's Government and other European Union countries.

Under the heading

"Background—Restricted—Not For Use"

the letter of 27 October reveals:

"The countries listed below, which are the leading nations giving rise to large numbers of unfounded asylum claims, are candidates for a designated list. We agree with the Home Office that countries nos. 1-5 may be designated".

Those countries are Bulgaria, Cyprus, Ghana, Poland and Romania. The letter continues:

"we have yet to come to a decision on the others."

Those are Ethiopia, India, Kenya, Pakistan and Tanzania.

"There are no plans (as suggested in the UK press) to designate Nigeria, Sri Lanka or Algeria."

We now know as a result of the Home Secretary's speech on Second Reading in December that the countries to be designated by order are the first five to which I referred, plus India and Pakistan. I would like to know from the Under-Secretary, if he can desist from chatting to the Whip on the Front Bench, what has happened since 27 October, when the Foreign Secretary wrote:

"we have yet to come to a decision on the others."

The others specifically included are Pakistan and India. That decision enabled the Home Secretary to announce in December that India and Pakistan would be part of the designated list.

I hope that the discussion in which the Under-Secretary seems now to be engaged with the Minister of State will enable him to reply to the specific questions that I am now asking. I would very much like to know from him whether the Foreign Secretary communicated with the Home Secretary before December that he supported the

inclusion of Pakistan and India in the proposed designated list. I very much hope that the Under-Secretary will be able to say that he accepts the new clause. It is an extremely important safeguard to the victims of torture and will ensure that they are not subject to certain provisions, including those on designation.

Mr. Andrew Rowe (Mid-Kent): This subject is one which any citizen of a rich, comfortable country must find difficult. Whether people come here as economic migrants from countries where they do not get enough to eat and where their children and families are riddled with worms, or whether they come as asylum seekers in the genuine sense of the word, to send any of them back is an unattractive thing to do. We realise, however, that we live in the real world, and however much an individual conjures up our compassion, the national response must be to limit numbers.

There is absolutely no doubt that people who have been subjected to torture are in a different category from other asylum seekers. I was pleased to put my name to the new clause, although I am not particularly enamoured of the idea that any medical practitioner should be able to sign a certificate. We know that some practitioners are less careful, less scrupulous and busier than others and would soon be identified as the ones to whom asylum seekers may go. I believe, however, that we must have an unequivocal statement from my hon. Friend the Under-Secretary that this country will not send back to the likelihood of further torture people who, when they came here, had, in all probability, already been tortured. I do not mind how the thing is arranged, provided that it is arranged with that result.

The hon. Member for Liverpool, Mossley Hill (Mr. Alton) has asked for that arrangement to be included in a clause in the Bill because all of us are uneasy about the effect on conscientious, devoted civil servants of what I would describe as battle fatigue. When they have seen enough cases of people trying to pull the wool over their eyes, or people who they think are trying to do that, they become battle-hardened and cynical, and less careful. When people who have suffered torture come up against an official whose compassion barrier has been raised because he has been in that post a long time, one ends up with the kind of story that the hon. Member for Mossley Hill told us about the man from north Cyprus. For that reason, the inclusion of an automatic safeguard in the Bill becomes very attractive.

I urge upon Ministers that hon. Members must be assured that where there is a reasonable belief that someone has suffered torture, he or she will not be sent back. If we can have that assurance, I will not feel wedded to the wording of the new clause.

Miss Emma Nicholson (Torridge and West Devon): I am honoured to support the new clause and am very glad to be on the Benches of the hon. Members who sponsored it, and to support my hon. Friend the Member for Liverpool, Mossley Hill (Mr. Alton) and other hon. Members.

I am not at all surprised by the harshness of the phrases in the letters that have been read out, because they were taken from paragraphs in the reasons for refusal letter—the standard refusal letter. It is relatively new and it has resulted in very harsh statements. Indeed, as the paperwork states:

"Judicious use of stock paragraphs greatly cuts down on the time taken to prepare rfrs. Therefore, increased use of stock paragraphs across the Division is highly desirable in all but the most unusual of cases."

I shall not detain the House by reading out the stock paragraphs, but they have a harsh and sharp result, as my hon. Friend stated.

7 pm

I am concerned about the decisions that are made from those paragraphs. In one case, an African had been beaten by Government employees for many months in his country of origin, which is a place of massive instability and successive revolutions. His senior family members had been killed because they supported the wrong side for a time. The Home Secretary, in his refusal of this man's claim for asylum, stated:

"During the period of alleged torture, when not in detention you made no attempt to approach the authorities in your country. You have stated that you did not believe that the authorities could have provided a solution to the problem. However, the Secretary of State believes that in the light of facts you have provided it would have been an appropriate course of action for you to seek assistance from the authorities."

The futility of that statement is beyond belief. If Government employees are beating somebody, what possible hope is there that that Government would assist that person? The Secretary of State's lack of understanding and his sheer determination to keep these people out concerns me more than anything. We are talking about a victim of torture, who managed to flee to a second African country—another country of turmoil, with a dreadful track record on human rights, as the United Kingdom well knows. The Secretary of State wrote:

"The Secretary of State knows that on your arrival . . . you did not claim asylum there. The Secretary of State considers this is not consistent with someone in need of international protection, whom he believes would apply for asylum at the earliest opportunity."

How can one possibly apply for asylum in a country from which other people are already fleeing? The Secretary of State does not want these people here at all. That is the key to everything.

The letter continued:

"Therefore the Secretary of State considers that you have failed to establish a well-founded fear of persecution as defined by the 1951 United Nations Convention relating to Status of Refugees."

That was because he did not seek assistance from the authorities who were torturing him, and because he did not seek asylum in a second country. The only country that he could reach already has a revolution and has had a history of revolutions.

In a letter to another asylum seeker, the Secretary of State remarked that there had been a very high proportion of unmeritorious applications. If it was an unmeritorious application, this is indeed "Alice in Wonderland". It was an application from somebody in the greatest need. The Secretary of State made the point that the applicant had not sought asylum in another country, but the Secretary of State simply does not understand that a number of countries are infinitely more open-hearted than the United Kingdom in their acceptance of people in trouble.

[Miss Emma Nicholson]

Some 2.5 million displaced people are in Iran, but they do not apply for asylum. Iran cannot give 2.5 million people asylum, because of all the rights and obligations that it would create for those people and Iran, but it gives them shelter, house room, ability to work, food and clothing—the basics of life. Those people will not get asylum there, so for the Secretary of State to refuse an application because somebody had not applied for asylum in another country or in a country like Iran, which accepts vast numbers of displaced people and refugees, is unbelievable.

Iraq was branded a legitimate trading partner in 1988—the same time as Saddam Hussein was bombing the Kurds with chemical weapons. Presumably, Iraq would be on the white list now. A torture victim, Dr. Hassan, is a friend of mine. He was the doctor who certified death after the executions that were carried out regularly on hundreds of people every week in Al Gahraib prison, where the Kuwaiti prisoners of war are kept. After that, he was placed in a factory, to look after the health of the people creating chemical weapons. They were known to have high health needs. While there, he saw British-labelled supplies coming in to create the chemical weapons. His purpose was to maintain the health of the staff. Then, because he was not seen to be sufficiently sound, he was tortured very heavily for two years.

It took Dr. Hassan a long time to admit that he had been tortured. He was a surgeon, a man of high professional ability, and the feeling of degradation, the inarticulacy that followed that degradation, the shame at having been physically violated in every conceivable corner of his body and being unable to withstand it on his terms, had stopped him talking about it for a very long time. He felt a man apart. He and others whom I know who have been tortured are indeed a race apart. They are a race of the strongest and most wonderful men and women alive today. To put such people on the fast-track system and assume that when they turn up at Heathrow or another airport they can unload all of that immediately is just plain cruel.

I feel ashamed that we should consider enacting the proposed legislation. I beg the Minister to consider the plight of the victims of torture. Several hon. Members have read out the treatment that those victims are receiving under the current legislation. The Bill will worsen their situation dramatically.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): There is no doubt whatever that this is an issue of great concern. I listened with particular attention to the speeches of my hon. Friends the Members for South Staffordshire (Sir P. Cormack) and for Mid-Kent (Mr. Rowe), who expressed deep feelings about humanitarianism. I hope that I will be allowed an opportunity to explain why I believe that this country's position is an honourable one, and why our application of humanitarianism is second to none.

Although comparatively, in percentage terms, few of the applications for asylum that are made to this country meet the criteria that we apply in accordance with the United Nations convention of 1951, we have—this is unusual to this country in many respects—exceptional leave to remain, which takes care of a great number of cases that would otherwise not meet the basic criteria, which are used where we believe that there are compassionate or humanitarian reasons to allow someone to remain in this country.

Miss Emma Nicholson: Will the Minister give way?

Mr. Kirkhope: Not at the moment.

That is very important.

We all know how appalling torture is when it is used on an institutional basis by a nation or a particular regime or when it is used by individuals or criminals against others. Who could forget the appalling television pictures of our RAF service men who had been tortured by the Iraqis after capture and were paraded in front of our screens for political effect? No one could ever forget that, and no one ever should.

If we did not adopt a particular approach to victims of torture, I should be able to recommend further consideration of the proposals advanced by the hon. Member for Liverpool, Mossley Hill (Mr. Alton). However, we are signatories not only to the 1951 United Nations convention—which we apply properly and fairly to asylum applicants—but to article 3 of the UN convention against torture and other cruel, inhuman or degrading treatment or punishment, which was concluded in 1981.

The parts of the convention that we observe include the provision that

> "No State Party shall expel, return . . . or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.
>
> For the purpose of determining whether there are grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights."

There may be circumstances in which a person would face torture if returned to his country of origin, but would not have a well-founded fear of persecution on grounds of race, religion, nationality, membership of a social group or a political opinion. In those circumstances, the United Kingdom meets its international obligations by granting exceptional leave to remain.

Miss Nicholson: I understand that those with exceptional leave to remain will indeed be at risk if the Bill is passed unchanged, under a number of clauses. Will the Minister clarify that?

Mr. Kirkhope: I can state categorically that that is not the case. I am proud that this country is able to provide such leave, and will exercise its powers to do so when there is evidence to suggest that applicants would be tortured if they were returned to their countries. Let me give a clear undertaking—virtually repeating the article that I quoted a moment ago—that we will not send people back when there is a reasonable belief that they will face torture. I hope that that helps my hon. Friends, and others who have raised the question.

Let me make a technical point. If new clause 5 were accepted, it would have the direct result of putting all alleged victims of torture entirely outside normal immigration control—not just in respect of the Bill, but in respect of the Immigration Act 1971 and the rules attached to it and the Asylum and Immigration Appeals

Act 1993. In effect, such people would have the same rights immediately, on a medical certificate, as any British national.

Sir Patrick Cormack: I accept—as I did earlier—that there may be deficiencies in the new clause, but people are very worried. Will my hon. Friend undertake to receive those who have spoken tonight, and who are acutely concerned, and is he prepared to consider an amendment in the other place if the Bill does not cover torture victims adequately?

Mr. Kirkhope: Having clearly set out the humanitarian position that we already hold and intend to continue, I see no reason why we should not consider representations of the kind that my hon. Friend suggests. Indeed, I can say on behalf of my hon. Friend the Minister of State that we should be pleased to do so.

Sir Patrick Cormack: I am grateful for my hon. Friend's response to the first part of my question, but he did not deal with the second part. I asked whether, in consultation with his ministerial colleagues, he would be prepared to table an amendment in the other place if it were felt that victims of torture were not covered adequately.

Mr. Kirkhope: It would be up to my hon. Friend to convince us of the need. *[Interruption.]* I consider that a reasonable proposal, and, having set out the other circumstances, I think it fair to introduce such a tiny caveat.

We all know what we want to achieve. We all deprecate torture, and want to deal with it. We in the Government believe that we are dealing with it, but, if my hon. Friend and others persuade us otherwise, the natural conclusion will of course be the consideration of an amendment in the other place. I am happy to give that undertaking, along with the one that I have already given. On that basis, I ask the hon. Member for Mossley Hill not to press the motion to a vote: if he does not, it will help everyone who is concerned with this difficult matter.

7.15 pm

Mr. Alton: With the leave of the House, Madam Speaker.

I am grateful to the Minister for the tone that he adopted. The debate has demonstrated that there is no monopoly on compassion in any part of the House: it has united opinion. Hon. Members on both sides of the House made eloquent speeches in support of the principles enshrined in the convention. There is no doubt that we all subscribe to those principles; the question is how they are implemented.

In fact, we should be concerned not about the Bill but about existing Home Office practices. When questioned directly by the hon. Member for Bradford, West (Mr. Madden) about what would happen in a specific case, the Minister was unable to reply; but a man had been tortured, and had 100 lacerations on his back. According to a Home Office letter dated 17 January, that was

"all part of a cynical attempt to circumvent normal United Kingdom immigration rules".

In sharp contradiction is the view of a senior fellow of the Association of Surgeons of Great Britain and Ireland—not just a run-of-the-mill GP hired by an immigration advisory group. Dr. Gordon Barclay stated that the man had

"100 scars, which bear out his story, though the number and severity are stupendous. I could see no other explanation for them.

His other complaints are those associated with severe post-traumatic stress syndrome still in an acute phase".

Cases of that kind are already manifesting themselves, even before the enactment of the Bill. I do not think that it is enough to say that we hold to a reasonable belief—a phrase used earlier by the Minister; we need more than assurances on the Floor of the House. Although I hope that there will be a debate in the other place and that amendments will be passed there, we should stress the importance of the principle. I believe that that can best be achieved by a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 265, Noes 279.

Division No. 58] **[7.18 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'boro & S'worth)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*

Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Maginnis, Ken
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Ms Liz Lynne and
Mr. Archy Kirkwood.

NOES

Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby

Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Patrick McLoughlin.

Question accordingly negatived.

New clause 6

DEPORTATION ON GROUNDS OF NATIONAL SECURITY, ETC.

'.—(1) Subject to the following provisions of this section—

(a) in section 15 of the 1971 Act (appeals in respect of deportation orders), subsection (3) shall be omitted; and

(b) in paragraph 6 of Schedule 2 to the 1993 Act (appeals to special adjudicators: exception for national security), for the words "(3)(a) and (b)" there shall be substituted the words "(3)(b)".

(2) This section shall, from its coming into effect, apply in relation to entrants or others arriving in the United Kingdom at any date whether before or after it comes into effect.

(3) After the coming into effect of this section, anything done under the relevant provisions of the 1971 Act or the 1993 Act shall be treated as if done under those provisions as they are amended by this section.'.—*[Mr. Madden.]*

Brought up, and read the First time.

Mr. Madden: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss amendment No. 56, in schedule 3, page 12, line 4, column 3, at beginning insert 'Section 15(3).'

Mr. Madden: I understand that my hon. Friends the Members for Walsall, North (Mr. Winnick) and for Birmingham, Perry Barr (Mr. Rooker) want to contribute to this short debate.

The new clause deals with the situation in which the authorities seek to deport individuals lawfully from the United Kingdom on grounds of national security, of the relations between the United Kingdom and any other country or for other reasons of a political nature. It does not prevent the authorities from deporting such individuals for national security reasons, but it would give those individuals a full right of appeal before the immigration appeals authority.

At present, individuals who are proceeded against on national security grounds do not have an appeal or anything like it. Instead, there is a procedure before an advisory panel—the so-called three wise men—and individuals are not entitled to legal representation or to cross-examine witnesses against them. The decision of the panel is not disclosed to those facing deportation and it is not binding on the Home Secretary.

It is not surprising that that procedure has been widely criticised, not least during the Gulf crisis when many students were taken into custody only to be released on the ending of hostilities, at a time when it might have been thought that Iraq would be most keen to secure vengeance. No other allied country took such measures.

When the Immigration Act 1971 was first introduced, there was a procedure for dealing with security cases before the Immigration Appeal Tribunal. Although it lacked certain procedural safeguards, it had a good deal to commend it. The present situation does not. Even so, that procedure attracted considerable criticism from those concerned with the rights of the individual. Perversely, that concern was met by the introduction of the present procedure, which is modelled on that applicable to civil servants whose loyalty is in doubt.

The private reasoning of Ministers in immigration cases is under criticism at present, particularly in two cases—that of the Saudi dissident Dr. al-Masari, in which

[Mr. Madden]

Ministers' private reasoning has become public knowledge, and that of Karamjit Singh Chahal, a Sikh who has now been detained for a period equal to that for a sentence of murder, although he is held without conviction, charge or any detailed knowledge of the allegations against him.

Mr. Chahal's case is set out in early-day motion 377 and I am sure that hon. Members will be dismayed to know that he has been detained in Bedford prison for more than 2,000 days. His case is to come before the European Court of Human Rights next month. I hope that, if the court finds in his favour—I am cautiously optimistic that it will—the Home Secretary will act promptly and positively. I also hope that the Home Secretary will release Mr. Chahal temporarily, so that he can rejoin his wife and two children before the findings of the courts are made known.

The proposals in new clause 6 are by no means unusual. Acceptable procedures that meet the concerns that I outlined are employed by a number of countries in national security cases. For example, the Canadian system has been found to be extremely satisfactory by the Government and those representing detainees. I very much hope that the Home Office will seriously consider the suggestions that I have proposed in the new clause.

Mr. Winnick: I support the new clause. My hon. Friend the Member for Bradford, West (Mr. Madden) made a powerful case for it.

I have a constituency interest. My constituent, Mr. Raghbir Singh, has been held in prison in Birmingham for a year. As in all such cases, as my hon. Friend said, the difficulty arises because no charges of any kind are made. The Home Secretary—obviously, I accept that he was acting on advice—made an order that Mr. Singh's presence in the United Kingdom was not conducive to the public good on grounds of security. The reason for the order was that Mr. Singh was involved in terrorism. I cannot possibly know whether that is so. My constituent strongly denies any involvement and says that the journal that he edited in the Sikh community argued against terrorism.

I do not have to emphasise any more than my hon. Friends my strenuous opposition to all forms of terrorism—not only the curse of terrorism that we have suffered for 25 years, which has tragically been resumed, conducted by the IRA in Northern Ireland and at the moment on the mainland, but other forms of terrorism, wherever they are—in the middle east or on the Indian sub-continent.

I am not here to act as an apologist for terrorism, nor do I want to do so—neither do my hon. Friends—and I see that the Minister accepts that, but let us work on the possible assumption that Mr. Singh is telling the truth. It is just possible that, whatever advice was given to the Home Secretary, admittedly in good faith—we live in a democracy—information was given for malicious reasons. Clearly, of course, the Home Secretary's advisers would not have done so, but they might have been given false and misleading information.

Therefore, if one works for the moment on that assumption, one can imagine the injustice that is done to someone such as Raghbir Singh. He maintains that the information is not correct and that he is not, and never has been, involved in terrorism. He has been taken away from his home, his wife and his children; he has been locked up in prison without any charges; and he cannot put his case in a court of law. That is a glaring injustice and, inevitably, there are strong feelings about that case.

Raghbir Singh has been in the United Kingdom lawfully since 1980, he is married and he has two young children. His wife came to the United Kingdom when she was three, and she is also a United Kingdom citizen. I took a number of my hon. Friends to see the Secretary of State for the Home Department, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who was good enough to see us about this case. There was a press conference after the meeting, and the two children thought that their father was going to be released from prison—which is understandable considering their ages.

If it is said, "Well, someone is bound to deny it. How many people deny the charges against them when charged or even convicted?", I will have to accept it. I have already stated that the advice given to the Home Secretary may be right, but I bear in mind my constituent's strenuous denial. In addition, the case has aroused strong feelings in the Sikh community. It is difficult to believe that those strong feelings—which have been expressed to a number of Members of Parliament on both sides—arise because of any sympathy towards terrorism.

I accept that some in the Sikh community may be protesting because they believe in acts of violence to create a separate state in India, but the overwhelming majority of that community is opposed to terrorism—whatever views they may have about a separate state—and they do not believe in violence or in killing to achieve that objective. They are protesting very loudly on behalf of Raghbir Singh, as I am sure the Home Office is aware.

If the new clause were accepted, my constituent would have an opportunity to put his case in a proper manner, through lawyers, to demonstrate his innocence. The judicial authorities would then decide one way or the other. Raghbir Singh has a right of appeal at the moment, but it is restricted—it is to a panel which decides purely and simply on grounds of security; it is not like a court of law, nor is it meant to be.

I have raised this case a number of times over the past 12 months because I feel that if Raghbir Singh is not guilty of any form of terrorism—as I understand it, he has not been accused of any form of terrorism in the United Kingdom—a great injustice has been done to him. If he is guilty or has been involved in some way, despite his denial, then all the more reason for him to put his case to a court of law and to let the matter be decided as it should be in a democracy.

Mr. Jeff Rooker (Birmingham, Perry Barr): I support the comments of my hon. Friends the Members for Bradford, West (Mr. Madden) and for Walsall, North (Mr. Winnick) on the case of Mr. Raghbir Singh. I say to the Minister of State in all sincerity that my constituents know my views about using violence to achieve political ends. They do not bother to lobby me because they know that my views have been consistent over the years. Many of my constituents have worked with Raghbir Singh—my constituency is close to the constituency of Walsall, North—and I have difficulty explaining to them the system of British justice: that he is in prison without a charge that he knows about and that he is able to answer.

I remember when the previous Labour Government used legislation such as this—although, even then, questions were raised. Such legislation does not seem to be used in many other countries. I fully accept that one has to be careful when bringing the politics of the sub-continent into this country. I do not know whether Raghbir Singh is guilty or innocent, nor does my hon. Friend the Member for Walsall, North.

Our cause is slightly different—we want justice to be done openly. My hon. Friend the Member for Bradford, West has said that the appeal process requires more openness than exists at present. I accept that security cases cannot be completely open, such as in a magistrates court—and I am not so stupid as to ask for that—but they require more openness than exists at present.

If such cases were more open, people such as me could answer the questions of the family, friends and supporters of a person such as Raghbir Singh and say that the British justice system is fair. Some people have told me that they are in this country because it is supposed to be fairer than the one that they left. We have difficulty in justifying that cause. I hope that the Minister, while probably not wishing to accept the clause, will respond to the spirit of it and give the families and those incarcerated—without a genuine right to put their case openly—some kind of hope that they will not be locked up for ever and forgotten, without any form of redress or even knowing the charges against them.

7.45 pm

Miss Widdecombe: I endorse the remarks of the hon. Members for Walsall, North (Mr. Winnick) and for Birmingham, Perry Barr (Mr. Rooker), who disclaimed any interest in terrorism and said that their support for the constituent in question did not indicate any support for his alleged activities. That is accepted by hon. Members on both sides of the House. I understand the concerns of the hon. Member for Bradford, West (Mr. Madden) in proposing the new clause, but I am afraid that I must vigorously resist it.

The present system—whereby an individual subject to deportation action on national security grounds is entitled to make representations against that decision to the three advisers—allows for the protection of delicate sources of intelligence in a way that an open appeal to the independent appellate authorities would not. The hon. Member for Perry Barr acknowledged that it would be impossible for an ordinary system to determine appeals of this magnitude.

The Home Secretary's power to deport is used sparingly and decisions are taken only after careful scrutiny of all the circumstances of an individual's case. A person subject to deportation at the personal direction of the Home Secretary is already entitled to make representations to the independent panel of advisers. That provides a full opportunity for the person concerned to state his case. No deportation order is signed until the panel's advice has been received and properly considered.

In cases involving national security, there is often a need to protect delicate sources of intelligence and to consider and to analyse information that it would not be appropriate to disclose at an immigration appeal hearing. The new clause would remove this necessary protection of a carefully selected panel to receive and consider such information. I cannot find a justification for amending the legislation along those lines. Indeed, the need for such a procedure was accepted by the Court of Appeal in the case of Cheblak, in which Lord Donaldson said:

> "That a prospective detainee is not entitled to be given the fullest particulars of what is alleged against him would, in other circumstances, undoubtedly be objectionable as constituting a denial of natural justice. But natural justice has to take account of realities and something which would otherwise constitute a breach is not to be so considered if it is unavoidable."

Two cases have been mentioned—I do not want to go into details because, as hon. Members will be aware, one of the cases is before the courts and the other could be. Mr. Chahal's deportation has been ordered because of his involvement in terrorism in the United Kingdom and abroad. The Home Secretary is fully satisfied that Mr. Chahal's deportation would be in the interests of national security and would contribute to the fight against international terrorism.

Mr. Chahal has been refused asylum in the United Kingdom. It is not considered that he has demonstrated a well-founded fear of persecution in India under the terms of the United Nations convention. The important legal issues raised in last year's report on Mr. Chahal's case by the European Commission of Human Rights have been carefully considered, and the Government will now argue their case robustly at the European Court of Human Rights. But Mr. Chahal will not be removed from the United Kingdom until a decision has been received from the European Court. In the meantime, he will remain in detention for the reasons that I have given. Against that background, it would not be right to order his release.

The case has already had protracted proceedings before the High Court, the Court of Appeal and the House of Lords. The Government have referred the case to the European Court of Human Rights following the finding, on points of issue, by the European Commission of Human Rights.

We are fully satisfied that Raghbir Singh's deportation would be conducive to the public good for reasons of national security. We believe that it would contribute to the fight against international terrorism. The decision to initiate deportation action against Mr. Singh was taken only after the most detailed consideration of all the circumstances of his case.

I can assure the House that Mr. Singh is being deported not because of views that he may have expressed as a newspaper editor but because of his involvement in terrorism. He is not a prisoner of conscience. He is detained under powers contained in the Immigration Act 1971. Given the reasons for his proposed deportation, we cannot order his release. He has been served with notice of intention to deport. He has claimed asylum and the application must be considered. For reasons that I have explained, it would not be right to release him while the application is being considered. He is fully entitled to make representations against his proposed deportation to the independent advisory panel, which has been appointed for that purpose.

Mr. Winnick: So that there should not be any misunderstanding, may I say that it was not part of my argument to claim that the order was made to deport Mr. Singh because he argues for a separate state in India? The essence of my argument is that the order was made because of his alleged involvement in terrorism, which he

[Mr. Winnick]

strenuously denies. I do not know whether he is guilty, but I think that his case should, in a democracy, go to a court of law to be decided.

Miss Widdecombe: I fully accept that the hon. Gentleman is not prejudging Mr. Singh's case, but he has the right to go to the independent panel, where his case will be fully considered and properly analysed. I have given the reasons why I do not think that his case can go to a normal court and why similar cases should not go to a normal court. For those reasons, I ask the hon. Member for Bradford, West to withdraw his new clause. Otherwise, I shall have to urge the House to resist it.

Mr. Madden: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

EXTENSION OF SPECIAL APPEALS PROCEDURE

Amendments made: No. 27, in page 1, line 8, at end insert—

'( ) the words "Subject to sub-paragraph (2) below," shall cease to have effect;'.

No. 28, in page 1, line 15, after 'sub-paragraph' insert '(2),'.

No. 29, in page 1, line 16, leave out 'sub-paragraph' and insert 'sub-paragraphs (2) and'.

No. 30, in page 1, line 18, leave out '(3)' and insert '(2)'.—*[Miss Widdecombe.]*

Mr. Alton: I beg to move amendment No. 23, in page 1, line 18, after 'territory', insert

'(which is not a country or territory listed in the Appendix to this Schedule)'.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss the following amendments: No. 26, in page 2, line 20, at end insert—

'(5) After sub-paragraph (6) of that paragraph there shall be added the following sub-paragraphs—

"(7) The Appendix to this Schedule may be amended by order made by statutory instrument.

(8) An order made under sub-paragraph (7) above shall—

(a) if its purpose is to add a country or territory to those listed in the Appendix to this Schedule, be subject to annulment in pursuance of a resolution of either House of Parliament; or

(b) if its purpose is to remove a country or territory from those listed in the Appendix to this Schedule, be laid before Parliament in draft and be subject to approval by resolution of each House of Parliament.".'.

No. 21, in schedule 2, page 11, line 45, at end insert—

'6. After paragraph 9 of Schedule 2 to the 1993 Act there shall be added the following Appendix—

"APPENDIX TO SCHEDULE 2

Countries or territories excluded from the scope of Paragraph 5(3)

Pakistan".'.

No. 22, in page 11, line 45, at end insert—

'6. After paragraph 9 of Schedule 2 to the 1993 Act there shall be added the following Appendix—

"APPENDIX TO SCHEDULE 2

Countries or territories excluded from the scope of Paragraph 5(3)

Romania".'.

Mr. Alton: I think that the hon. Member for Bournemouth, East (Mr. Atkinson) will refer specifically to amendment No. 21, which involves Pakistan.

The purpose of the amendments is to exclude from the scope of the designated list countries whose human rights records are deplorable or, at the very minimum, questionable. Two of the amendments deal with specific countries in order to raise first, the principle of the inclusion of a country in the list and secondly, the specifics of how such a list can affect the internal dynamics of human rights issues in countries such as Romania or Pakistan, and the messages that it can send to the regimes in those countries.

I strongly believe that we should exert downward pressure on countries that abuse human rights. That would be the best way of staunching the flow of asylum seekers and refugees. By giving succour and approbation to regimes, we do the least service to refugees, and we increase the exodus of people attempting to come from them to countries such as ours. We need to take a thorough approach to human rights. We should attempt to stop people fleeing from their oppression, persecution and torturers in the first place.

The amendments raise the subject of the designated list—which some people have called the white list—and how it can and will be used for propaganda purposes by the Governments of the countries involved. They will be able to point to a decision taken by the British Parliament—it will not be known in those countries that the decision was effectively taken by the Secretary of State, with no real decision being taken on the Floor of the House, as negative procedures will have been used.

In a Committee, a small group of hon. Members will have a chance to consider whether a country should be included or excluded from the designated list. Those hon. Members will be able merely to register their dissent; even if they were to do that and to say that a certain country should not be included, that fact would simply be reported back to the House, but it would not stop that country from being included on the list. Our procedures will be unhelpful when important decisions are taken about whether countries should be included or excluded.

As I said, the hon. Member for Bournemouth, East will raise the subject of Pakistan, which is included on the designated list. He and I have shared platforms on the subject over many years. We recently went to see the Home Secretary together to raise the position in Pakistan. I entirely agree with the arguments that I have heard him advance on previous occasions. I am sure that he will set them out before the House again, if he catches your eye, Mr. Deputy Speaker.

I shall specifically talk about Romania, which is covered by one of the amendments in the group. Like the hon. Member for Bournemouth, East, with whom I have travelled to different parts of the world on behalf of Christian Solidarity International and the Jubilee

Campaign, I have taken an interest in the plight of people who have suffered or been persecuted, mainly for religious reasons.

Some years ago, I visited Romania, before the fall of President Ceausescu. The hon. Member for Bournemouth, East brought to my attention the case of a Romanian orthodox clergyman called Georgie Calciu, whose weight had dropped to six stone and whose hands had been broken so that he could no longer make the sign of the cross. He was being detained in prison because he had been leading dissidents in Romania to express their political views and to form trade unions to try to effect a more democratic system in Romania. He suffered grievously for the stand that he took. As a result of the campaign led by the hon. Member for Bournemouth, East and my efforts when I visited Romania, Mr. Calciu was ultimately released. He visited the House, and we sat in the Jubilee Room and listened to his description of the conditions of privation that people had experienced in the days of Ceausescu.

Hon. Members will recall that, in 1989, a transformation occurred in Romania and Ceausescu was deposed. That was largely at the instigation of a wonderful man, a Protestant clergyman called Laszlo Tokes in the town of Timisoara. In that area of Transylvania, he set up the resistance against Ceausescu and became the hero of that revolution. All those who have written about events in Romania describe the brave stand that he took as a dissident in what are now far-off days, which led to the revolution that finally toppled Ceausescu.

8 pm

It is therefore especially interesting to revisit that part of the world today, as I have done, to discover what fundamental material changes have taken place during that time and to meet again Laszlo Tokes, who is now a bishop of his Church. I quote from a newspaper article published last year.

"Today, in a Romania with a democratically elected government and parliament, Tokes, his wife and children live in constant fear of assassination. He is threatened with eviction from the few rooms in the crumbling violet building in Oradea that his bishopric managed to claim back from the State. The Securitate officers who were tried for mass murder are now free. Last November, the Romanian media reported that Tokes had been sentenced to death by anonymous 'people's courts' and $150,000 (£85,000) offered to his assassins."

The article adds that Edith Tokes, his wife,

"feels that life is worse for her family now. 'Before the revolution, we always knew who was against us—the Securitate and the Interior Ministry, but now, with the campaign in the media, anyone could attack us."

The article describes many specific things that have occurred against that exceptional family.

In the context of the Bill, we are including that country in a so-called list of safe countries—the designated list. Those are events since Ceausescu. That family say that the position for them is actually worse from a human rights point of view than before.

That is not an isolated case. Last year, Amnesty International published

"a report, 'Romania: Broken commitments to human rights' . . . presenting cases of continued violations of human rights, including the imprisonment of prisoners of conscience, the torture and ill-treatment of detainees, death in detention in suspicious circumstances and a nationwide pattern of police failure to protect the Roma minority from racist violence."

Anyone who has followed events in Romania will be well aware of the plight of the Roma minority and of the plight of homosexuals, which I mentioned in Committee. The 1995 report of Amnesty International says:

"Since the publication of"

its earlier report on human rights abuses

"further cases of imprisonment of homosexuals who were considered prisoners of conscience, ill-treatment and a death in suspicious circumstances have been brought to the attention of the organisation. These cases, as well as updates to cases from the earlier paper, are presented in this report."

Christians have also suffered persecution for the stand that they have taken. I draw the attention of the House to the plight of the Greek Catholic minority—a substantial minority in Romania. Many of their buildings were seized during the Ceausescu years, and few have been returned.

I met one woman, Doina Cornea, who should be awarded the Nobel peace price. That extraordinarily brave, stunning woman of great courage has stood against unspeakable intimidation and pressure for many years. Even while I sat in her front room, telephones rang and people made threats to her, including death threats, so that is not a figment of the imagination. I have seen her and some of her co-religionists standing in sub-zero temperatures in fields and open spaces because they are not allowed access to their own buildings by the so-called democratic regime that we are placing on the designated list.

The message that is conveyed to dictators, despots and those who use the masquerade of democracy when the British Parliament includes them on a designated list is a message that we should not send them. That is why I want the House to reconsider seriously the mechanisms that we have devised.

On Second Reading, the hon. Member for Islington, North (Mr. Corbyn) drew attention to the case of Mircea Ilin, who fled Romania for reasons of torture, racism and intimidation. When he arrived in this country, in 1991, he applied for political asylum. He told the Home Office in detail about his treatment in Romania, where he is a supporter of the Peasants National party, which bitterly opposes the present regime and is composed of people who believe in a mixed economy and democratic systems of government.

In 1985, Mr. Ilin was detained without trial for 18 months after attending a protest demonstration in Bucharest. He was detained again in 1987 after refusing to give police information about PNP members and he was required to attend various police stations and regularly beaten up. Post Ceausescu, in 1990, he was arrested at another demonstration, beaten with truncheons and detained without trial in Jilava prison.

In 1991, Mr. Ilin escaped to Britain. In 1994, his asylum application was rejected. He appealed. In 1995, he married an English woman. His lawyer, Ghayur Butt, extracted a promise from the Home Office that it would allow his Member of Parliament to make representations and would listen to them. After that assurance was given, before there was any chance for those representations to be made to the Home Office, officials surrounded his home and sought to arrest him.

The man eventually took to the window ledge, threatened suicide and, after six and a half hours there, went into hiding. If that case does not make the grade, what chance do others have? They will be on the fast track; they will be deported back to those countries. We

[Mr. Alton]

discussed those matters earlier when we considered new clause 5. What does it say about Romania, now to be given that golden seal of Home Office approval?

Those are all reasons why we should reconsider the way in which the Bill is drawn and the need for a black list. If the principle is accepted of a designated list of countries that are so-called "relatively safe in general"—the phrase that is usually used—why is there not another annexe to the Bill, on the face of the Bill if the Minister wishes or not if not, using the procedures that the Government advocate for the system of designated lists? I would be perfectly happy if that system were to be used for the designation of other countries whose human rights records are deplorable.

I know that the hon. Member for Bournemouth, East especially wants to discuss the position in Pakistan, but I shall set the scene by describing the general position in the Islamic world.

The position for Christians varies from relative openness in the Lebanon and Jordan to absolute restrictions in Saudi Arabia and genocide in the Sudan. Saudi Arabia and other Gulf states prohibit any open practice of Christianity. In Arab countries where Christianity is allowed, traditional churches are controlled by Governments and church buildings and businesses are frequently destroyed. Christians suffer discrimination in employment and education. They are restricted in travel, pay additional taxes and have inferior status in the courts.

In Saudi Arabia, Qatar and Sudan, the law specifies the death penalty for anyone who converts from Islam. In Egypt, which I have helped draw attention to in a report that I published last year with the Jubilee Campaign, new Christian converts from Islam are imprisoned and often tortured. Throughout the region, Christians can be forcibly divorced and their children taken to be raised by Islamic relatives. Many Christians remain under death threats by militant Islamists.

Many devoutly believing Muslims in this country and the middle east deplore those practices as much as I do and seek the type of pluralism and democratic structures that we in the House so deeply cherish. The issue is how we assist them best in that process.

The United Nations defines genocide as attempting to destroy a group by killing its members, causing serious bodily harm, subjecting it to conditions that will cause its physical destruction, preventing births and forcibly transferring children. Certainly, that is a description of what is happening in southern Sudan, where the National Islamic Front Government wage civil war with the predominantly Christian population of the south.

In Sudan, Christian men and women are forcibly separated. Children are seized to be raised as Muslims or sold in slave markets. Tens of thousands of refugees are dumped in the open desert and systematically denied food, water and medicine. Members of the House were done a service by the all-party group on Sudan, which enable them to attend a meeting last year at which some appalling atrocities were highlighted. They include documentation of repeated massacres and of the literal crucifixion of some Christians in southern Sudan. That is an appalling situation which warrants the establishment of some sort of list to show which countries do not have our seal of approval. We would certainly not contemplate adding such countries to the safe or designated list of countries whose human rights records are generally good.

My hon. Friend the Member for Torridge and West Devon (Miss Nicholson) referred to the way in which we regard Iraq now and how we regarded it previously. Times have changed. That is why it is incumbent upon us not only to be concerned with speeding up asylum procedures, but to look at the root causes of why people become refugees in the first place. We will staunch the flow and end the haemorrhaging of refugees by putting downward pressure on brutal and repressive regimes. That is the best way of stopping the exodus from those countries. We should be exerting pressure on countries such as Sudan. An appendix of the sort that I have advocated would enable that to occur, and that is why I commend the amendments to the House.

Mr. David Atkinson (Bournemouth, East): I sympathise with the hon. Member for Liverpool, Mossley Hill (Mr. Alton) in his remarks about the situation in Romania. He may be aware that it is nearly three years since Romania became a full member of the Council of Europe, which is the European democratic community, and full member states are regarded as having reached our civilised standards of human rights and democracy.

I was the chairman of the Committee for Relations with European Non-member Countries, which scrutinised the progress that Romania was making towards reaching our standards. I accept that we made quite a large political compromise in Romania's case, believing that it would be more likely to achieve our standards if it were a full member of the Council of Europe rather than if it were kept out in the cold.

In the three years since it became a full member of the Council of Europe, Romania has made very little progress towards achieving our standards. It has not yet applied the European convention on human rights and it has not made a petition to the European Court in response to claims of denials of human rights, examples of which the hon. Gentleman referred to in his contribution.

The only comfort that I can offer the hon. Gentleman is that we have now introduced strengthened procedures for monitoring new member states as to their honouring of the commitments that they entered into upon joining the Council. There is always a long list of commitments, particularly in Romania's case. I shall bring the hon. Gentleman's contribution today to the attention of the rapporteurs who are responsible for monitoring those commitments. They will take account of what he has said in the report that they will make in due course to the Assembly of the Council of Europe. We must decide whether it is appropriate to take action against Romania in order to encourage it to honour the commitments that it entered into upon becoming a full member. For example, the Council of Europe could withdraw the voting rights of the Romanian parliamentary delegation. That is just one sanction that we could apply.

It would be a grave mistake to designate Pakistan as a country in which there is no serious risk of persecution. Such a decision would fly in the face of what is occurring in that country, it would be misinterpreted by the unscrupulous and it would demoralise those who are already at risk. I refer to the plight of the Christian community in Pakistan, which constitutes 3 per cent. of the population.

In September 1994, I was invited by the Church of Pakistan to investigate the situation faced by Christians there on behalf of the Christian human rights organisation, Christian Solidarity International—with which a number of hon. Members, including the hon. Member for Mossley Hill, have long been associated. By chance, my hon. Friend the Member for Banbury (Mr. Baldry) was also visiting the country, then in his capacity as a Foreign Office Minister.

8.15 pm

I was appalled by what I saw and by what I learnt at first hand. I met Pakistani Christians in prison who knew full well that they might be murdered before their trial, as others had been. I met Christians in hiding and awaiting trial who knew full well that, even if they were acquitted, they faced assassination on the streets of Pakistan, as others had. I met the families of murdered Christians who were also in hiding because of death threats against them. I visited a Christian village which had been attacked by a frenzied Islamic mob. Several houses had been burnt down and villagers had been raped.

One of the reasons why Christians in Pakistan at such risk is section 295C of the penal code—the blasphemy law—which President Zia introduced in 1985. Under that law, it is punishable by life imprisonment or by death to make remarks which blaspheme against the Prophet Mohammed or the Koran by imputation, innuendo or insinuation, directly or indirectly. The law is being used by Islamic fundamentalists—who often produce utterly false evidence—to encourage the Islamisation of the country and to intimidate Christians to convert to Islam. As it is a cognisable offence, the police can automatically arrest and imprison someone accused of it. Once in prison, no Christian is safe from beatings, torture or murder.

The law is administered by courts in which, for blasphemy cases, all judges and advocates must be Muslim. There can be no unbiased justice. Any Muslim who has converted to Christianity in Pakistan will be at risk for as long as he or she remains in Pakistan.

During my visit, I met Salamat and Rehmat Masih, who had been subject to such persecution and who were in hiding awaiting trial. Salamat was 12 years old when he was accused of scrawling a blasphemous slogan on a wall, although, according to his defence lawyer, he was illiterate. Outside the High Court, they were attacked by motor cyclists with AK47 rifles, despite being under police protection. A fellow Christian, Manzoor Masih, was killed and Salamat and Rehmat were wounded. Fortunately, they are now in Germany having been granted asylum in that country. They want to return to their families in Pakistan, but they can never go back—at least in the present climate—because it would mean death to them all. I hope that, like Germany, this country would have offered them asylum.

Those examples are just the tip of the iceberg when it comes to Pakistan. I have details of many cases of similar persecution, all of which show that, far from there being a presumption against the risk of persecution, the situation for Christians in Pakistan is such that there should be a general presumption of the risk of persecution.

My right hon. and learned Friend the Home Secretary is fully aware of the situation—not least because, to his credit, he visited Pakistan last month. I am extremely grateful to him and to my hon. Friends the Minister of State and the Under-Secretary for providing the opportunity to meet them, together with the hon. Member for Mossley Hill, last month. They will recall a young Indian, Dr. Simon Qadiri, who fled from his country because there was a fatwa on his life for converting to Christianity. He is currently awaiting the outcome of his application to remain here and I very much hope that it will be considered compassionately. I am also grateful to my right hon. and hon. Friends for the asylum given to a very brave Pakistani Christian a few weeks ago. I dare not name him because his family in Pakistan remains very much under threat.

I hope that what I have said is enough to convince my hon. Friend the Minister of State that to suggest that Pakistan and India are free of such persecution would send out all the wrong signals. It would encourage Islamic fundamentalists, who would say that Britain recognised that there was no problem. That would demoralise members of the Christian community, who would feel abandoned by their mother country. I hope that my hon. Friend will think again, and I look forward to her response.

Miss Emma Nicholson: It is a pleasure to support the amendments. I am grateful to my hon. Friend the Member for Liverpool, Mossley Hill (Mr. Alton) for initiating the debate and to other colleagues for supporting the amendment, which addresses our shared concern about the impact of the lists and the fact that they are not subject to parliamentary scrutiny in any meaningful sense of the word.

During the passage of the 1993 Act, the Minister said that the Government had no intention of designating countries where there was a threat to the life or freedom of citizens and that to do so would be to fly in the face of logic and our convention obligations. My hon. Friend the Member for Mossley Hill has demonstrated that, in Romania, a country that the Government are prepared to list, there is significant justification for being afraid for one's life. He has also mentioned north Cyprus and we have now heard about Pakistan.

One is tempted to ask who has the knowledge. Where is that cluster of people with continuing and changing knowledge of persecution and horrible tortures in so many countries? The Foreign Office has that knowledge, but it can sometimes be wrong. I have already mentioned Iraq, on which the Foreign Office was clearly in error. That is easy to say with hindsight although, as I said earlier, after the chemical bombing of the Kurds in 1988, most of the world knew that Iraq had no good human rights record. If that is seen and understood to be true—as it is with hindsight—let us also have a negative list. If we are to have a positive list that we cannot subject to rigorous parliamentary scrutiny, let us have a negative list that includes such countries as Iraq. We should not remove them from that list until they have achieved transparent human rights, exemplified by the fair treatment of all citizens.

The good list would undoubtedly contain all the European Union countries and many members of the Council of Europe. As has already been said, there would be problems with that, and perhaps not all the Council of Europe countries should be included. The list would also include members of the British Commonwealth. After all, Commonwealth countries have already passed the golden test of being democracies, and implicit in that is the record on human rights.

[Miss Emma Nicholson]

Even South Africa, which has made magnificent strides into the real world of no apartheid, has significant problems and Mrs. Ogata, the United Nations High Commissioner for Refugees, has accepted several official refugees. I am responsible for one of them. His life would be at risk if South Africa were designated a white country. Must we use those ridiculous terms that carry such silly and foolish connotations? It is quite bizarre, but typical of the Government, who are out of touch—as always. We should call such countries good and acceptable rather than white.

Although South Africa is a member of the British Commonwealth and has emerged into the light of day with everything in order in regard to democracy, it still creates problems for some people—perhaps those who fell foul of Mrs. Mandela or her ugly cohorts who killed so many people—and therefore cannot go on the good list. I have full and consistent knowledge of one refugee and I have rights of attorney for him.

My hon. Friend the Member for Mossley Hill and the hon. Member for Bournemouth, East (Mr. Atkinson) spoke movingly about the persecution of Christians. European Union countries would have to be on the good list as they represent the most perfect grouping of all, yet in Germany, France and other countries there is continuing and rising persecution of religious minorities. At present, there is considerable persecution of Muslims in Germany, France and Italy. That is why Muslims fleeing persecution in their homeland—not necessarily for religious reasons—come to the United Kingdom. Despite the 1993 Act, and because the Bill has not yet reached the statute book, Britain still has a reputation—which is falling fast—for tolerance.

In conclusion, it was a tragedy that Britain, with no membership of UNESCO, did not officially take up the banner of the United Nations last year—the year for tolerance. Perhaps it was because tolerance is not in the Government's guidelines.

Miss Widdecombe: I feel that much of the debate has been conducted on a complete misapprehension. There is no question whatever that, just because a country is on the designated list, an individual will not have his asylum claim thoroughly examined.

The purpose of the designated list is to designate countries that are not safe completely, totally or without exception, but are generally considered to be safe. They might generate a large number of applications and a high percentage of refusals. Despite the high percentage of refusals of asylum seekers from Pakistan and Romania, each year a very small percentage receive either asylum or exceptional leave to remain, which is granted when an individual has not satisfied us on the precise terms of the convention, but has done so on humanitarian terms. There is no good reason to suppose that, merely because a country is designated and therefore recognised as one likely to bring about a large percentage of refusals, a small percentage of acceptances will not continue. There has been some misapprehension. It is certainly not true that somebody's life would be in danger merely because the country in which they were living appeared on the designated list.

It would be an error to accept amendment No. 26 because an appendix listing countries that are not suitable for designation would serve no useful purpose. It would replace negative procedure with affirmative procedure for designating countries on the appendix. We consider the affirmative procedure to be inappropriate. The immigration rules are subject to negative procedure, as are the recently amended benefit regulations. We believe that it would be consistent, sensible and utterly in proportion to have the negative procedure for this set of rules. Such a list would be pointless because, if the Secretary of State considers a country unsuitable for designation, he simply will not designate it. He does not have any need of, or use for, a power to list a country as unsuitable for designation. The proposed appendage to schedule 2 to the 1993 Act would undesirably blur the distinction between primary and secondary legislation. As we all recognise that the suitability of a country for designation can change either way over time, any listing should be for secondary legislation, with its flexible procedures.

8.30 pm

I listened carefully to the concerns expressed about Pakistan and Romania. As was acknowledged, my right hon. and learned Friend the Home Secretary and I met the hon. Members who tabled amendments Nos. 21 and 22 last month, to hear their concerns about Pakistan. We listened closely to their arguments but heard nothing to dissuade us from our assessment that Pakistan and Romania are at present suitable candidates for designation in the terms that I have explained. That does not mean that we are saying that anybody in those countries could never, in any circumstances, be in fear of persecution or produce outstanding humanitarian grounds for exceptional leave to remain. My right hon. and learned Friend visited Pakistan at the beginning of this year and found no grounds for altering our assessment of conditions in that country.

I draw a distinction between fear of persecution by a ruling regime, which would cause us to examine the situation most carefully, and fear of persecution by neighbours in small pockets or particular territories, in which case there is the possibility of movement within the country. Far more important, there is the possibility of an appeal to the authorities in that country to deal with the situation. Nevertheless, I do not rule out individual applicants from such countries, even after designation, making a case for asylum—which, under the terms of the convention we would gladly and willingly honour our obligation to accept.

Mr. Alton: I am grateful to the Minister for her answers. We should be careful before emasculating the powers of the House. The hon. Member for Bournemouth, East (Mr. Atkinson), my hon. Friend the Member for Torridge and West Devon (Miss Nicholson) and I have been able to put specific points about Romania and Pakistan. By approving the Bill in its present form, the House is denying itself the right ever to have such a debate again because in future, the negative procedure will be used in Committee.

The Minister said that if the Secretary of State is unhappy about a particular country, he will not list it. Countries such as Cyprus have already been listed. Letters saying that there are no human rights problems in that country were read to the House earlier, yet we all know that that is contrary to reality. The hon. Lady said that differences between bad neighbours leading to disputes or

particular problems in which one group agitating against another might affect minorities are different from systematic persecution by a Government. I agree, but if one takes the example of Romania, what was the difference between the Securitate operating under the Ceausescu regime and the Securitate under the Iliescu regime? The results were exactly the same for the people who suffered.

In the case of Pakistan, the situation that the hon. Member for Bournemouth, East described would not occur if the blasphemy laws were not on the statute book and framed as they are. The Pakistan Government, in failing to repeal those laws, are allowing persecution to continue.

This debate would be better pursued in the other place. I do not believe that anything would be gained by dividing the House—there was a Division in Committee on the matter. Having aired the issues, I am happy to leave it to the other place to re-examine them and to amend the Bill. We will then have the opportunity to reconsider the Bill as amended. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 31, in page 1, line 21, at end insert—

'(3) This sub-paragraph applies to a claim if, on his arrival in the United Kingdom, the appellant was required by an immigration officer to produce a valid passport and either—

(a) he failed to produce a passport without giving a reasonable explanation for his failure to do so; or

(b) he produced a passport which was not in fact valid and failed to inform the officer of that fact.'.

No. 32, in page 2, line 5, after 'Act,' insert

'has been recommended for deportation by a court empowered by that Act to do so,'.

No. 33, in page 2, line 14, at end insert '(2),'.

No. 34, in page 2, line 17, leave out 'paragraph' and insert 'sub-paragraphs'.—*[Mr. Kirkhope.]*

Mr. Henderson: I beg to move amendment No. 6, in page 2, line 18, after 'paragraph', insert '—

(a) the purpose of which is to designate any country or territory under sub-paragraph (3) above shall—

(i) relate to only one country or territory, and

(ii) be made by statutory instrument which shall be laid before Parliament in draft and shall be subject to approval by resolution of each House; or

(b) the purpose of which is to remove any country or territory, or countries or territories, from designation under sub-paragraph (3) above'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 24, in page 2, line 18, after 'shall', insert

', if made under sub-paragraph (3) above, relate to only one country or territory and shall'.

No. 25, in page 2, line 19, leave out from 'be' to 'House' in line 20 and insert

'laid before Parliament in draft and shall be subject to approval by resolution of each'.

Mr. Henderson: I shall speak to amendment No. 6 briefly because the House might give priority to other matters, not that they are necessarily more important. Some aspects of the issues that relate to amendment No. 6 and to the next two or three groups of amendments were dealt with in Committee, and I am sure that they will be re-examined in the other place.

I disapprove of the so-called white list because I do not believe that a country can properly fulfil its obligations under an international treaty and the United Nations convention by introducing two lists for different types of asylum applications. If we genuinely believe that cases should be considered on their merits, one procedure should be used regardless of an applicant's origins. I am not suggesting that we should tolerate the delays that have occurred in asylum cases, or that we should be soft on bogus applications, but the House should devise a fair procedure that gives the genuine political asylum seeker a chance to put his or her case, provides legal representation, and allows a case to be processed speedily—and which, if the applicant does not agree with the result, provides for an appeal to be heard in this country.

The resources necessary to allow the Home Office and the judicial system to operate that procedure should be made available—as the hon. Member for Bexhill and Battle (Mr. Wardle) said in a previous debate. He was formerly the Minister responsible. He recognised that the only proper course was to make extra resources available—which would save on costs tomorrow. I refer not only to the administrative costs created by the delays but to those that might accrue to local authorities or other bodies charged with providing for persons waiting for their cases to be heard.

Instead, there will be two lists. We do not know the time limits that will operate, but we know the identity of some of the countries included on the designated list. Newspaper reports have rumoured that the list will be extended.

Miss Widdecombe: Rumours.

Mr. Henderson: I did not claim that they were other than rumours. The original press leaks some months ago were not too inaccurate.

I do not believe that the proposed system will be effective, and certainly it will not be fair. The House should be given the opportunity to judge any change in the lists, so that hon. Members can make the case for a particular country appearing on either one of them. That view was articulated by the hon. Member for Bournemouth, East (Mr. Atkinson), who said that there were strong arguments to be made in respect of Pakistan.

Under the negative procedure proposed by the Government, the orders will come into force before the House has had an opportunity to consider all relevant aspects. I do not argue against the negative procedure being used when a country is taken off a list. If the political or military situation changes in a country, the Government must be able to act quickly, but when the list is added to, an affirmative resolution of this House is called for.

Mr. Alton: I support what the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) said. I should like to speak also to amendments Nos. 24 and 25, which would allow countries to be dealt with individually, not by a "block vote" and allow Parliament to vote in a proper manner instead of using the negative procedure that we have already discussed extensively.

[Mr. Alton]

In Committee, other countries were often cited as models that we should follow when framing our procedures. It turns out that we tend to dismiss the safeguards deployed by those archetypal countries, however. Denmark has such a list, but its refugee council has an absolute right of veto over the inclusion of any country on it. I would not go as far as to say that an outside organisation should have such power, but that is an interesting contrast with the Government's approach. In Germany, these matters are debated in the upper house of the Bundestag, which can vote on them—yet the same safeguards will not apply here. Belgium, which introduced the system that we are being advised to accept, abolished it in 1993. Italy, Spain, Austria and France do not even have safe country of origin lists, although some of them have looked into such methods and decided against them.

We have missed the chance here of adopting a European approach. Some harmonisation might be useful in this area—although I see the Government Whip tutting because I dare to mention the word "Europe". Not too many of his rebellious colleagues are present this evening, so perhaps I may develop the point. A standardised procedure would be far better than a patchwork quilt of procedures throughout Europe and would not put other European countries in a difficult situation.

I want to give one further example of how the lists do not take into account changes of Government that can occur and hence the risk of real unfairness owing to governmental idiosyncrasies. India is included on the list, but everyone who knows it knows that there are massive regional variations. There are minority problems and local discrepancies, all of which render the list approach undesirable.

Before the House approves the lists, we should remember that countries such as India and Ghana have been designated. In its 1995 report Amnesty International had this to say about India:

"Thousands of political prisoners were held without charge or trial. Torture and ill-treatment of detainees were routine, resulting in hundreds of deaths in police and military custody. Scores of political detainees disappeared".

About Ghana, Amnesty International had this to say:

"five Ghanaians were charged with plotting a coup attempt—'it appeared that the motive for their arrest might have been political and that they might have been prisoners of conscience'; 'inter-ethnic conflict resulted in the killing of at least 1,000 people, and possibly more'".

Why on earth is the House sending this signal to such regimes? Why is it always said that they are safe countries, generally speaking, that ought to appear on the white list? We would do far better to do what we have always done before, and treat each case on its merits. If we need more resources to process cases more efficiently, by all means let us provide them.

8.45 pm

Miss Widdecombe: I am afraid that I must resist all three amendments, which will come neither as a surprise nor as a disappointment to hon. Members.

The effect of amendment No. 6 would be that designation orders could designate only one country per order, and that they would be subject to positive, not negative resolution procedure. Amendments Nos. 24 and 25 would have the same effect, except that in their case the positive procedure would apply regardless of whether a country was added to the list or taken off it.

I see no reason to resort to the affirmative procedure for designation orders. The negative procedure is used for immigration rules, so it should be appropriate for these purposes also. We also believe that the designation procedure must be sufficiently flexible to allow us to make amendments quickly—such as when a substantial increase in the number of unfounded applications from a country calls for speedy designation.

Every year, apparently compelling reasons are advanced for saying that nearly every order in new legislation should be subject to the affirmative procedure; if we took that route, the business of the House would come to a standstill. We must therefore exercise a reasonable and selective approach to the use of affirmative procedures.

A prohibition on designating more than one country in an order would be inflexible, cumbersome and unnecessary. If we designate several countries in one order, and Parliament disagrees with our judgment about just one of the countries in it, the whole order will fall. That is unlikely to happen, but if it does, an amended order could be reintroduced quickly. On all practical grounds, therefore, I urge the House to resist these amendments if they are pressed, which I hope they will not be.

Amendment negatived.

Amendment made: No. 35, in page 2, line 20, at end insert—

'(7) In this paragraph—

'immigration officer' means an immigration officer appointed for the purposes of the 1971 Act;

'passport', in relation to an appellant, means a passport with photograph or some other document satisfactorily establishing his identity and nationality or citizenship.'.—*[Mr. Kirkhope.]*

Clause 2

REMOVAL ETC. OF ASYLUM CLAIMANTS TO SAFE THIRD COUNTRIES

Miss Widdecombe: I beg to move amendment No. 36, in page 2, line 23, leave out from 'from' to end of line 32 and insert

'the United Kingdom if—

(a) the Secretary of State has certified that, in his opinion, the conditions mentioned in subsection (2A) below are fulfilled;

(b) the certificate has not been set aside on an appeal under section 3 below; and

(c) except in the case of a person who is to be sent to a country or territory to which subsection (2B) below applies, the time for giving notice of such an appeal has expired and no such appeal is pending.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Amendment No. 8, in page 2, line 32, after 'Convention', insert

'and

(d) that that person has no close family ties or other links (including linguistic, cultural or historical links) which would render it more appropriate for his claim to be

considered by the United Kingdom authorities under the terms of the Convention Determining the State Responsible for Examining Applications for Asylum Lodged in One of the Member States of the European Community, done at Dublin in 1990.'.

Government amendments Nos. 37 and 38.

Amendment No. 11, in clause 3, page 3, leave out lines 4 and 5.

Government amendment No. 39.

Amendment No. 12, in page 3, line 5, at end insert—

'(2A) Where an appeal under this section is upheld, the person who made the appeal should be allowed to re-enter the United Kingdom, if he seeks to do so.'.

Government amendments Nos. 40 and 41.

Miss Widdecombe: Government amendments Nos. 36 to 41 limit non-suspensive appeals against removal to a third country to cases where the third country is a member of the European Union or is another state designated by order. This fulfils an undertaking given by the Under-Secretary of State, my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope), in Standing Committee.

Clauses 2 and 3 will enable us to achieve the important objective of speeding up removals in third-country cases, and enhancing the effectiveness of our third-country policy. But my hon. Friend informed the Committee on 23 January that we had looked further at the problem of delays in removing asylum seekers to third countries, and had concluded that this part of the Bill could be improved.

In more than 95 per cent. of cases in which asylum is refused on safe third-country grounds, the third country to which the Secretary of State is seeking to remove the applicant is a member state of the EU, such as France or Germany.

Miss Emma Nicholson *rose—*

Miss Widdecombe: No.

We do not accept that applicants should be able to delay removal by disputing the safety of such countries. We have, however, concluded that there is no need to apply non-suspensive appeals to all third country cases, and we propose to limit them to member states of the European Union in the first instance.

Government amendment No. 37 provides an order-making power that will enable us at a later stage to extend non-suspensive third-country appeals to selected non-EU countries. Those would be countries with proven safe asylum procedures, such as Switzerland, Canada and the United States of America. The Government amendments provide an in-country right of appeal where the third country is not a member of the EU and is not being designated by order as a country to which an applicant can be removed on third-country grounds without a suspensive right of appeal.

I propose to resist amendments Nos. 8, 11 and 12.

In the case of amendment No. 8, it is an accepted principle that the first safe country that an applicant reaches should be the state responsible for considering his asylum claim. Amendment No. 8 would prevent us from removing an asylum seeker to that safe country if he could demonstrate some sort of link with the United Kingdom, whatever that link might be.

Our background paper on third-country removals makes it clear that we operate discretionary policies that specify the circumstances in which an applicant will not be removed on third-country grounds. Those include a family ties concession, but those considerations must remain discretionary. In the great majority of cases, we exercise discretion in the applicant's favour, but it is not hard to imagine circumstances in which it would be appropriate to remove an applicant on third-country grounds even though that applicant had ties with the United Kingdom. A good example would be if the applicant had a criminal record. We believe that it is perfectly proper to return such an asylum seeker to the safe third country.

Amendment No. 8 goes much wider than family ties. It even refers to other links, including linguistic, cultural or historical links. It seems to envisage that we should not remove anyone on third-country grounds if he can so much as speak English.

The amendment also refers to the Dublin convention, but that convention does not contain any provision which states that it would be more appropriate for the United Kingdom to consider an asylum claim if the applicant has historical, linguistic or cultural ties. Article 9 of that convention simply allows for member states to exercise their discretion, as I have explained we do, on humanitarian grounds, in particular on family or cultural grounds, at the request of another member state. The Dublin convention fully recognises that that is properly a matter for discretion.

On amendment No. 11, in cases in which the appeal is non-suspensive, we do not favour allowing it to be lodged while the applicant is still in the United Kingdom. The whole point of non-suspensive appeals is to allow quick removal. If we allowed the application to be initiated while the applicant was still in the United Kingdom, we would risk delays in removal. Appellants would press for time to consult legal advisers or to collate evidence before lodging their appeal.

The approach that we have adopted has the advantage of speed and clarity, and will substantially reduce the scope for challenges and delays. We shall provide in the appeal procedure rules that the time limit for lodging an appeal starts from the time of removal.

The provision to prevent an out-of-country, third-country appeal from being lodged while the applicant is still in the United Kingdom mirrors subsections 13(3) and 16(2) of the Immigration Act 1971, which already provides for appeals from abroad on non-asylum grounds. So there is nothing especially new in our proposal that non-suspensive appeals should be brought only after removal.

We believe that amendment No. 12 is unnecessary, for two reasons. First, we gave a clear undertaking in Committee—which I am happy to repeat—that successful third-country appellants who appealed from abroad would be allowed to return to the United Kingdom. Secondly, it will already be open to the special adjudicator to issue a direction to the Secretary of State under section 19 of the Immigration Act 1971 to readmit a successful appellant.

I commend the Government amendments to the House, and urge withdrawal of, or resistance to, amendment Nos. 8, 11 and 12.

Mr. Henderson: I am mindful that the House wishes to proceed to deal with other matters. Therefore, all I wish

[Mr. Henderson]

to say about amendment No. 8 is that all of us who have been involved for the past two months and more in Committee know that the Dublin convention makes sense. It is sensible to proceed by agreement among European Union countries. Two countries have yet to agree to that convention. Amendment No. 8 recognises that others have still to complete their signatures, but we should proceed on the basis that it is signed. In most instances, reciprocity could be sought on a bilateral level with other countries.

We welcome the Government's change on appeals from third countries where those countries are outside the European Union. Originally, the Government believed that persons should return to those countries to make their appeal, and I am glad that the Government recognise that that was completely impractical and would have guaranteed no fairness or protection for the individuals involved.

If a political asylum procedure is to be fair and perceived as fair, it is very difficult to cover all eventualities, even in the European Union. I have been told of the difficulties of presenting an appeal from countries such as Italy, and in some cases Belgium, because of relationships that they have with other countries and because of their various legal systems.

If we genuinely want to stand up—as Conservative Members have suggested—and say that we are a rich country, that we should be fair, and that we should look sympathetically at applications made by people with a genuine fear of persecution, we should allow appeals to be made even if people come through a third country to this country. That is why I am not prepared to withdraw amendment No. 11.

I heard what the Minister of State said about amendment No. 12, and that may be considered further in another place.

Miss Emma Nicholson: The Minister of State did not give way to me, and it is therefore good of you, Mr. Deputy Speaker, to call me.

This group of amendments will change the legislation in line with Government statements in discussions of clauses 2 and 3 in Committee. We are concerned especially about amendment No. 36, because it would allow asylum seekers to be removed without an in-country right of appeal to member states of the European Union, or to other countries which will be specified in an order laid before Parliament by the Secretary of State. Surely this amendment will leave many people at risk of being repatriated because of the failure of certain European member states to apply effectively the 1951 convention or to ensure that all the officials at their border posts do so.

Amendment No. 36 also leaves open the question, which is even more worrying, which countries might be named in an order and gives more power to the Secretary of State alone. What criteria will be introduced to determine whether a country could correctly be named? We have already commented on the limitations of the negative resolution procedure for debating any such order.

It is, of course, important to put it on the record too that the majority of third-country appeals allowed since the Asylum and Immigration Appeals Act 1993 came into effect have been in relation to European Union countries. So our concerns are real, and we have evidence already.

Surely the adjudicators would not have allowed such appeals if they had not had serious concerns about returning asylum seekers to those European Union countries. We believe that a proper appeal is still needed for those cases. The Refugee Legal Centre was, quite rightly, quoted in Standing Committee D about the 1993 legislation. It stated:

"The introduction of a right of appeal which could be exercised prior to removal to a third country deemed to be safe was a welcome feature of the Asylum and Immigration Appeals Act 1993. For the first time, there was independent judicial scrutiny of decisions to refuse leave to enter on the grounds that an asylum seeker could be safely returned to a third country."—[*Official Report, Standing Committee D*, 21 January 1996; c. 235.]

In that context I refer especially to amendment No. 8, which includes references to

"no close family ties or other links (including linguistic, cultural or historical"

which might hold back the possibility of someone being sent to another country, while his or her case would be more appropriately dealt with in the long term in the United Kingdom.

9 pm

Mistakes can be made, which can be dramatic and sometimes outstanding. By diligent work—the matter was extremely difficult—I recently stopped the deportation of a Dartmoor prisoner, who was under order to be deported to India. Yet he was a British subject. He had been one since birth. His father was similarly a British subject. Why India? He told me that he had no "linguistic, cultural or historical" ties there. I asked him, "Why India?" He replied, "Perhaps because my father was an employee of the Indian air force during his career."

It required vast efforts to get the prisoner's case re-examined—in other words, to stop a British subject being deported to India at the end of his sentence. Another beneficial result of my efforts was that his conviction and sentence were quashed, but that is another matter.

If the Home Secretary can make such a mistake—it is a recorded case—which would lead to deportation for life to India for someone who had no links with that country, surely asylum seekers can expect short shrift if errors are made, and there will be many. My party is opposed to the Government amendment, and supports the Opposition amendments.

Amendment agreed to.

Amendment made: No. 37, in page 2, line 40, at end insert—

'(2A) The conditions are—

(a) that the person is not a national or citizen of the country or territory to which he is to be sent;

(b) that his life and liberty would not be threatened in that country or territory by reason of his race, religion, nationality, membership of a particular social group, or political opinion; and

(c) that the government of that country or territory would not send him to another country or territory otherwise than in accordance with the Convention.

(2B) This subsection applies to any country or territory which is or forms part of a member State, or is designated for the purposes of this subsection in an order made by the Secretary of State.

(2C) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2D) For the purposes of this section, an appeal under section 3 below is pending during the period beginning when notice of appeal is duly given and ending when the appeal is finally determined or withdrawn.'.—*[Dr. Liam Fox.]*

Clause 3

APPEALS AGAINST CERTIFICATES UNDER SECTION 2

Amendments made: No. 38, in page 2, line 43, leave out subsection (1) and insert—

'(1) Where a certificate has been issued under section 2(1) above in respect of any person—

(a) that person may appeal against the certificate to a special adjudicator on the ground that any of the conditions mentioned in section 2(2A) above was not fulfilled when the certificate was issued, or has since ceased to be fulfilled; but

(b) unless and until the certificate is set aside on such an appeal, he shall not be entitled to bring or pursue any appeal under section 8 of the 1993 Act (appeals to special adjudicator on Convention grounds).'.

No. 39, in page 3, line 4, after 'person', insert

'who has been, or is to be, sent to a country or territory to which section 2(2B) above applies'.

No. 40, in page 3, line 23, after 'Act' insert '(a)'.

No. 41, in page 3, line 24, after 'section' insert 'and

(b) may make different provision in relation to appeals by persons who have been, or are to be, sent to countries or territories of different descriptions;'.—*[Dr. Liam Fox.]*

Clause 4

OBTAINING LEAVE BY DECEPTION

Amendment made: No. 42, in page 3, line 31, leave out 'deception' and insert

'means which include deception by him'.—*[Dr. Liam Fox.]*

Clause 5

ASSISTING ASYLUM CLAIMANTS, AND PERSONS SEEKING TO OBTAIN LEAVE BY DECEPTION

Amendment proposed: No. 14, in page 3, line 39, leave out 'an asylum claimant' and insert

'intending to make a claim for asylum which is without foundation'.—*[Mr. Henderson.]*

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 16, in page 4, leave out lines 1 to 9.

Amendment negatived.

Amendment made: No. 43, in page 3, line 41, leave out from 'obtaining' to end of line 43 and insert

'by anyone of leave to remain in the United Kingdom by means which he knows or has reasonable cause for believing to include deception'.—*[Dr. Liam Fox.]*

Clause 8

RESTRICTIONS ON EMPLOYMENT

Mr. Henderson: I beg to move amendment No. 51, in page 5, line 11, leave out 'subsection' and insert 'subsections (2A) and'.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 52, in page 5, line 21, at end insert—

'(2A) Nothing in this section applies in relation to an employer who has fewer than 10 employees.'.

Mr. Henderson: The amendments relate to an important part of the Bill. The Government have made much play of their belief that there is considerable illegal immigration in this country and that significant numbers of illegal immigrants are working when they should not. The Government have not yet provided us at any stage in our consideration of the Bill with figures that would stick to the wall on the extent of illegal immigration. Some estimates have been made of the numbers of illegal workers and my view of the estimate of 10,000 is that it was made by throwing coins in the air and seeing which way they fell. I have seen no significant study that has suggested what the precise figures would be.

We can be sure, however, that the Bill will have many major implications for race and community relations. It seems clear to me that when employers are given the responsibility effectively to become immigration policemen, that must have an impact on the community in which those employers operate. People who live in that community will say, "Are there fair-minded employers in our community and is employer X fair-minded?" They will go on to ask whether some sections of their community are discriminated against by employers.

We must consider not only the damage that can be done to communities but the damage that will be done to individual groups.

I believe that black people, Asian people and other ethnic peoples in all parts of our country will not have the opportunity to get a job because employers will guard against their employment. Employers are well aware, however, that, in all probability, 99 per cent. of all potential employees are British citizens, who have every right to work here, and just 1 per cent. may not have leave to work in this country. In the same circumstances, however, employers will say, "We're not going to risk becoming criminalised by Government legislation." They will avoid that by not offering employment to certain people. They will not want to check passports and the 40 other documents required. If there is a possibility, even a remote one, that a person might not be entitled to work here, the employer will say, "He ain't working for my company." The consequences of such action will be extremely damaging to particular sections of the community. For example, 60 per cent. of young black men between the ages of 18 and 25 are unemployed. What will that unemployment level become should employers study the details of the Bill? Such is the likely impact of clause 8.

Hon. Members do not have to take my word for it because a load of evidence has been built up by organisations with all sorts of different backgrounds and representing all sorts of different industries.

We heard in an earlier debate about the importance that people attach to religious freedom in other countries. I have received a communication from the Churches Commission for Racial Justice—representing persons who are responsible for religious policy in this country—written by Rev. David Haslam, who is well known in the ecumenical movement. He writes about clause 8:

"This is sure to lead to many employers being even less willing to employ people from the visible minorities just in case they are here illegally . . . it will damage race relations in the workplace. It is an extremely undesirable development."

[Mr. Henderson]

That view is repeated by the Commission for Racial Equality, which said in a submission to every hon. Member:

"We have examined carefully the wording of Clause 8 . . . and, having regard also to the expressed experiences of ethnic minorities across the country, we have concluded that these proposals cannot be implemented without damaging race relations and increasing the barriers to employment opportunities for ethnic minorities."

The Food and Drink Federation is significant to the debate because of the employment of persons in small companies, especially in the catering and linked trades, in which many persons who are identified as belonging to ethnic community groups are employed or wish to seek employment. It states:

"We would suggest most strongly that the potential procedures are unlikely to prevent illegal immigrants obtaining employment to any serious degree and that it would be an essential prerequisite for the NI system to be tightened up very considerably."

That federation also notes the damage that could be caused to ethnic communities. I know that federation well because one of the big companies in my constituency, Nestlé, is affiliated to it.

The Association of British Chambers of Commerce, which represents many small organisations in this country, has stressed that if clause 8 is implemented, damage will be done to race relations in this country.

It is interesting to note that in Committee there were murmurings from Conservative Members that we could not listen to what the Federation of Small Businesses said because it was not truly representative of real small businesses in the United Kingdom. That seemed to be the mood of Conservative Back Benchers and I began to suspect that those on the Government Front Bench were prepared to go along with it. I must make it clear that the Federation of Small Businesses stressed in its submission to all hon. Members:

"We repeat that it is not the job of an employer to check immigration status. It will lead to increased race discrimination against minority members of the community. Indeed, should the proposal get on to the Statute Book we believe it will be unworkable."

The Federation of Small Businesses says that there will be difficulties with race relations if clause 8 is introduced.

Amendment No. 51 seeks to limit the extent of clause 8. When the question of disability was before the House, the Minister responding on behalf of the Department for Education and Employment said, interestingly, in comparison with the views expressed in Committee by Home Office Ministers and their team:

"the Federation of Small Businesses speaks specifically on behalf of small businesses."—[*Official Report*, 27 March 1995; Vol. 257, c. 729.]

I want to move away from the impact on race relations to the practicalities, because the same Minister said, in relation to the Disability Discrimination Act 1995:

"The principle of exempting small business from various pieces of legislation is well established. . . we want it recognised that small firms are subject to many constraints, not least that they cannot be expected to have the personnel resources—the range of abilities, knowledge, competence and time—to allow them to concern themselves with the minutiae of legislation."

He had obviously started to think about the 40 documents that might be before him in future. He continued:

"That is why Governments of all persuasions have set out to protect small businesses where it has been feasible, and why we maintain the view that businesses with fewer than 20 employees should be exempted from the legislation. That is not because we want them to discriminate—we hope that they will not—but want to relieve them from the burden of complying".—[*Official Report, Standing Committee E*, 14 February 1995; c. 246-48.]

Other comments have been made, one of which was:

"We all want Britain to be a successful trading nation, producing high quality goods, achieving high productivity and rewarding its people with higher living standards. But you do not get these by pushing up your social costs and burdening your labour market with bureaucratic and inflexible rules, regulations and practices."

I wonder whether hon. Members would care to guess whose words those were. The Trades Union Congress? Small businesses? Ministers for Education and Employment? No, that was the Home Secretary, when addressing the Isle of Wight Conservative Association on 16 July 1993. We have heard much recently about saying one thing and doing another. That seems to me to be a classic case of just that.

My point is that, in relation to the Disability Discrimination Act, the Minister recognised that there were differences between the way in which small and large companies deal with regulations. We all know that a larger company that has a resource personnel department can cope with the minutiae of legislation. I do not argue in clause 8 that companies should have to police the documents, because the race relations aspects are damaging, and even if they were able to do so, I am not sure that it would identify anyone who should not be working there.

Let us suppose that we give the Government the benefit of the doubt and that there might be a case for larger companies to do that. On disability, the Government said that a different situation should apply for small businesses because they face other difficulties. I do not ask for a limit of 20. I think that it could be 10. If the Government wish to look at a different limit, I am certainly prepared to give it further consideration. The principle should be that small companies cannot deal with legislation in the same way as large companies. The Government cannot say that that is the case in relation to disability and then deny that it is the case in relation to employers' checks on the legality of employment.

If the Government insist that there is a case for retaining clause 8—I do not believe that there is—they should recognise the weight of evidence given to them by employers' organisations, especially those representing small businesses. They should have the decency to acknowledge that there is a case for exemption. If the wording of the amendment is defective, or if the Government would prefer a figure other than 10, I do not think that we would go to the wall on that. If the Minister has anything like an open mind, the evidence should convince him.

9.15 pm

Mr. Keith Hill: Opposition Members consider that the Bill will have two significant effects on employers. A responsible employer who takes the Bill seriously will experience a major escalation in costs, because he will feel obliged to engage in lengthy and detailed scrutiny of up to 40 separate documents in many different languages. The initial cost to industry as a whole of implementing the clause has been estimated at some £30 million, and on-going annual costs have been estimated at £11 million. In Committee, many of us expressed scepticism about those figures, suspecting them to be a considerable

understatement. No doubt other hon. Members will echo my view that the burden of the additional costs will fall most heavily on small businesses. As my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) pointed out, that is why the Federation of Small Businesses is so adamantly opposed to the measure.

The less responsible employer will short-circuit the legislation, deciding that he or she does not want to go through the difficult and time-consuming procedure of checking out the documentation. Such employers will opt for the white applicant with the Anglo-Saxon surname. That is why virtually every organisation—including the Commission for Racial Equality and the Confederation of British Industry, which responded to the Government's consultation on illegal working—has expressed considerable misgivings about the implications for race relations.

The irony is that the proposals will have the least impact on the unscrupulous employer—the employer who operates at the margins, in the sweatshops of the rag trade and the catering industry. We can make an educated and reasonable guess that the majority of illegal immigrants will be found in those marginal industries. Why should such an employer comply with the legislation? He will have no incentive to do so: the savings to be made through low pay and non-payment of social security money and tax are more than likely to compensate for the remote possibility of a fine.

What is the risk of such unscrupulous employers' being caught out? Practically nil. As has been pointed out today, in 1994 the number of prosecutions for illegal working under section 24 of the Immigration Act 1971 amounted to a grand total of just a dozen. The legislation simply is not enforced.

I gather that 274 immigration staff around the country are concerned with illegal working. If all that they can come up with is 12 prosecutions in the year, they must be the least efficient and most unproductive staff of any Government Department.

Mr. Gerrard: Will my hon. Friend confirm that when that was discussed in Committee, it became apparent that most cases of illegal working are identified not because of checks on work but because people come to light through other immigration checks and it is then discovered, by chance, that they are working? The Minister suggested that nothing much would change in that respect. The employers in the sweatshops—the exploiters—are among those most likely to be able to continue as at present.

Mr. Hill: My hon. Friend has a wonderfully accurate recollection of the Committee and anticipates my argument. He refers to the figure of 10,000 illegal workers that was bandied across the Committee during our lengthy proceedings. However, there is no evidence that any of those 10,000 illegal workers have ever been followed to their places of employment or that any prosecution or form of action has been taken against them.

I assume that the 274 immigration staff with some responsibility for illegal working have a good many other responsibilities in respect of immigration. The only guarantee of a threat to the unscrupulous employers I mentioned, who are likely to be the primary employers of illegal immigrant labour, would be if extra resources, extra staff and extra manpower were put into prosecutions of those cases. There is nothing on that in the Bill. We have heard nothing from Ministers to suggest that there will be any extra resources devoted to the enforcement of the legislation. The truth is that there will be no enforcement. If there is any intention to enforce it, I invite the Minister to tell us now. I will gladly give way to him if there is any evidence of enforcement. The Minister is mute on the subject, as he was in Standing Committee.

The proposals will have no effect on catching out illegal immigrant workers or their employers. They will increase the costs significantly of responsible companies that implement the legislation, especially small businesses.

Ms Diane Abbott (Hackney, North and Stoke Newington): My hon. Friend noted that the Minister is mute on enforcement. He will remember that the Minister moved clause 8 in Committee in two minutes flat. Did not that reflect his embarrassment about this shoddy and unworkable Bill?

Mr. Hill: As ever, I concur 100 per cent. with the views of my hon. Friend and her castigation of the Minister.

Mr. Kirkhope: It is true that I introduced that clause in a comparatively short time—a succinct, quality delivery. When I wound up—in, I think, the absence of the hon. Member for Hackney, North and Stoke Newington (Ms Abbott)—I was criticised by several members of the Committee for speaking for too long. When I get the chance, I shall reply in a measured way though not, as I look at the clock, too lengthily, I trust.

Mr. Hill: I hope that the most measured aspect of the Minister's response will be to deal with the most fundamental and damning aspect of the critique of the proposals—that their most lasting and general effect will be to worsen existing discrimination against black and Asian citizens of this country. That is the accusation to which he must try to respond.

Mr. Chris Davies (Littleborough and Saddleworth): I support amendment No. 51. Although it will have some palliative effect on clause 8, the substance of the clause remains deeply objectionable. When it was first proposed there was an outcry, which shows no sign of diminishing now.

I have three points to make. Reading the *Hansard* account of Standing Committee D, I noted that in column 451 the Minister described clause 8 as creating a new offence, saying an "employer will be guilty" and liable to a fine of £5,000, if "he employs an immigrant" who does not have the valid right to be here.

My first point is that the word immigrant is deeply emotive and tends to be applied exclusively by the public at large to those citizens who have dark skins. The fact that we can look at statistics and point to Australians, Canadians and the like who are truly immigrants makes no difference, nor does the fact that the people with dark skins may be as British as anyone in this Chamber—all too often that is the popular perception.

Let us consider the example of two Oldhamers, both born in the Royal Oldham hospital, who went to the same school and apply for the same job. If the Bill is enacted, one may be asked by the prospective employer to produce a passport while the other will not.

[Mr. Chris Davies]

I have had all the benefits of a white, middle-class education and the privileges that go with it in this society. That has not divorced me so much from reality that I am unable to put myself in the position of one of my constituents who has a dark skin, or unable to share the anger, humiliation and sense that, by being required to produce documentation that someone with white skin is not required to produce, I am being betrayed and made to feel a second-class British citizen. That is why the proposal is deeply racist.

The second point is the effect that the clause will have on the employment prospects of those in our ethnic minority groupings. I shall again refer to Oldham by way of illustration. As a borough, Oldham's economic activity is holding its own. Employment levels are more or less in line with the national average. There are, however, deep contrasts within the borough. In the Saddleworth ward in which I live, unemployment is only about 4 per cent. In many inner Oldham wards, it is 20 per cent. and in the wards with the highest ethnic minority groupings, it is 30 per cent. and more. There is no lack of competition in the area for jobs. Within a 30 minute travel-to-work distance of the centre there are potentially 750,000 people able to look for work.

Before the debate, I rang a friend who employs a number of people on a part-time basis to do contract cleaning work on various short-term projects. The employees come and go. He provides a short service, recruits rapidly and there is a high turnover. People do not expect to work for his company for long. That is not how it works. I believe that he does not have a racist bone in his body. I asked him to explain what documentation the employees he took on for a couple of hours a week would be required to give him. He said that they would probably not reach the tax or national insurance thresholds and so they would not require any documentation. I asked him to let me be devil's advocate, saying, "If this clause goes through, will it really make a difference to how you approach the employment potential of some applicants?" He snapped straight back, "Of course it will. If two people of equal ability come to me, why should I go to more trouble to prove to myself that I am not incurring the risk of a £5,000 fine by employing one rather than the other?" He said that he had enough hassles trying to run his small business, keep his head above water and keep the clients serviced without that extra difficulty and without taking that risk.

This clause will mean worse employment prospects for the Asian community in Oldham and for black people throughout the country. I believe that the Government are playing the race card by proposing clause 8, and they are appealing to the white, Conservative-minded vote that they think exists in this country. If that is the motivation of the Government, it is a disgrace—it is a despicable means of proceeding. This proposal will not work because most people in Britain, and in Oldham, are fair minded—they do not like injustice; they like fair play—and this clause is blatantly unfair. I hope that the Government experience a backlash from decent, fair-minded people as a result of this proposal. The Government will certainly get a backlash from some of the people to whom they normally look for support—small business people.

9.30 pm

Thirdly, the Government are supposed to be lifting the burdens on small businesses in this country—what a joke. How do they call imposing a potential fine of £5,000 on these people—and making them go through hoops to ensure that they do not have to take that risk—lifting the burdens? Nothing could be further from the truth. If it were simply a matter that employers had to be satisfied that their prospective employees could produce a national insurance number, that might not be too bad, but that is not the case. It is well known that national insurance numbers are 10 a penny on the black market if people wish to play the system.

There are those who seek to work illegally and who have a national insurance number, but there are others who have the right to work but who do not have a national insurance number—for example, residents of the European economic area and citizens of Iceland. There are some local benefit agencies that do not give national insurance numbers to young people until they have a job. There is the potential for a vicious circle—a person with black skin who goes along for a job interview is asked to produce his national insurance number, but because he does not have a job he does not have a national insurance number. It is a vicious circle most likely to be detrimental to that person's employment prospects if his skin is black because the chances are that if his skin is white the employer will not ask for that sort of certification.

In Committee, the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) said that 43 documents are acceptable as evidence of a person's status and fitness to work in this country, including a Liechtenstein passport and a Belgian identity card. How is an employer supposed to know what is a valid piece of documentation?

This is a squalid clause, and it is deeply offensive. The amendment goes a small way to lessening some of the burdens that it will place on business, and I support it.

Mr. Piara S. Khabra (Ealing, Southall): I endorse what has been said by my hon. Friends. I speak with great credibility on behalf of Asian business because my constituency has a large number of people who are business men and run small and medium-sized businesses. They employ people and they contribute to the economy of this country. They are very concerned about the implications of this clause—a clause that, in my opinion, is despicable and affects their ability to carry out the requirements of the law and that will affect their businesses.

Clause 8 makes it a criminal offence to employ someone over the age of 16 who does not have an immigration entitlement to work in the United Kingdom. As has been said, the offence carries a punishment of a fine of up to £5,000. That will affect the ability of my constituents and the constituents of all hon. Members who run small businesses. Clause 8 empowers the Home Secretary arbitrarily to add categories of people who are not currently specially prohibited from working—such as people who entered legally but who have overstayed their permitted leave, or people who have appealed against a decision to refuse them further leave to remain—and it would be an offence for an employer to employ them.

An employer accused of employing an illegal immigrant has a possible line of defence if he can prove that he did not believe that he would be committing an

offence by employing that person because he had seen a document specified in an order issued by the Secretary of State. The clause imposes a significant new duty on employers, the neglect of which will result in their incurring criminal penalties.

The proposals assign to employers an immigration control function. I do not believe that that is right. Employers are being required to identify people who have entered illegally or overstayed or who are here lawfully, but are not entitled to do work of the sort offered. Those are policing functions that should be rightly and properly carried out by the immigration and nationality department, not employers. IND staff are specially trained to carry out those functions and are publicly accountable for the performance of their duties. Individual employers, whether they be large or small, will not be accountable for their performance of a public control function. I hope that the Minister will take note of that point, which is also a matter of public concern. In a recent survey, only 10 per cent. of respondents felt that employers should be responsible for immigration control.

Currently, under present law—the Immigration Act 1971 and subsequent Acts—employers may be prosecuted if they knowingly commit offences such as harbouring a person whom they know or believe is not entitled to work in the United Kingdom because of his or her immigration status. Employers may also be prosecuted if they aid or abet a person committing an immigration offence. A provision ensures that legal action can be taken against such people. Those are the intentional acts that directly inhibit effective immigration control.

The proposals contained in clause 8 would make it a criminal offence unknowingly to enter into a contractual relationship with people who, because of their immigration status, are not entitled to work in the UK. In other circumstances, a person does not commit a criminal offence if he or she fails to carry out checks on a person's bona fides before entering into a business relationship or if he or she fails to act to prevent another person from committing or continuing to commit an offence.

The proposals must be understood alongside other provisions in the Bill. They increase police powers, which concerns me. The police whom I know would not like to be given the powers, and the Home Secretary should take note of that. The increased powers of the police to arrest and to enter premises to search for suspects or to collect evidence, which are contained in clause 7, are likely to affect employers and the employment position of ethnic and national minorities. That power gives employers an added incentive to avoid recruiting anyone whose presence would give rise to police suspicion, and employers will be made unnecessarily fearful.

I am also worried about the impact of proposed powers to search for suspects or evidence, which might be used by the police to justify entering the premises of ethnic minority employers, which they already do when immigration officers enter premises and police officers accompany them. There have been circumstances that have caused much concern in the community and the press has reported certain things that might well be perceived as, or constitute, police harassment of ethnic minority communities. The possible implications for community and race relations are self-evident.

The proposals will therefore effectively encourage employers to work on a presumption that all prospective employees who are immigrants are illegal unless they demonstrate otherwise.

The compliance cost assessment, as has been said, puts the total non-recurrent cost of the proposals at more than £13.5 million, which is an enormous burden on business.

I do not condone illegal working. However, having given careful consideration to clause 8, the consultation document and the compliance cost assessment, I am of the view that the Government's proposal to prevent illegal working will not meet their stated objectives in introducing the proposal and, contrary to their express intentions, if implemented as proposed will lead to acts of racial discrimination, reduce equality of opportunity and damage race relations between persons of different groups.

The House should throw out clause 8 because it will damage the interests of business.

Ms Abbott: It is hard to improve on the eloquence of my hon. Friend the Member for Ealing, Southall (Mr. Khabra), but in the few minutes remaining I want to make it clear that Opposition Members oppose clause 8 in its entirety and say why we aim to ameliorate it by the amendment moved by my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson).

This is a proposal about race, and nowhere is the Bill's racist subtext more explicit than in clause 8, which will affect refugees and asylum seekers and has the potential to affect every British citizen who happens to have a black or brown skin or a foreign name.

There is deep hypocrisy at the heart of clause 8. Throughout the Committee stage, Ministers told the Committee that they incorporated the clause in the Bill because of their deep concern about illegal working. Time after time, we hear about their concern about illegal working, and many Conservative Members have wrung their hands and spoken about illegal workers taking jobs from British citizens.

What is the underlying cause of the employment of illegal immigrants? Do we imagine that employers employ illegal immigrants because they are humanitarians or internationalists? The underlying cause is the search for cheap labour. It ill behoves a Conservative Government whose Conservative predecessors, during the 1980s, did more to force down wages than any Government since the war, to weep crocodile tears about illegal workers.

The source of the market for the labour of illegal immigrants is the labour market policies of the Government.

Miss Widdecombe: Oh.

Ms Abbott: It is the source of the market for the labour of illegal immigrants because the Government's labour market policies are designed to force down wages and encourage casual and part-time working. That is the deep hypocrisy at the heart of the clause. The most damaging aspect of the clause is the effect that it will have on the employment prospects of black or brown Britons. Conservative Members have not given serious consideration to the effect of the clause on the

[Ms Abbott]

employment prospects of those people. Yet, as we speak, the unemployment rate in London for black males between the ages of 18 and 24 is 60 per cent. That is the official figure: the actual figure is probably much higher.

Mr. Jacques Arnold (Gravesham): Will the hon. Lady give way? She asked for it.

Ms Abbott: Not from you, sweetheart.

No Conservative Member has seriously addressed the issue of black unemployment. However, as Members of Parliament, we must be aware of the serious social consequences of youth unemployment. I accuse Conservative Members of hypocrisy: how dare they say that they are concerned about the breakdown of the family, crime and social dislocation, when in clause 8 they are enshrining in law measures that will make it even harder for black or brown British citizens to obtain jobs?

9.45 pm

As my hon. Friends have explained, employers will be faced with the prospect of having to shuffle through documentation in order to recognise any one of 43 documents or fall prey to a fine of £5,000. When faced with two potential employees who are equally well qualified, one of whom has a black or brown skin and a foreign name and one of whom is white and clearly British, which of them will even the most decent and honest employer choose?

The most damaging charge levelled against the clause is the very serious effect that it will have on the employment prospects of black or brown Britons. In amendment No. 51, we are attempting to ameliorate the effect of the clause on small business. It was revealed in Committee that 95 per cent. of businesses employ 20 or fewer people. Major employers such as Marks and Spencer may be able to introduce procedures that will not discriminate between employees. However, small employers will have to discriminate on the basis of skin colour, accent or name, or face the prospect of being burdened with excessive expenditure, paperwork and worry.

As my hon. Friend the Member for Southall has said, the clause will impact heavily on Asian business people who, under clause 7, are liable to an increased risk of fishing raids by police searching for illegal immigrants. Under this clause, they may fall foul of the law by employing people in good faith.

The Labour party believes that this is a racist Bill, but clause 8 is perhaps the most far-reaching clause and the most damaging to good race relations and to the employment prospects and life chances of black or brown Britons. Even at this late stage, we urge the House to reject this racist and unjust clause in a racist Bill.

Mr. Kirkhope: That was one of the silliest speeches that I have heard for a long time. It was a total waste of a valuable opportunity to discuss a very important clause. It is no wonder that the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) would not take an intervention from my hon. Friend the Member for Gravesham (Mr. Arnold).

At the beginning of the debate we heard yet another rant from that well-known Labour ranter, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), who did not contribute anything to the debate. The Committee examined clause 8 and everything to do with it thoroughly; every area was explored fully. Yet on Report Labour Members have repeated the same tired rhetoric that we heard in Committee. That does not help anyone.

Mr. Henderson: Will the hon. Gentleman give way?

Mr. Kirkhope: I am sorry, but I will not. The question is who is and who is not in favour of the measure. The hon. Gentleman trotted out the names of people and their views, but I shall present some different views.

The Forum of Private Business conducted a survey of its members—*[Interruption.]* Opposition Members may laugh at organisations that represent the small businesses that are so vital to our economy. In response to that survey, 70 per cent. were in favour of

"penalising employers who employ illegal workers. This result indicates a substantial majority in favour of controls on the employment of illegal workers and suggests that this policy would have significant support among small business owners."

That clear statement is not untypical of many other statements made by small businesses.

Mr. Henderson: Will the Minister give way?

Mr. Kirkhope: No.

The amendment is clearly an attempt to wreck the clause. As everyone knows, 80 per cent. of British businesses have fewer than 10 employees. According to estimates, the approximate annual turnover of staff in such companies is a maximum of 25 per cent.—or two employees a year. The compliance cost assessment shows that the likely cost to an employer of being required to check the status of an employee would be about 39p.

Ms Abbott: On a point of order, Mr. Deputy Speaker. Is it in order for the Minister to produce entirely false statistics about cost compliance?

Mr. Deputy Speaker (Mr. Michael Morris): I did not hear what the hon. Lady said. If she would address the Chair, I could answer her point of order.

Ms Abbott: Is it in order for the Minister to produce completely false statistics on cost compliance?

Mr. Deputy Speaker: There are statistics, statistics and all sorts of other figures.

Mr. Kirkhope: I have a copy of the compliance cost assessment of the Home Office of November 1995, which went into great detail, as the hon. Lady will have noted in Committee. It states that, in a typical case, the total cost of making such a check, using a photocopy, would be 39p.

The scare tactics of the Opposition are quite disgraceful. They well know that there is a problem. At least 10,000 illegal workers were detected in 1994—a dramatic increase on previous years. The Opposition talk about young people from ethnic minorities being out of

work. We all know that those young people want to work. Those who are working here illegally are denying opportunities to the very people whom the Opposition claim to support.

The hypocrisy lies with the Opposition and not with the Government. Nothing could have emphasised that more than the disgraceful speeches that we have just heard. Allegations were made against the Government that everybody knows are totally wrong and inaccurate.

Mr. Jacques Arnold: Is my hon. Friend aware that the clause is extremely welcome in my Sikh community in Gravesend? For far too many years, my law-abiding Sikh constituents who work in the construction trade and in market gardening have been fed up with their wage rates being undercut by illegal immigrants.

Mr. Kirkhope: My hon. Friend has said it and it is true. The Opposition are not prepared to accept those facts.

I do not like the incredibly patronising attitude of the Labour party to small business men and women, who know how important it is to check the status of anyone whom they employ. That is why the Forum of Private Business and other small business organisations are not worried about the prospect of carrying out the checks that we propose.

Mr. Henderson: I am grateful to the Minister for giving way, although he has done so belatedly and with some reluctance. Does he accept that the Federation of Small Businesses is truly representative of the interests of small business in this country?

Mr. Kirkhope: I acknowledge that there are many small business organisations, but I do not accept that one organisation alone is representative of all small businesses. Eighty per cent. of UK businesses have fewer than 10 employees. Those businesses care about their standards and about their employees. To suggest that 42 documents will have to be inspected is unbelievable. The TUC listed 41 documents, not 42—so the Opposition cannot even count. Most of the documents on that so-called list are the passports of every European country. If arguments are exaggerated to that extent, it is not surprising if they begin to lack credibility. That is true of the arguments deployed by Labour Members.

The requests made of employers are perfectly reasonable. The majority of firms, particularly small businesses, already make such checks because they know that the quality of their employees matters to their business. I am sorry that an attempt has been made to wreck the clause with this misplaced amendment. It will not succeed, because I am not prepared to ask the House to support such nonsense. I am disappointed that the opportunity to debate the issue has been used and abused by the Labour and Liberal Democrat parties.

We believe in good business and in preventing illegal working that takes jobs from people who are legally entitled to them. To believe otherwise cannot be good for people who do not have jobs, or for the country's economy.

Mr. Henderson: The Government have been smoked out over a lot of issues in the past four years. This evening, they have been smoked out over their real motives for not only clause 8 but the Bill. I will not accuse them of incompetence in this instance because they know what will be the impact of the clause and the Bill. They know that clause 8 will have no impact on identifying illegal workers and that it will only burden employers with unnecessary paperwork. They know that the measure has no support among small businesses.

The Minister cited a survey by the Forum of Private Business, but we were not told of the sample size. It is a strange day for the Conservative party when it will not listen to the Federation of Small Businesses, which has 3 million members.

Mrs. Barbara Roche (Hornsey and Wood Green): Does my hon. Friend agree that the Government's stance shows how out of touch they are with small businesses? They are more concerned with excusing late payment. They want to impose more regulations, burden and compliance costs on small businesses.

Mr. Henderson: I am grateful to my hon. Friend for reiterating that important point. If she had had more time, or had caught Madam Speaker's eye today, she would probably have said that the Government do not care about the measure's impact on community and race relations, which is the most damning feature of the Bill and of clause 8 in particular. Representations have been made by a wide spectrum of interests—Churches, small business organisations, the TUC, Amnesty International and even the CBE. They all hold different views on how workable the proposals are, but all agree that they have damaging implications for race and community relations.

Ninety-four per cent. of businesses in this country employ fewer than 10 people. If the Government care about small businesses or about the people whom they employ and the communities that they serve, they will accept the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 258, Noes 284.

Division No. 59] **[9.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*

Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Eagle, Ms Angela
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCrea, The Reverend William
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wardell, Gareth *(Gower)*
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W. *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Joe Benton.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr. Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David

Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Neubert, Sir Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Bowen Wells and
Mr. Patrick McLoughlin.

Question accordingly negatived.

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Bill to be further considered tomorrow.

Points of Order

Mr. Cynog Dafis (Ceredigion and Pembroke, North): On a point of order, Mr. Deputy Speaker. Bearing in mind the grave and rapidly shifting situation at Milford Haven and the accumulating evidence that there has been a failure to deploy resources sufficiently and to do so competently, have you received a request to make a statement from the Secretary of State for Transport tonight, bearing it in mind that I have asked the Leader of the House for such a statement now?

Mr. Deputy Speaker (Mr. Michael Morris): I confirm to the hon. Gentleman that I have had no request for a statement on any subject.

Mr. Nick Ainger (Pembroke): Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it on a new issue?

Mr. Ainger: It is on the same issue.

Mr. Deputy Speaker: In that case, I have already made it clear that I have had no request for any statement.

Glasgow (Finances)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Knapman.]*

10.15 pm

Mr. Michael J. Martin (Glasgow, Springburn): Through you, Mr. Deputy Speaker, I should like to thank Madam Speaker for giving me the opportunity to have this debate. I should also like to thank the Parliamentary Under-Secretary of State for Scotland who is to reply to the debate, and my hon. Friends the Members for Glasgow, Maryhill (Mrs. Fyfe), for Glasgow, Shettleston (Mr. Marshall), for Strathkelvin and Bearsden (Mr. Galbraith), for Glasgow, Garscadden (Mr. Dewar) and for Greenock and Port Glasgow (Dr. Godman) for their presence and support. I know that the wife of my hon. Friend the Member for Greenock and Port Glasgow, Trish, is a councillor for the city of Glasgow, and that she will be able to watch this debate through the medium of television.

I should also like to thank Mr. John Brown of the public relations department of the new city of Glasgow authority. He is a brother of my hon. Friend the Member for Dunfermline, East (Mr. Brown), and he has been extremely helpful in giving me the information that I require for the debate. *[Interruption.]* He gave that information in a professional capacity.

I note that the Secretary of State for Scotland is present. Given such large cuts in the finances of the city of Glasgow, it is only right and fitting that he should meet the leader of Glasgow district council, Councillor Bob Gould, at this time of severe crisis. He should also meet Councillor John Young, the Conservative leader on the city council. Opposition Members do not share his politics, but we know that he has always had a deep concern for the city of Glasgow, where he was born and bred.

Given the cuts of £43 million, it is only right and fitting that a meeting between the Secretary of State and those councillors should take place. The Secretary of State is on record as saying that he wants to get out and meet the people. He said that was why he wanted the Scottish Grand Committee to meet all over Scotland. Given the current crisis in Glasgow, he should meet Councillor Gould, along with Councillor Young.

It is worth noting that the Secretary of State for Wales recently got £15.9 million for the Principality. That money was an extra allocation, and was not part of its original funding formula. The Minister may say that the equivalent money for Scotland was accounted for in the formula that the Government negotiated with the Convention of Scottish Local Authorities. That cannot be the case, however, because the Welsh formula did not allow for that extra £15.9 million. If that amount of money can be given to Wales, why not to Scotland?

Those cuts of £43 million will mean the loss of 2,000 jobs in a city where the average unemployment rate is 12 per cent. In parts of my constituency and others, the unemployment rate is absolutely horrendous. At one time, the railway workshops offered employment to my local community, but most people now look to local government for employment. The 2,000 lost jobs are important ones, such as home helps—the very ones that should be increased. We should be looking after our elderly men and women who served us when fascism was at its height. They gave six years of their lives to fight for democracy so that we can be here, yet we are denying them the care that they need in their later years of life.

Schools are being closed that are important to give children in areas of high unemployment and deprivation a chance to get out and make a life for themselves. We are losing sports centres at a time when Conservative Members say that they are worried about the drugs situation. Drugs are a problem in Glasgow, and if we lose sports centres, more and more of our young boys and girls will be put on to the street, and they will be easy prey for the people from whom we are trying to protect them.

We are to lose residential homes. We are also to lose museums. In every service, from social work to education, we are to have closures and loss of services. In education, £12 million will be cut from the budget, which will mean that the price of school meals will go up. Twelve community education centres in the city of Glasgow will close. Three to five secondary schools and 16 primary schools are likely to close.

In Argyllshire, two residential homes that have excellent facilities to get young people out into the countryside to give them the outdoor activities they need will be lost. That will be a loss for the city of Glasgow. It will also mean that employment opportunities will be lost in the rural community of Argyll.

When we had the old slums in our city, it was always said that there was one place that the people could always go free of charge—our parks. We have some of the finest parks anywhere in the world. Kelvingrove park is almost identical to St. James's park across the road from here. It is an excellent place, where people from Maryhill, Anderston—where I was brought up—Woodside and Partick can go. University students enjoy the parks. Boating ponds will also close. They are places where people can take their children and enjoy a day out.

Ruchill, in the constituency of my hon. Friend the Member for Maryhill, is to lose a bowling green. Shettleston will lose its sports centre. On roads, I am sure that the Automobile Association and the Royal Automobile Club will be deeply concerned that maintenance will be cut by £2.4 million in our city.

Social work is of great concern to all of us. I know that it is of concern to Conservative Members, because many of them have dedicated their parliamentary lives to talking about the handicapped and those in need of social work.

Glasgow's social work budget is to be cut by £9.1 million. That will mean that homes for the elderly will close, at a time when our aging population is increasing. Logic tells us that we need more homes for the elderly, yet the Government are telling our local authority, which has excellent social work homes, to cut its budget.

Many visitors to Glasgow have said that the social work homes in the city are something of which our citizens can be proud. Day centres for the handicapped will close. Mothers who have handicapped children use them to get some respite and to give their young children the chance of a decent education. They give children an opportunity to do something meaningful, and help them in their training and to develop their minds. Spending on nursing homes will be vastly reduced, and there will be a delay in filling social work vacancies.

Museums and art galleries are to lose £1.3 million.

Mrs. Maria Fyfe (Glasgow, Maryhill): Amid all the other cuts, the social services department is contemplating making cuts of more than £9 million. Where does the Minister expect Glasgow to make alternative savings?

Mr. Martin: I hope that the Minister will tell us what he thinks Glasgow should do. If he does, when the Secretary of State meets Councillors Gould and Young, at least they will have a chance to rebut the case that the Minister makes tonight.

Museums and art galleries are to lose £1.3 million. Haggs castle, the famous museum, is to close; Pollok house, with its famous Burrell collection, will be able to open for only six months each year. Mr. Burrell, who gave a fantastic legacy to our city, must be turning in his grave.

When I was a councillor on the old Glasgow corporation, along with some of my hon. Friends, we spent days on end ensuring that we stuck to the terms of Mr. Burrell's legacy: he left instructions relating to his famous collection. Finally, we were able to house the collection at Pollok house—but it will not help tourism for Pollok house to be open for only six months of the year. People come to see it from all over the world.

Indeed, there is a possibility that all our famous museums—museums to which many of our parents took us—will close for one day each week. The famous Dixon halls, Govan town hall and the Couper Institute must all close, and I do not know where the voluntary organisations that use them will go. The capital programme is to be cut, and there is to be a £30 million cut in the housing budget.

The Conservative party tells us time and again that we are not the friends of the private sector—that we do not care about small business men and private companies. Glasgow's record in ensuring that building companies, large and small, secure work for their employees is second to none; it is the Government who will put not only council employees but private sector workers on the dole. When I was a member of the council, for every council employee, two private employees—two outside contractors—had jobs on the rates and the city treasury. I do not know what the formula is now, but many people in the private sector, including many builders who used to support the Tory party, will be knocking on the Minister's door.

The council tax could rise by between 36 per cent. and 40 per cent. I have never known such an increase in my city: indeed, I have never known such an increase in any city. The Minister who is to reply to the debate said that there was no need to meet councillors in Glasgow, although the council tax may rise from £676 to £944.

I feel that what I have said tonight is enough to make the Minister consider the possibility that he is wrong. If he continues to pursue the current Scottish Office line, Glasgow will suffer. Glasgow has a first-class history, and its administration has a reputation throughout the country for not being what Conservative Members sometimes describe as the lunatic left. Indeed, it is anything but that: it is the most responsible council in the country, and Strathclyde had an excellent reputation for working with the Government and with Europe.

The Government made their biggest mistake a few years ago when they put a Bill through the House to reorganise local government. That has cost everyone a fortune and caused the sadness of serious redundancies. Strathclyde was abolished along with the other councils because of jealousy. The Government felt that the councils were doing too well in Europe by getting grants and improving the standard of living for the people under their control. They came up with the idea of abolishing local government. The word they used was "reorganisation".

If the figures are true, the Government have not reorganised but abolished local government as we know it. The men and women who were democratically elected are being denied the opportunity to give their electorate a proper service. I hope that the Minister will consider what I have said.

10.30 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): I congratulate the hon. Member for Glasgow, Springburn (Mr. Martin) on securing the debate. It has secured a significant turnout of Opposition Members—a rare occurrence—and I should like to mark the attendance of my Scottish Office ministerial colleagues and my right hon. Friend the Member for Dumfries (Sir H. Monro).

The debate is timely because, earlier today, many hon. Members were present when we tried to have a briefing about some of the facts behind the local government finance settlement to allow a more informed debate. The House will shortly have the opportunity to debate the order, which, if approved, will enable my right hon. Friend the Secretary of State to pay revenue support grant and the non-domestic rates distributable amount to the 32 new Scottish councils next year.

As usual, the hon. Member for Springburn has spoken with considerable feeling on behalf of his constituents. His speech clearly merits a serious response, and that is what I intend it should receive. Before I deal with the position of Glasgow city council, I remind the House of next year's overall Scottish local government finance settlement, which has two main elements.

The first is the level of Government supported expenditure, or GSE, which is the Government's view of what authorities need to spend to pay debt charges and deliver services. The second element is the level of Government support for that expenditure, which is known as aggregate external finance, or AEF. For next year, GSE has been set at just over £6.168 billion, an increase of 2.3 per cent. on the current year's figure after adjusting for transfers of responsibility between central and local government, so that a like-for-like comparison can be made.

AEF has been set at just under £5.369 billion, an increase of 2.9 per cent. as compared with the current year. In cash terms, the increase in AEF is just over £148 million. That increase is £26.5 million more than the Barnett formula consequences of the English local government settlement. That may sound technical and complex, but it means that £26.5 million has been diverted from other Scottish expenditure programmes to give local authorities more.

The hon. Member for Springburn referred to a figure of £15.9 million in Wales. My right hon. Friend the Secretary of State for Scotland was well ahead of my right hon. Friend the Secretary of State for Wales by getting the extra £26.5 million included in the settlement given to local authorities.

[Mr. George Kynoch]

One might find it difficult to believe it from the reaction of the Labour party and the Convention of Scottish Local Authorities, but there is no doubt that Scottish local authorities have been treated favourably. This is at a time when both the Government and, although I sometimes doubt it, the Labour party, accept the need to constrain public expenditure.

Mr. Jimmy Wray (Glasgow, Provan): Will the hon. Gentleman give way?

Mr. Kynoch: I want to try to get through my speech.

The levels of both GSE and AEF have been increased by significant amounts. That is before any account is taken of the scope for councils to make efficiency savings.

Next year, the level of GSE for Scottish authorities will be 30 per cent. higher per head of population than the comparable amount for English authorities. The level of AEF for Scottish authorities will be no less than 43 per cent. higher than that for English authorities. Yet we continue to hear arguments that the Government are starving the new councils of resources.

The hon. Member for Dundee, East (Mr. McAllion) has claimed that the councils need an extra £395 million to avoid what he calls "spending cuts". There are two main points to be made in relation to that claim. First, it is totally misleading to talk about spending cuts. All the new councils will be able to increase expenditure next year by at least 2 per cent; the majority will be able to increase spending by more than 3 per cent.

Secondly, those who argue that authorities should be able to spend £395 million more are really saying that GSE should be increased, not by 2.3 per cent. but by 8.9 per cent., which is more than three times the current rate of inflation. Those who argue that councils should be permitted to increase expenditure by £395 million more than the level of increase that the settlement already provides for either want council tax levels to be increased by 40 per cent. more than would otherwise be the case, or AEF to be increased by nearly 11 per cent.

The second option of increasing AEF could be achieved only by cutting one or more of the other Scottish Office block programmes, such as the national health service, to which the hon. Member for Dundee, East referred, industry or higher education. We would not be talking merely about a minor redeployment of resources between programmes. To provide anything like an extra £395 million for local government, major surgery would be required in other expenditure programmes. The reality is that the level of the Scottish block resources is finite, and that more for local government means less for other programmes.

The hon. Member for Hamilton (Mr. Robertson) was quoted in *The Scotsman* newspaper last Saturday as having said:

"a Labour Government would not be able to offer a pot of gold to local government or anyone else."

It is a pity that the reality of the Scottish block and formula arrangements was not appreciated more widely on the Opposition Benches, and that the hon. Member for Hamilton persisted in failing to recognise the favourable treatment that local authorities had received in this year's block allocations.

Glasgow city council has received a settlement for next year which, first, gives it a level of AEF of just under £830 million. That is no less than 82 per cent. per head of population higher than the average level for English authorities. Glasgow has by far the highest per capita level of AEF of all the mainland councils. Only the three islands councils have higher levels, as a consequence of their small populations.

Secondly, the settlement enables Glasgow to increase expenditure next year by £40 million, as compared with the level of planned spending in the city in the current year by Strathclyde regional council and Glasgow district council. That is an increase of nearly 5 per cent.

Mr. Wray: Will the Minister give way?

Mr. Kynoch: I want to get through the points that I would like to make to the hon. Member for Springburn.

The council has claimed that it will have to "cut" expenditure by £68 million to come within its capping limit. The council is in fact saying that it would like to increase spending next year by nearly £110 million, or more than 13 per cent., but it has been prevented from doing so by the Government's decision to retain capping. I find the figures astonishing, but I must ask the hon. Member for Springburn whether he can explain why the council thinks that it is necessary to increase spending by between four and five times the rate of inflation.

As we are genuinely interested in devolving greater power to local authorities, we decided with some reluctance to retain capping, but it is now clear that it is just as well for council tax payers in Glasgow that we did, because an extra £68 million of expenditure by the council would have added around 55 per cent. to what the council tax level would otherwise have been.

Local government reorganisation has highlighted the fact that Glasgow has been cross-subsidised by most of the rest of Strathclyde, in terms of both spending levels and council tax levels. Many argue that higher spending levels in Glasgow reflect higher need—however, the formula for distributing resources among authorities, which is agreed with COSLA, already takes account of its greater spending needs.

That is precisely why the council receives by far the highest per capita level of AEF of all the mainland councils. I have already referred to the fact that it is 82 per cent. higher than the average level for English authorities. Both the Scottish Office and COSLA are committed to a review of the distribution formula, but there is no evidence that the existing formula is flawed.

The hon. Member for Springburn referred to libraries, museums and art galleries. I point out to him that the formula for distribution and support for libraries, museums and art galleries is adjusted not only for the population of Glasgow but includes commuters and tourists. The same applies to street clearing, to refuse disposal and to leisure and recreation. There is a weighting in the formula to take account of the points that the hon. Gentleman raised.

The Government recognise that Glasgow and the other councils that have inherited relatively high levels of expenditure as a result of the skewing of resources by the outgoing regional councils require time to bring their spending levels more into line with their grant-aided expenditure assessments. That is why my right hon. Friend

and I were prepared to accept the COSLA proposals for a three-year transitional scheme to deal with the mismatch problem. Glasgow will receive extra funding of just under £31 million next year directly as a result of that scheme, and a further £15.5 million in 1997-98.

The new Glasgow council must also seek to improve council tax payment levels within the city—at present, these are the lowest in Scotland. [*Interruption.*] The hon. Member for Dundee, East is laughing. Until now, non-payment within Glasgow has been subsidised by council tax payers and the rest of Strathclyde.

Mr. Michael J. Martin: Would it not be best if the Minister and the Secretary of State met Councillor Gould and Councillor Young to talk these matters over?

Mr. Kynoch: If the hon. Gentleman wishes to put together a delegation to see my right hon. Friend and me, we will be only too happy to meet them. Now that Glasgow is on its own, it is clearly in the interests of those in the city who pay their bills and of the council that every effort is made to bring payment levels more into line with the position in the rest of the country.

For example, I understand that Glasgow council is assuming a 90 per cent. level of payment, which compares with a payment assumption of 94 per cent. for the whole of Strathclyde, and 88 per cent. for Glasgow in the current period. If Glasgow were to increase its assumed payment rate by 5 per cent. to 95 per cent.—which is the existing level in Edinburgh and Dundee—the tax increase would be reduced by some £50. If it actually reached the level that is pertinent in Aberdeen—which is 97 per cent.—the tax increase would be reduced by some £70.

Mr. Wray: Will the hon. Gentleman give way?

Mr. Kynoch: No, I will not—the hon. Member for Springburn has secured this debate, and I wish to address the points that he raised.

While I do not deny that the new Glasgow council faces a range of difficult decisions, the truth of the matter is that, within an overall favourable settlement, it has been treated generously. It has scope to increase spending next year by £40 million—or almost 5 per cent.—and it has received by far the highest per capita level of AEF of all the new mainland councils. Its special difficulties have been recognised by the provision of almost £31 million from the mismatch transitional scheme.

The council could receive more money only by increasing the overall local government settlement, at the expense of other Scottish expenditure programmes; or by skewing the distribution even more in Glasgow's favour, at the expense of other Scottish councils.

Reference was made to savings. I say to the hon. Member for Springburn that, on the radio, I heard a councillor from Glasgow refer to £500,000 being spent by the council on a celebration of the centenary of the Scottish Trades Union Congress. I question whether that is wise funding at a time when Glasgow is crying out that it is short of funds.

In the light of all that I have said, I do not think that there is justification for either of the steps that I have talked about. The council must use the resources that are available to it in the most effective and efficient way. I ask the councillors to be responsible in setting their budget, to think of the council tax payers, and to look at the cost-effective delivery of service. I hope that a budget will be set that is sensible and reasonable for the people of Glasgow.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Thursday 22 February 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF WESTMINSTER BILL *[Lords]*

Motion made, and Question proposed,

That the Promoters of the City of Westminster Bill *[Lords]* may, notwithstanding anything in the Standing Orders or practice of this House, proceed with the Bill in the present Session; and the Petition for the Bill shall be deemed to have been deposited and all Standing Orders applicable thereto shall be deemed to have been complied with;

That if the Bill is brought from the Lords in the present Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the last Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as were made by him in the last Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during any previous Session.

Hon. Members: Object.

To be considered again upon Thursday 29 February.

Oral Answers to Questions

NORTHERN IRELAND

Peace Process

1. **Mr. Hain:** To ask the Secretary of State for Northern Ireland what assessment he has made of recent progress towards a peace settlement. [15018]

6. **Mr. Wareing:** To ask the Secretary of State for Northern Ireland if he will make a statement on his recent discussions with the Irish Prime Minister on the peace process. [15023]

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): Since I last answered questions here, my right hon. Friend the Prime Minister and I have held discussions with the leaders of all Northern Ireland political parties and their colleagues, in some instances more than once. My right hon. Friend and I have been in close contact with the Taoiseach and I met the Irish Deputy Prime Minister on 1 and 7 February. Preparations are in hand for an Anglo-Irish summit.

Mr. Hain: Have British officials met Sinn Fein recently? What are the criteria by which Sinn Fein could meet Ministers in future?

Sir Patrick Mayhew: Ministers will not meet Sinn Fein to discuss matters that are related to the peace process or political process unless and until a ceasefire has been credibly restored, as it should be forthwith. As for officials, to the best of my knowledge, there will be no meetings with officials.

Mr. Wareing: Does the Secretary of State agree that, despite the action of the IRA cowards in launching their bomb in London and killing innocent people, we owe it to the overwhelming majority of people in Northern Ireland and throughout Ireland to continue the peace process? All suggestions should be considered. The Secretary of State should consider seriously the proposal by my hon. Friend the Member for Foyle (Mr. Hume) that there should be a referendum in Northern Ireland. That would make it quite clear to those dreadful rascals and cowards that the overwhelming majority of people on both sides of the divide and in both parts of Ireland are absolutely in favour of the peace process and against the violence that has recurred.

Sir Patrick Mayhew: I warmly agree that the peace process must continue. The peace process consists of all the work that is carried out to replace conflict with the opposite of conflict. It is essential that there should be all-party and inclusive negotiation, and ways of achieving that are currently under intensive discussion with the parties and between the Governments. One of those is certainly the referendum to which the hon. Gentleman referred.

Mr. Hunter: Can my right hon. Friend confirm that it is also the policy of the Irish Government that there should be no contact with Sinn Fein at ministerial level because Sinn Fein has not condemned outright the IRA's resumption of violence? That would be in accordance with paragraph 10 of the Downing street declaration, which enjoins that only parties committed to democratic principles and to peace can take part in negotiations.

Sir Patrick Mayhew: My hon. Friend is certainly right. Paragraph 10 of the Downing street declaration stipulates that, in addition to what he has said,

"parties have shown that they abide by the democratic process".

That is exactly why the position of the two Governments is the same.

Mr. Trimble: I appreciate the Government's desire to bring about serious talks in the near future, but should we not remember that over the past 17 months, Sinn Fein-IRA constantly refused to give any evidence that they were committed to exclusively peaceful means, and latterly have demonstrated in the clearest possible manner that they have no such commitment at all? Must that not affect our future policy? Must it not mean that

we shall require much more than merely a ceasefire before we can take seriously any protestation of peaceful intent from that quarter? Should there not be urgent representations to the Irish Government that they should observe their duty under international law not to allow their territory to be used as a base for attack on this part of the United Kingdom?

Sir Patrick Mayhew: As to the latter part of the hon. Gentleman's question, I do not think that the Irish Government need any reminder of what he has in mind. I am satisfied that the co-operation between the two police forces and the two Governments on security matters is very good.

As for the first part of the hon. Gentleman's question, the key to participation in all-party negotiations is that all participants and all who claim to be participants should fulfil the stipulations of the Downing street declaration to which I have just referred. Plainly, to resort to violence at any time—let alone to go back to resorting to violence—is wholly incompatible with the stipulations. Any restoration of the ceasefire—that should occur straight away—must be credible.

Rev. Ian Paisley: Does the Secretary of State agree that policing is very important to keeping the peace in Northern Ireland? Is he aware of what took place at the police authority last night, when an overwhelming vote of no confidence was passed in Mr. Cook, the chairman, and in Mr. Ryder, one of the members? It was passed because of Mr. Cook's breach of faith as chairman in revealing matters under discussion, and because Mr. Ryder said that the police authority was a performing poodle. There was an overwhelming vote of no confidence in them, but they have said that that does not matter to them and they will do what they like and stay on. Does the Secretary of State think that it would be in the best interests of the police authority that those two men leave the police authority?

Will the Secretary of State keep in mind the fact that men and women have risked their lives in Northern Ireland for being members of the police authority, and that the majority has a legitimate case to put and should be heeded?

Sir Patrick Mayhew: The hon. Gentleman is right to say that policing is extremely important to the people of Northern Ireland, especially in the present circumstances. It is a thousand pities that divisions are so manifest in the police authority. I look forward to meeting the chairman of the police authority at an early date, and I shall wish to hear about what has occurred and any proposals that he may have.

Mr. Hume: Does the Secretary of State agree that everybody in the House wants to see lasting stability in Northern Ireland; that the only way to bring that about—without threat to any section of our people—is by agreement; and that the way to do that is to get all parties to the table? Does he further agree that it should be the urgent priority of the Government to get all parties to the table as soon as possible? If anybody has to take risks to do that, they are worth taking if we are going to save human life.

Sir Patrick Mayhew: I have no difficulty in agreeing with everything that the hon. Gentleman has said. One can identify an objective, but it is easier to identify and to express it than it is to achieve it. As I have twice said this afternoon, it is the immediate objective of the Government—as I know it is of the parties—to achieve inclusive, all-party negotiations, but they have to take place on the basis of confidence that the requirements of the Downing street declaration are fulfilled. That is the stumbling block at the moment.

I am grateful for the conversations that I have had with the hon. Gentleman, as with other party leaders. We must examine and continue to examine the situation. I share the same objective as the hon. Gentleman.

Mr. Peter Bottomley: May I ask that attention be given to the background to the report in today's *Evening Standard* about the reaction in the United States to the fracture of the peace process? Would it be possible to explain, with the Irish Government, to some of the writers in American newspapers that, if they interviewed Families Against Intimidation and Terror or if they listened to the words of the family of the young man who was fatally involved in the Aldwych bomb, they would understand that the British and Irish Governments are trying to unlock the doors to all-party talks that could be held on conditions to which all parties can agree?

Sir Patrick Mayhew: My hon. Friend is right. I pay tribute to the brave and moving words of the family of the young man. I think that there is an extraordinarily widely held misapprehension, not only in the United States, about the true character of the decision to return to violence. It is essential that we all explain the realities of the situation—not least that the British Government, far from dragging their feet, have had countless meetings with all concerned, including Sinn Fein, with a view to achieving the all-party negotiations that are the only route to a political settlement.

Ms Mowlam: Will the Secretary of State outline his views on the merits of Labour's proposals earlier this week for formal and intensive talks with the Northern Ireland parties and the two Governments, where appropriate, to reach widespread agreement on the way to bring the parties to full negotiation? That could include a combined referendum and an elective process to take the parties directly into talks, and chronologically fixed stages for the possible referendums and talks to begin. Will the right hon. and learned Gentleman confirm that, as we believe, for Sinn Fein to take part in any negotiations in which Ministers are involved, it must be committed to a genuine ceasefire—as article 10 of the Downing street declaration states?

Sir Patrick Mayhew: I warmly agree, particularly with the last part of the hon. Lady's remarks. It is impossible to suppose that Ministers in this Government—the Irish Government have made exactly the same point—will discuss matters with a party inextricably associated with people who have gone back to violence to achieve their political aims and who have turned their backs on the democratic process. A restored ceasefire is absolutely essential. We have a shared policy and objective across the House—that there shall be inclusive negotiations on an all-party basis within the three-stranded structure, because that is the only way through to the political settlement that we all seek. The means to which the hon.

Lady referred are certainly each of them relevant to that process. They are not exclusively relevant—we have an open mind on any constructive ideas that are put forward in the process that we are continuing.

Inward Investment

2. **Mr. Nigel Evans:** To ask the Secretary of State for Northern Ireland what estimate he has made of the level of inward investment into Northern Ireland in 1995-96. [15019]

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): Since April 1995, Northern Ireland has secured eight inward investment projects promoting 2,306 jobs, representing a total investment of £179 million.

Mr. Evans: One dividend of the ceasefire has been the ability of Northern Ireland to attract increasing levels of inward investment. Does my right hon. Friend agree that a number of potential investors will be looking carefully at any progress towards not only a ceasefire but a permanent ceasefire in Northern Ireland before making any decisions about investing there? Would it not be in the best interests of all people in Northern Ireland to work together to secure the resumption of the ceasefire as quickly as possible?

Mr. Ancram: My hon. Friend makes a valid point. I have made it clear from the Dispatch Box before that the best incentive for inward investment is a lasting peace in Northern Ireland. The Province has experienced troubles before but still managed during them to secure investment. The examples of Shorts, Ford and Du Pont during the troubles show that if the economic indicators in Northern Ireland are right, inward investment can be attracted. That is the case at the moment, and we look forward to continuing to promote inward investment in Northern Ireland.

Sir James Molyneaux: Will the right hon. Gentleman and the Minister in the other place consider convening a meeting of bankers, now that three more banks are coming to Northern Ireland, for the purpose of studying how they might best assist small industries in the Province? That is not to be confused with any proximity exercise.

Mr. Ancram: I am grateful to the right hon. Gentleman for that distinction. I will certainly put his idea to my noble Friend, Lady Denton, who I am sure will want to discuss the matter further with the right hon. Gentleman. We are all agreed that we must work to promote the economic prosperity of all parts of Northern Ireland. Whatever the men of violence may wish towards their communities, we want those communities to prosper, and we shall continue to work for that.

Rev. William McCrea: I welcome the number of inward investment jobs to which the Minister referred, but is he aware that there is disappointment west of the Province at the number of jobs that have gone in that direction? The Minister will be aware of the tragic announcement of the loss of 144 jobs at Unipork. What special measures can the Government take to ensure that jobs are directed to areas such as Cookstown?

Mr. Ancram: I am sure that the hon. Gentleman is aware that we have tried to attract inward investment to all parts of the Province, not just particular parts of it. We appreciate that there are difficulties in certain areas. He will be aware that there has been considerable inward investment in his constituency—for example, the new factory in Strabane that will result from the EU peace initiative. The investment of £800,000 in the factory is a good example of what we are trying to do. I heard what the hon. Gentleman said, and I shall pass it on to my noble Friend.

Mr. Illsley: Does the Minister agree that inward investment and the creation of jobs can play a part in defeating terrorism? Will the Government continue to encourage the business community, as we have done? Will the Government pledge to do all that they can to assist Bombardier in its discussions with Fokker—discussions that could not only protect existing jobs at Shorts but create extra jobs?

Mr. Ancram: I agree with the hon. Gentleman that inward investment, prosperity and the creation of jobs have a role to play in underpinning peace, which is why economic prosperity and the encouragement of it has always been a major part of the Government's economic and overall strategy in Northern Ireland.

As to Shorts, my noble Friend Lady Denton was recently in Holland and met the Dutch Government. The problems facing Fokker are commercial and need to be resolved on that basis. The Industrial Development Board is maintaining close contact with Shorts and Bombardier on development.

Mr. Atkins: Can my right hon. Friend confirm that one of the most important sources of inward investment is tourism, and that part of the essential reason why the peace process must work is that tourists can be attracted into the Province in even greater numbers than before? Will he take note of the fact that the unceasing work that is done by him and by my right hon. and learned Friend the Secretary of State in trying to resolve the problems of the troubled Province goes down extremely well with all those who love that part of the United Kingdom, with an affection that is not confined just to Opposition and Conservative Members?

Mr. Ancram: I am grateful to my right hon. Friend for those remarks. I am sure that that gratitude is shared by my right hon. and learned Friend the Secretary of State.

I understand what my right hon. Friend is saying about the importance of tourism, but tourists are, by and large, adventurous. I was encouraged to hear that the staff on the stands of the Northern Ireland tourist board at Perth and Glasgow in recent days were inundated with support from people who came to talk to them.

Secondary School Pupils

3. **Mr. Gapes:** To ask the Secretary of State for Northern Ireland what percentage of children of secondary school age are in (a) comprehensive schools (b) grant-maintained comprehensive schools (c) religious denominational voluntary aided schools (d) private schools, and (e) selective state grammar schools. [15020]

Mr. Ancram: Because of the different educational structures at secondary level in Northern Ireland compared with Great Britain, school types do not read across directly. The relevant Northern Ireland figures are that some 40 per cent. of secondary age pupils attend grammar schools, 58 per cent. secondary schools, just over 1 per cent. grant-maintained integrated schools and less than 1 per cent. independent schools.

Mr. Gapes: Is the Minister aware that the statistical bulletin produced by the Department of Education in Northern Ireland refers to the unacceptable number of poorly qualified or unqualified school leavers coming out of schools in Northern Ireland? What do the Government plan to do to remedy that?

Mr. Ancram: That has been a matter of concern to me as Education Minister during the time that I have held that office. It was for that reason that I introduced the raising school standards initiative, which is directly targeted at dealing with that problem. In Northern Ireland, only 4 per cent. of pupils fail to achieve any GCSEs compared with 8 per cent. in England. Although there is still more to be done, our policies in that area are working.

Mr. John Marshall: I congratulate my right hon. Friend on that answer and the people of Northern Ireland on their good fortune—which many in England would like to share—in having so many grammar school places. Does not the main hope for the future in Northern Ireland lie in the growth of non-denominational education, as denominational schools can merely aggravate the religious divide?

Mr. Ancram: I am grateful to my hon. Friend for the first part of his question. I know that the attraction of selective education is understood not only by Conservative Members but by one or two Opposition Members, who like to take advantage of it.

Education generally in Northern Ireland—not only the selective system—produces good results. It is worth remembering that 87 per cent. of pupils in Northern Ireland achieve two A-levels as against 81 per cent. in England. In addition, 51 per cent. of pupils in Northern Ireland achieve five good GCSEs as opposed to 44 per cent. in England.

We have always made it clear that we shall promote and encourage integrated education, but it must be based on parental demand and not on coercion.

Dr. Hendron: I would appreciate it if, at some time, the Secretary of State or the Minister would make a statement about the percentage of school children in my constituency of Belfast, West who have been able to attend a secondary school, grammar school or some school like that.

When will the Secretary of State be in a position to make an announcement about the proposal of the University of Ulster to have a campus at Springvale? I know that the right hon. and learned Gentleman is aware that there is truly massive support throughout both communities in west Belfast and north Belfast, and far beyond, for such a campus.

Mr. Ancram: On the first part of the hon. Gentleman's question, I shall be happy to meet him to discuss the situation and to try to provide him with some of the information that he seeks.

As for the Springvale campus, the Government have received an economic evaluation, which we shall be examining closely before coming to a final decision.

Planning Applications

4. **Mr. McAvoy:** To ask the Secretary of State for Northern Ireland what financial resources he has allocated to fund organisations which assist community groups to make submissions on planning issues. [15021]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): Community technical aid was established in 1980 to provide advocacy and technical support to community organisations on planning issues. In 1995-96, the Northern Ireland Department of the Environment provided £110,000 to CTA.

Mr. McAvoy: I am grateful to the Minister for his answer. As he knows, however, there is a democratic deficit within the planning process in Northern Ireland, which has been the position for some years. Bearing that in mind, surely he will agree that it is essential that there is a proper balance within the decision-making planning process so that organisations such as community technical aid are fully funded to ensure that community groups are properly trained so that they are able to take on the system.

Mr. Moss: I agree with the hon. Gentleman. The Department has recently had CTA's work evaluated by independent consultants. A management consultant has just finished a six-months' assignment with CTA, during which it was assisted to streamline the organisation and refocus activities in its main areas of business. I am happy to reiterate what I said to the Select Committee that examines planning issues. If the organisation feels that it needs more resources, I shall consider any approach that is made to me on that basis.

Mr. Budgen: Will my hon. Friend explain why the planning process in Northern Ireland cannot be carried out by properly elected local government? Will he give to the constitutional nationalists a sense of purpose and a proper role in the community of Ulster, and to a great extent stop their aspiration for a united Ireland, if necessary by force?

Mr. Moss: I am grateful to my hon. Friend for his question. I have some sympathy with the sentiments that lie behind it. I have visited every district council in Northern Ireland over the past year, and there is a level of frustration among elected councillors because of their lack of involvement in the planning process. However, the future reorganisation of local government in the Province is really a matter for discussion between my right hon. and hon. Friends and the elected Members who represent Northern Ireland constituencies, in terms of future political development.

Mr. Dowd: If there is to be some movement away from the highly centralised development control system in Northern Ireland, will the Minister consider the scope for more local determination? To retain confidence, will he consider using his Department for appeals by both applicants and objectors?

Mr. Moss: We are considering listening to the advice of district councils as to how we can involve them more in the process of planning procedures. As for the latter part of the hon. Gentleman's question, there is no procedure in Great Britain, as a whole, to make appeals on the basis for which he asks. Until such changes are made here, the process in Northern Ireland must continue as it is.

Coronary Heart Disease

5. **Mr. Simon Coombs:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress in reducing the incidence of coronary heart disease in the Province. [15022]

Mr. Moss: Over the past 10 years, premature deaths from coronary heart disease in Northern Ireland have fallen by 33 per cent.

Mr. Coombs: Will my hon. Friend confirm that, between 1985 and 1994, the number of deaths from premature coronary heart disease fell from 1,056 to 703? Does he agree that much of the credit for that should go to the change of heart programme, which was set up in 1986 by my right hon. Friend the Member for Bridgwater (Mr. King)? Nevertheless, does my hon. Friend recognise that the level of heart disease in Northern Ireland remains among the highest in the world? What further plans does he have to research the reasons for that high incidence of heart disease and to promote better dietary and other habits to reduce those figures further still?

Mr. Moss: As my hon. Friend says, that reduction is one of the great achievements of the health service in Northern Ireland over the past decade and more. The change of heart programme was established in 1986 and set a target of a 15 per cent. reduction, which we achieved within five years. We have now set more challenging targets, of about a 40 per cent. reduction by the turn of the century. As for attacking the problem of a regional health strategy for health and social services, we have set a target to increase the number of cardiac operations in Northern Ireland by about 1,200 in the coming years. We have reached that target in the past two years, and we hope to do more in the future.

Rev. Martin Smyth: Does the Minister accept that a change in diet and habits is needed—rather than the change of heart to which he referred in relation to surgical operations—which has been achieved by the Chest, Heart and Stroke Association's campaign? Is it not wrong for advertisers, particularly tobacco advertisers, to try to lure children into that habit, which has an adverse effect on children's hearts?

Mr. Moss: I am grateful for the hon. Gentleman's comments, and I acknowledge the work that has been done by the society that he mentioned. The change of heart programme tackled the main risk factors of smoking, raised blood pressure, cholesterol and physical inactivity. The Health Promotion Agency in Northern Ireland manages the change of heart programme and spends about one third of its £1.3 million budget on resources to tackle the risk factors associated with heart disease. The agency's efforts are complemented locally by the health promotion work of the health and social services boards and trusts and by general practitioners. New Province-wide strategies on food, nutrition and physical activity are being developed.

Mr. McGrady: Despite the good news about trends that the Minister has delivered to the House, is he aware of the very alarming instruction issued by the director of the Royal Victoria hospital to consultant cardiac surgeons that they should not perform any further cardiac surgery except in cases of extreme emergency or when patients are referred to them by a fundholding general practitioner in the entire area of the Eastern and Northern health board? Is that not very discriminatory, and what action does he intend to take to ensure that my constituents, particularly those with cardiac conditions, get an equal deal in health care?

Mr. Moss: I am not aware of the details of the hon. Gentleman's question, but, if he will write to me, I shall certainly look into the matter for him. I repeat that the regional strategy sets a target for increasing the number of cardiac operations in Northern Ireland from only 700 in 1990 to 1,100 by 1993. That target has since increased. We have appointed two additional cardiac surgeons at the Royal Victoria hospital in the past three years, and we intend to tackle the problem head on in the future.

Mr. Fabricant: Has my hon. Friend seen the research work undertaken by Professor Alan Howard of Cambridge university that states that drinking a glass of red wine a day helps to alleviate heart disease? Will he encourage all the excellent hostelries throughout Northern Ireland—in Belfast and Bangor—many of which I am personally familiar with, to sell not only the excellent stout produced in the island of Ireland but red wine?

Mr. Moss: My hon. Friend will have to wait until the new licensing laws are announced, which I hope to do in the near future.

Elections

7. **Mr. Robert McCartney:** To ask the Secretary of State for Northern Ireland in what circumstances the Government of the United Kingdom seek the prior consent of the Republic of Ireland to execute decisions relating to elections within the United Kingdom. [15024]

Sir Patrick Mayhew: There are no such circumstances, as the execution of such decisions would fall within the exclusive jurisdiction of Her Majesty's Government.

Mr. McCartney: Does my right hon. and learned Friend accept that the pique expressed by the Government of the Republic about the alleged failure of Her Majesty's Government to consult them on the issue of elections in Northern Ireland seems to reveal a claim to a role in Northern Ireland's affairs under the 1985 agreement that goes well beyond the consultative? Is my right hon. and learned Friend aware that in November 1985, on the day after the Anglo-Irish Agreement was signed, the then Taoiseach of the Republic told Members of the Dail Eireann that the powers granted to the Republic went far

beyond the consultative and stopped short of being full executive powers only because of the notional idea or concept of sovereignty?

Sir Patrick Mayhew: I do not think that I shall follow the hon. and learned Gentleman down the paths that his question took; nor do I think it profitable to explore what was undoubtedly a period of disagreement that arose out of the Government's response to the Mitchell report. Both Governments remain united in seeking to help the people of Northern Ireland to achieve a comprehensive political settlement. They also remain united on the means by which that can be achieved: a process of inclusive all-party negotiations. I would prefer to concentrate on that rather than on the occasional ups and downs that occur in such a close relationship.

Mr. Bill Walker: Does my right hon. and learned Friend recognise that, whatever the Republic of Ireland's views, they are not important in the sense of what the House will and cannot do? What is important is that the IRA should never get the message that it can intimidate Her Majesty's Government or the House into not holding elections in Northern Ireland.

Sir Patrick Mayhew: I very much agree with my hon. Friend. It has been a matter of great importance that the two Governments should stand side by side in their response to the evil and totally unjustified return to violence that has been carried out by people who have turned their backs on democracy.

Mr. John D. Taylor: As most people in Northern Ireland—with the exception of Sinn Fein—agree with the principle of consent, does the Secretary of State recall that the large majority of people in Northern Ireland oppose the Anglo-Irish Agreement and that all hon. Members on the Ulster Unionist Benches remain implacably opposed to it? Does he therefore understand clearly that any statement by the Government on the future political process in Northern Ireland that implicitly involves the Anglo-Irish Agreement cannot succeed?

Sir Patrick Mayhew: I think that the right hon. Gentleman will recall that part of the purpose of the negotiations, about which we have been talking at length this afternoon, is to see whether a new and more widely accepted agreement between the two Governments can be found. That was part of the process of the three-stranded talks in 1991-92 and it remains something which, by definition, would be desirable.

Mr. John Greenway: Does my right hon. and learned Friend also accept that a great many people in Northern Ireland support political parties that are not represented in the House? Does he agree that elections that would lead directly to all-party talks would enable their concerns and interests to be given a voice in those all-party talks?

Sir Patrick Mayhew: My hon. Friend raises a very important matter. It is important to remember that, as was observed by Senator Mitchell in his report, a process of elections would need to be widely accepted. One of the reasons why it seems to offer a means of carrying forward the confidence that is needed is that it would enable Northern Ireland's people to make their views known in the new circumstances.

Mr. Mallon: Will the Secretary of State confirm that the only parties that refused to enter all-party negotiations were the two Unionist parties and that the Prime Minister's stated reason for proposing an elective process was to get those parties directly and immediately into all-party negotiations? Is the right hon. and learned Gentleman aware that yesterday the Unionist parties made it clear that, even after an elective process, they would not go directly and immediately into all-party negotiations? Why does the Prime Minister foolishly and stubbornly pursue a policy that cannot achieve his own stated objective?

Sir Patrick Mayhew: I have always found that the Unionist parties, like every other party represented in the House, are well capable of speaking for themselves. On the whole, it is wiser to let them do so—that is true of all parties in the House. Rather than go down a historical road, especially one that is conditioned by the premises of the hon. Gentleman's question, I would prefer to concentrate on what unites parties in the House, particularly those that take a close interest in Northern Ireland affairs: the need to establish an inclusive process of talks, at which are represented all the parties that fulfil the stipulations of paragraph 10 of the Downing Street declaration. That means in particular those that have established that they are wholly committed to democratic principles. That is what unites us all. We must now set much of the past behind us and concentrate on the means by which that objective can be achieved.

Mr. Peter Robinson: Is the Secretary of State aware that, over the past few days, Government spin doctors have been briefing the press to the effect that he and the Prime Minister do not view as mutually exclusive the proposal for an elected convention put forward by my party, the referendum proposal put forward by the hon. Member for Foyle (Mr. Hume) and the proximity talks proposal being put forward by the Government of the Irish Republic? Is that the direction in which the Government are leaning?

Sir Patrick Mayhew: If any spin doctors—I have never met one—have been spinning in the direction of the idea that all these proposals are put forward in good faith as offering a possible way forward and that all are relevant to achieving the objective that we share, I am glad, and I hope that they will go on spinning, because it happens to be true. In the process of the intensive talks that are going on, we must try to rough-hew an agreed way forward. There are good prospects of doing so.

Mr. Worthington: If there is general support for elections, as the Secretary of State said, does he agree that all parties that are committed to exclusively peaceful methods should know at the time of the elections when, where and how all-party talks should take place?

Sir Patrick Mayhew: There is no doubt that nationalists are anxious that all-party negotiations of an inclusive type are started as soon as possible. There is nothing special about them—I think everybody is

concerned about that. We cannot identify a date as being the one with certainty on which negotiations will start. We can, however—this is useful—do what my right hon. Friend the Prime Minister has done: set out a timetable by which it seems likely that the House would approve the necessary legislation and by which thereafter we could, in a short space of time, measured in days rather than weeks, enter the negotiations that we all seek.

8. **Mr. Simpson:** To ask the Secretary of State for Northern Ireland what assessment he has made of the effect of elections on the level of violence in Northern Ireland since 1971. [15025]

The Minister of State, Northern Ireland Office (Sir John Wheeler): There does not appear to be any direct correlation between elections and levels of violence in Northern Ireland.

Mr. Simpson: Is the Minister aware of figures provided for me by the Library, tracing the past 25 years? They show not only that there is no correlation between election years and positive peace-building processes but that election years have invariably produced more deaths, injuries, explosions and firearms caches, which have bucked the trend of decreasing violence. Does the Minister accept that wider evidence suggests that elections follow the conclusion of all-party peace talks rather than their pre-emption? Is that not where the Government should be starting right now?

Sir John Wheeler: I cannot comment on the detail of the figures given by the hon. Gentleman. What I can say is that, in the event of elections, the Royal Ulster Constabulary will produce a plan to protect the public who wish to participate in them.

PRIME MINISTER

United Nations

Q1. **Dr. Godman:** To ask the Prime Minister, pursuant to his answer of 30 January, *Official Report*, column 772, what proposals he has made for the abolition of United Nations bodies. [15047]

The Prime Minister (Mr. John Major): I believe in an effective United Nations. Eliminating waste must be part of that. As I advised the hon. Gentleman recently, that includes, where necessary, a long-term look at the functions and programmes that have outlived their usefulness.

Dr. Godman: Before any such bodies can be abolished, the United Nations must contend with the election of a new Secretary-General. Why are the Government advocating the re-election of Dr. Boutros Ghali so assiduously? Should not the Prime Minister and other leaders be campaigning for a candidate of the stature of, say, President Mary Robinson of the Irish Republic, or some other stateswoman or statesman of equal standing? As for Dr. Boutros Ghali, should we not be saying cheerio to the old fellow?

The Prime Minister: As I think the hon. Gentleman knows, the Government do not indicate how they will vote on these occasions, and I do not propose to do so now. What I think most important is that the United Nations is efficient, and efficiently run. It is distressing to note that a large number of United Nations bodies have patently outlived their usefulness. They have no proper functions to perform either now or in the future, and they should be removed.

Engagements

Q2. **Mr. Malcolm Bruce:** To ask the Prime Minister if he will list his official engagements for Thursday 22 February. [15048]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Bruce: Can the Prime Minister explain to the House—and, indeed, to the public—why, when the reputation of members of his Cabinet is at stake and when the House is to debate a report that he personally commissioned, he is denying the House a substantive motion on which to vote and, moreover, is not prepared to come here and take part in the debate?

The Prime Minister: I am here every Tuesday and Thursday to answer questions, and I do answer those questions.

Mr. Mackinlay: Where is the right hon. Gentleman on Mondays, Wednesdays and Fridays?

The Prime Minister: If hon. Members wish to have Prime Minister's Questions on Mondays, Wednesdays and Fridays, I am not entirely sure that they will carry the whole House with them.

The House will be able to vote on Monday's motion, and it is very likely that it will do so. If the main charges against the Government had been proved, of course it would have been entirely proper for me to be here to defend that, but they were not proved. Sir Richard has agreed that there was no conspiracy, no cover-up. It is entirely proper that my right hon. Friend the President of the Board of Trade, to whom the report was addressed, should lead for the Government, and he will do so.

Mr. Nicholls: Does my right hon. Friend agree that it is simply unacceptable that an unelected foreign court should put its judgment on British policy before that of a British Home Secretary? If ultimately we have to follow the consequences of backing British opinion and contemplate leaving the European Court of Justice at the expense of pandering to the European liberal intelligentsia, would that not be very much the lesser of two evils?

The Prime Minister: It is of course extremely disappointing—and to many hon. Members extremely irritating—that the European Court of Human Rights has found against the Government on a procedure that has been used in this country for very many years. My right

hon. and learned Friend the Home Secretary is looking very carefully at the judgment to see precisely what effect it has. I have said before that the Government are not satisfied with some of the rulings made by the European Court of Human Rights and we are pursuing with other members of the Council of Europe precisely what might be done to improve what we believe is a flawed system.

Mr. Blair: Does the Prime Minister agree that there are two questions on the Scott report: first, was Parliament misled and, secondly, were Ministers to blame? On the first, the Chancellor has been forced to issue an apology today for a Treasury press release and has admitted that Scott found that Parliament was misled. Does the Prime Minister agree with that? Can we have a clear answer? Does he accept that Scott found that Parliament was misled?

The Prime Minister: There were two questions, of course, that Sir Richard Scott was asked to investigate, and he investigated both those and other matters as well. The two principal points that Sir Richard was asked to determine were, first, whether Saddam Hussein was illegally supplied with arms—as charged by right hon. and hon. Opposition Members—and he found that he was not; and, secondly, whether there was a conspiracy to pervert justice by an improper use of public interest immunity certificates and, again, he found that there was not.

On whether Parliament was misled, as I have said to the right hon. Gentleman before, none of my right hon. Friends intentionally misled Parliament. They did not. If the right hon. Gentleman had read the Scott report carefully, he would know what Sir Richard had to say about that. He would know that my right hon. Friend the Chief Secretary to the Treasury was cleared of duplicitous intent and that he was not accused of deliberately misleading Parliament. The right hon. Gentleman knows that and I am surprised that he keeps pursuing a point that he knows is wrong.

Mr. Blair: We will come to the question of blame, Ministers deliberately withholding information from Parliament in breach of rules of accountability, not telling the truth when they were in a position to know so—all of which Sir Richard found. Can I have it clearly on the record whether the Prime Minister, leaving aside the question of intention, to which we will come, accepts that Parliament was misled—yes or no?

The Prime Minister: I answered that question on Tuesday. I have answered that question again today and I have made it absolutely clear. There was no intention whatever to mislead Parliament—nor did my right hon. Friends do that on any occasion of which I am aware.

Mr. Blair: The Prime Minister is not prepared to answer the basic question. How has he reached the position of commissioning the report to get at the truth, and three years and millions of pounds later walking away from the findings that he does not like? Just like Nolan, just like Greenbury—it is a textbook definition of Majorism. Can the Prime Minister please tell us whether he accepts the key findings, first, that Parliament was misled and, secondly, that Ministers deliberately withheld information in breach of the rules of ministerial accountability? If he cannot answer them, we will conclude that he is unable and his Government are unable to distinguish between what is true and what is false.

The Prime Minister: That was not so much a sound bite as a sound nibble. The right hon. Gentleman knows that there was no deceit whatever, and that was apparent from the report. I will tell the House why the right hon. Gentleman keeps moving to these points. He knows that on the substantive issues Sir Richard found in the Government's favour. He knows that on the issues that the inquiry was set up to consider, the Government were found to have behaved entirely properly. That is why the right hon. Gentleman changes the ground rules.

On the central issues of the Scott report—the issues that have led the Opposition to blackguard the Government repeatedly over the past three years—Sir Richard found in the Government's favour. The right hon. Gentleman will scrabble on wherever he can to change what he said before and to hide what he said before, and to try to impute deceit where there was none.

Dr. Spink: Why are non-wage labour costs in the UK half those of our major competitors? Why is our take-home pay higher than that of our major competitors and why is our unemployment lower? Is it a result of the Government's policies, which are making us the enterprise centre of Europe?

The Prime Minister: My hon. Friend is right to draw attention to this country's favourable economic position. He is equally right to draw attention to the fact that, if we accepted the social costs, through the social chapter as it is now and the social chapter as it would be if any British Government were foolish enough to join it, we would find the same extra costs, the same lack of competitiveness and the same increase in unemployment as we have seen in so many of our competitor countries across Europe. We have no intention of making those mistakes. No party that is genuinely concerned about employment should contemplate such policies, because they will keep people out of work who are out of work at present and they will put out of work people who are in work at present.

Q3. **Mr. Mike O'Brien:** To ask the Prime Minister if he will list his official engagements for Thursday 22 February. [15049]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. O'Brien: Returning to the Scott report—[HON. MEMBERS: "Oh."] Conservative Members suggest that it is boring. It is not boring in my constituency, which is just down the road from Matrix Churchill. Now let the Prime Minister try to give us a straight answer to a straight question. Does he accept the finding of the Scott report that the Attorney-General was personally at fault for failing to pass on the view of the Deputy Prime Minister that the documents for which he claimed public interest immunity should be shown to the defence?

The Prime Minister: The Attorney-General made it clear to the House on Monday that he took specific steps to ensure, through my right hon. Friend's special PII certificate, that the judge was alerted to the need for

special care. The judge exercised his discretion, precisely as the Attorney-General had said he would, and ordered the disclosure of the relevant papers to the defence. The hon. Gentleman should stop twisting and misinterpreting what happened.

Q4. **Mr. Carrington:** To ask the Prime Minister if he will list his official engagements for Thursday 22 February. [15050]

The Prime Minister: I refer my hon. Friend to the answer I gave some moments ago.

Mr. Carrington: Does the Prime Minister agree that, with high unemployment in this country and even higher unemployment in our European partner countries, we need policies that will lift the burden off industry to enable it to create jobs? Whatever the wriggling, the Labour party's support for the social chapter and the minimum wage blows apart its claim to be able to create jobs. All it would do is tax jobs.

The Prime Minister: My hon. Friend is right about that. *[Interruption.]* I said "my hon. Friend". Fond though I am of the right hon. Member for Kingston upon Hull, East (Mr. Prescott), I do not regard him as my right hon. Friend in parliamentary terms— *[Interruption.]* The right hon. Gentleman seeks repeatedly to interrupt Prime Minister's Question Time. He reminds me that it was he who said that, after 15 years of deregulation, he did not see much investment flooding in. He should go to Sedgefield, Livingston and all sorts of other places throughout the country to see the inward investment that has been a result of this Government's policy. It has provided jobs for people whom the right hon. Gentleman's policies would leave on the scrap heap for ever.

Q5. **Mr. McAvoy:** To ask the Prime Minister if he will list his official engagements for Thursday 22 February. [15051]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McAvoy: The Prime Minister keeps on repeating that the Scott report has cleared his Government. If that is the case, why is he so scared of allowing the House a vote on the future of the two Ministers concerned? What is he scared of?

The Prime Minister: The House will have its opportunity to debate and to vote on the motion on Monday. I have indicated my confidence in both Ministers. I have indicated that, on the two substantive matters that caused me to set up the Scott report, Sir Richard has cleared the Government of any malpractice whatsoever. I have also said before, and I repeat it again now, that what happened did bring out shortcomings in some areas. I said that last week and I repeat it again today. We will take those shortcomings very seriously. We are examining what Sir Richard had to say and we will bring before the House speedily our proposed measures to remedy those things that need changing.

Oil Tanker (Milford Haven)

3.30 pm

The Secretary of State for Transport (Sir George Young): On Monday, I made a statement to the House on the Sea Empress. In it, I referred to the difficulties of such operations and said that the resolution of the incident would take time. I stressed that the weather would remain the crucial factor in determining progress. I am now informing the House of the steps that have been taken since Monday and the further steps that the Government propose to take thoroughly to assess the incident and its consequences, and to establish what lessons should be learned and what further action needs to be taken.

Since my earlier statement, the elements have posed considerable dangers and difficulties for the salvors engaged by the ship's owners. Difficulties with wind and tide have led to the ship regrounding on a number of occasions and to the loss of additional and significant amounts of oil. Despite those difficulties, immense efforts have been made by the salvors to try to stabilise the ship to prevent further loss of oil and to remove the oil still on board.

Where oil has escaped, my Department's marine pollution control unit's aircraft have sprayed it with dispersants. At the same time, between 150 and 160 people, organised by the MCPU and supervised by qualified beachmasters, have been working to clean up oil that has been washed ashore. There has been no shortage of manpower or resources: all the equipment that could physically be brought on to the beaches has been made available. The local and harbour authorities and voluntary bodies have also been working hard to protect the environment.

As the House knows, the ship was successfully refloated last night and towed to a jetty in Milford Haven, where it is now protected by a boom. There was some further escape of oil from the vessel during those operations. It is proposed to unload the vessel into smaller tankers that would be brought aside. That operation needs to be carefully planned and prepared, and is likely to take some days. Every effort will be made to prevent any further discharges from the ship.

We are not yet in a position to confirm precisely the amount of the ship's cargo that remains on board. Indications are that up to half the cargo, some 65,000 tonnes, has been spilt. Of this light crude, around a quarter will have evaporated. However, there is considerable pollution at sea and on parts of the coastline. Much of the pollution at sea is in the form of sheens, but there are also patches of thicker oil. When it is appropriate to do so, those thicker patches are being sprayed with dispersants by aircraft.

Three oil recovery vessels are also currently operating at sea, and two further oil recovery vessels are proceeding to the area. Oil recovery operations are also continuing within Milford Haven.

There is pollution on parts of the coastline. The clean-up techniques used will vary between sites, and are decided in full consultation with environmental experts and interests, under the overall control of a joint response centre established by the MPCU and the harbour and local authorities in Milford Haven. The clean-up operations are being undertaken by local authority and oil company personnel and by specialist contractors.

Every assistance is being given to the voluntary organisations that are dealing with oiled sea birds. I pay tribute to those organisations for all the valuable work that they are doing.

The House will want to know what the Government will do to find out, first, the causes of the accident, secondly, the lessons that can be learned from the way in which the salvage operation was conducted, and, finally, the extent of environmental damage and the effectiveness of the response and clean-up operations.

First, as I told the House on Monday, the marine accident investigation branch has already initiated an inquiry into the causes of the grounding of the Sea Empress. MAIB inspectors have been on the scene since Friday, and have made good progress. The chief inspector of marine accidents will provide me with a full report, which will be published. I am sure that the MAIB is the right body to do that. That is the purpose for which it was set up under an Act of Parliament.

We need a thorough professional examination of what went wrong, so that we can learn whatever lessons there are to learn for the design, operation, management and pilotage of tankers. MAIB, like the parallel body for the investigation of air accidents, the air accident investigation branch, has the highest reputation for professionalism and integrity. I assure the House that, in this case, as in others, its investigation and its report will be independent.

Secondly, I shall explain the conduct of the salvage operation. Salvage operations can only be undertaken by skilled, experienced professionals, and the consortium engaged by the ship's owners includes one of the world's leading salvage firms. The responsibility for the conduct of the salvage operation rests with the salvors. Although their proposals have to be considered and agreed both by the port authority and by the marine pollution control unit, responsibility for their initiation and execution rests with them. The salvors had to determine the resources needed and to ensure that they were to hand.

I reiterate my unstinting admiration—which I am sure the whole House shares—for the tireless work that the teams of salvors, together with members of the emergency services, military and civilian helicopter crews, the ship's crew, Admiralty salvage experts, members of the MPCU and all those involved, have put into the salvage operation since the accident, often in diabolical conditions of danger, gales, freezing temperatures and acute physical discomfort. It is all too easy to criticise their efforts from the comfort of the armchair, the studio or the news room.

None the less, for all their herculean efforts, the vessel remained stranded for five days, and about 65,000 tonnes of oil has been spilt. I know that the House shares my disappointment and frustration at the repeated failures of the earlier salvage attempts, and my deep concern at the environmental consequences. We must find out why that happened, and whether anything more might be done to make a future salvage operation more likely to succeed.

To that end, I have asked the chief inspector of marine accidents to extend the scope of the current investigation to include the salvage operations. That will include consideration of the planning and execution of the operation, and examination of the contingency plans that were made and of the input and supervision of the operation by the shipowner, his insurers, the harbour authority and the marine pollution control unit.

The chief inspector has told me that he is appointing independent consultants to help with that part of his inquiry. I look to all those involved to co-operate fully with that aspect of the investigation. I shall publish the chief inspector's report.

Thirdly, it is also essential that we undertake rigorous scientific assessments of the damage that has been caused on land and at sea, and of the effectiveness of the clean-up operations. My right hon. Friend the Secretary of State for Wales announced yesterday that up to £250,000 is being made available for a comprehensive environmental assessment and a long-term monitoring programme in the area affected by the spill. That work will start immediately, and will be undertaken by the Countryside Council for Wales, acting in partnership with other statutory agencies and voluntary environmental groups.

It is intended to assess the impact of the spillage on both coastal and marine habitats. It is also intended to assess the effect of dispersing the oil, both naturally and by chemicals, on the concentrations of flora and fauna, including sea birds, sea ducks and marine mammals. This will include a full assessment of the damage done to the Skomer marine nature reserve and Milford Haven waterway.

The levels of oil pollution in the sea water and coastal sediments will be measured, and changes monitored, as will the long-term recovery of the biological systems in general. The immediate need is to minimise, to the extent that is possible, the environmental effects of the spill. However, we must not lose sight of the need to learn for the future.

This assessment by my right hon. Friend the Secretary of State for Wales will be complemented by work to be done by MAFF, which is arranging for diversion of the research vessel Corystes from its current research work to a new mission of fishing and environmental monitoring. The Corystes will be collecting samples of fish and shellfish for analysis of residues of oil. This will supplement the present and on-going programmes of monitoring and will enable us to determine what restrictions are necessary, and to say when fishing can safely resume. In the meantime, the voluntary action ensures that fish on the market remain safe to eat.

I also wish to express our appreciation of the work of those involved in the clean-up operation, who are often working in exposed or unpleasant conditions. None the less, we will also need to assess the pollution response and clean-up operations. At this moment, it is impossible to estimate how extensive these operations are likely to be.

Operations at sea are the responsibility of the marine pollution control unit, while operations on shore fall primarily to the local authorities, assisted by the MPCU and, in this case, by the oil industry. In consultation with my right hon. Friend the Secretary of State for Wales, I propose to appoint an independent assessor to undertake a rigorous examination of the response, the clean-up procedures and the techniques employed following the Sea Empress incident.

As the report of the ecological steering group established after the Braer recommended, it is essential that these examinations of the environmental impact and of the clean-up operations are brought together and published in a form that will provide clear guidance for the future. This will be done. We believe that the measures necessary to reduce the risk of pollution were clearly set out in Lord Donaldson's report "Safer Ships, Cleaner Seas".

When we have completed the investigation and the assessments that I have referred to in this statement, we will be in a position to assess the lessons on this particular spill and set them in the context of Lord Donaldson's findings and recommendations, the vast majority of which we have accepted. The Government are determined to find out exactly what happened, to publish the results, and to learn and apply the lessons. The House would expect no less.

Ms Clare Short (Birmingham, Ladywood): I join the Government in paying tribute to the bravery of the people involved in the salvage operation. Whatever mistakes may have been made, hon. Members will wish to know that the coastguards praised the amazing bravery of the salvors, and said that the Dutch in particular had risked life and limb to save the Sea Empress and to prevent a disaster. I am sure that we all wish to send a message of thanks to all concerned.

I appeal to the Government to reconsider their decision and to accept that an inquiry by the Department of Transport's marine accident investigation branch is not an adequate response to this disaster. One of the questions that has to be asked is: did Ministers fail to implement the Donaldson report recommendations to ensure that adequate tugs were available? Surely the Secretary of State for Transport can see that it is not credible that a unit of his Department could properly investigate the possible failings of its Ministers.

I also put it to the Secretary of State that the second question is, did Ministers fail to use their powers to ensure the salvage operation was properly conducted? It now seems clear that large numbers of extra tugs were offered and refused by the salvage company employed by the shipowners, on a no win, no fee basis.

The Daily Telegraph tells us:

"the disaster has exposed how little control the Government has over salvage."

It quotes the Department of Transport as saying that salvage was

"essentially the responsibility of the firm contracted by the ship's owner."

Is that true? Did Ministers have powers to intervene and to take decisions on the calling of other tugs? Did Ministers fail to use their powers, and thus are they partly responsible for the disaster? The Secretary of State must realise that a unit of his own Department cannot answer those questions properly.

I press the Secretary of State to think again, and to recall Lord Donaldson. Clearly, his expertise is such that a speedy, independent investigation is possible. Does the Secretary of State agree that we must find out the truth and learn the lessons? Can the Secretary of State see that his refusal to recall Lord Donaldson will leave many people thinking that the Government have something to hide?

I also press the Secretary of State to make urgent arrangements—I am surprised that it was not announced in his statement—to ensure that all local people who have suffered damage and threats to their livelihoods will be provided with full advice and proper compensation.

[Ms Clare Short]

Lastly, I put it to the Secretary of State that the continuing decline of British shipping and the British fleet as a result of cost-cutting is part of the explanation of the disaster. Today's edition of *The Independent* refers to the ship as being

"Built in Spain; owned by a Norwegian; registered in Cyprus; managed from Glasgow; chartered by the French; crewed by Russians . . . carrying an American cargo."

I might add that its rescue was attempted by a Chinese tug, with a local Chinese chef interpreting. Does the Secretary of State agree that such a splintering of responsibility is bound to lead to problems?

I repeat my request to the Secretary of State to establish a high-level working party, chair it himself, and take action to restore the British fleet and the better standards of seafaring that we clearly need.

Sir George Young: I welcome what the hon. Member for Birmingham, Ladywood (Ms Short) said at the beginning, when she uttered some kind words about those who were involved in the exercise. I hope that she had time to read today's edition of *The Independent*, which contains a perceptive article by a member of the Donaldson inquiry. He writes:

"The immediate issue is too important to be turned into a tug-of-war between political parties. In my view, the salvors pursued the only course they could."

I turn now to the details of the specific questions posed by the hon. Lady. I do not agree with what she said about the inquiries that I have established. The unit to which I referred is not part of my Department. It reports directly to the Secretary of State; it does not go through my Department—nor has it shrunk from criticising my Department in the past when it has seen fit so to do. It is impartial and independent.

As to the hon. Lady's questions about the refusal of tugs and other resources that were offered to the salvage company, that will be covered by the inquiry to which I referred in my opening remarks. Yes, it is the case that Ministers have powers to intervene, but I hope that the hon. Lady will reflect on whether Ministers have the resources, the experience and the skills necessary to second-guess a firm of professional salvors who have all the skills to deal with crises of that kind.

I turn to the hon. Lady's comments about Donaldson. Lord Donaldson did not institute an inquiry into the Braer incident. He provided a thorough, comprehensive and wise review on the general subject of the prevention of pollution and how to make merchant shipping safer. I have that report: the Government have accepted 86 of its 103 recommendations, and we are considering a further 13.

In this case, we have done exactly what we did with the Braer: we appointed an inquiry under the marine accident investigation branch to report on what occurred. We can then test the results of that inquiry and of the inquiry into the salvage operation against the basic parameters set out by Lord Donaldson, which the Government accept. At this stage, there is no case for reopening Lord Donaldson's comprehensive work, most of which is accepted by both sides of the House.

I repeat that the Government have launched an independent inquiry into the three aspects that most concern the House: why the accident happened, how the salvage operation was conducted, and how the clean-up operations were then implemented. I think that that is the appropriate approach for Government, and that we shall learn the lessons that must be learned.

Mr. David Harris (St. Ives): As president of the sea safety group and sponsor of the Merchant Shipping (Salvage and Pollution) Act 1994, I consider that my right hon. Friend has done the right thing in setting up detailed and wide-ranging inquiries. Will he make sure that those inquiries cover a number of issues?

First, will the inquiries examine the use of language and the inability of some seafarers to understand English—in particular, the recommendation that the International Maritime Organisation should consider making English the recognised language of the sea? Secondly, will he look again at the stationing of tugs, which is undoubtedly a key issue, and the way in which salvage operations are conducted? Although I agree that it is wrong and ridiculous for Ministers to be countermanding people at sea, nevertheless there is a need to examine carefully the mechanism of mounting salvage operations.

Sir George Young: I am grateful for what my hon. Friend has said. In regard to communication, shipping is an international industry, but if serious communication problems occurred in the salvage operation, they would be a matter for the inspector. As for the stationing of tugs, the Belton report—one of the follow-up reports of the Donaldson inquiry—will be published shortly. It confirmed Lord Donaldson's initial findings about the two priorities for locating the tugs. It did not identify west or north Wales as primary or secondary areas.

I should have responded to the Member for Birmingham, Ladywood (Ms Short) on compensation. People will be entitled to compensation for financial loss, and I shall ensure that they have access to the necessary information to enable them to pursue that.

Mr. Paul Tyler (North Cornwall): Surely the remit for the inquiries announced this afternoon is too narrow. For example, I understand from reports today that the oil slick could threaten Lundy and the west country coast, making the environmental implications even greater.

Let me take the Secretary of State back to the final sentence of his statement, when he said:

"The Government are determined to find out exactly what happened, to publish the results and to learn and apply the lessons."

Surely there is a much more basic question: why did the accident happen, and could it have been prevented? In that respect, will the Secretary of State examine the role of the coastguard?

As the right hon. Gentleman will know from the debate that I initiated last week, there are real concerns about the manning of the coastguard service. I understand that, when the tanker went aground last Thursday night, the coastguard marine rescue centre responsible for the Milford Haven approaches was undermanned. There was one senior watch officer on duty and one regular, when there should have been at least three on watch. The officer monitoring channel 16 VHF had to listen to that frequency and to landlines for a 12-hour stretch instead of a maximum of two hours.

Will the Secretary of State undertake swiftly—without waiting for the inquiries—to look into whether the coastguards' role in the incident was affected by undermanning?

Sir George Young: I made it clear on Monday, and I do so again today, that efficiency gains in the two marine agencies and the MAIB have not and will not be made at the expense of safety. Safety is and will remain paramount, as has been made clear to the chief executive of the Coastguard Agency and the other agencies. In answer to the hon. Gentleman's first question, of course we shall look at the environmental impacts, wherever they occur. If pollution spreads to the area that he mentioned, the assessment to which I referred in my statement will examine the impact on that area as well.

Mr. Nick Ainger (Pembroke): I, too, would like to place on record my appreciation for all the work that has been done by the crews of tugs and the clean-up crews on the beaches, sometimes in appalling conditions. However, the Secretary of State's statement was quite appallingly complacent. My constituency faces an environmental and economic disaster. The tourist industry has already received massive cancellations, in my view totally unnecessarily, as I am sure that virtually all the beaches will be clean within a month.

I waited for the word "sorry" or an apology to come from the Secretary of State's lips, and we heard neither. The Secretary of State and the Department of Transport are culpable in the disaster. We should not forget that the vessel ran aground at 8.10 on Thursday night. Until 7 o'clock on Monday night, it was under the control of the tugs operated by the salvors. The vessel bounced from rock to rock in the entrance of St. Anne's. We were told by the Donaldson report that far more powerful tugs were required. It is clear from the statements made by Lord Donaldson that the recommendations for more powerful tugs around our coast have not been fully implemented.

At lunchtime, I was engaged in a radio broadcast with Professor MacIntyre, and he concurred with the view that the recommendations were not fully implemented. There was no powerful tug in the vicinity, and there are still insufficient powerful tugs around our coasts.

Until Monday night, that vessel bounced from rock to rock. In calm conditions, at 7 o'clock on Monday night, it was put on the rocks by the salvors, at a time when there were no adverse weather conditions. As a result, 70,000 tonnes of oil spilt. Until Monday night, only 1,000 tonnes had spilt. That is the responsibility of the Department of Transport, first because the Secretary of State did not implement the Donaldson report, and, secondly, because he allowed that farce to carry on for four days.

The Secretary of State had the power to intervene, and he did not. Now, he offers us an inquiry within his Department. My constituents have no confidence whatever in that type of inquiry. The only person who should conduct that inquiry is Lord Donaldson, because he has the expertise and the background. I urge the Secretary of State to change his mind, even now, and appoint Lord Donaldson to carry out a full inquiry.

Sir George Young: I remind the hon. Member that on Monday, in *The Guardian*, he was reported as saying that he had no criticism of the salvage operation.

Mr. Ainger: I believed what I was told.

Sir George Young: That was three days after the incident took place.

I also regret that, on Tuesday, after a meeting with me, the hon. Gentleman put out a press release which attributed to me remarks that I did not make. I hope that the hon. Gentleman will, on reflection, reconsider what he did.

On the hon. Gentleman's first point, one of the lessons that we have learnt from the Braer incident is that the reporting, in some cases in dramatic terms, of the incident does far more damage to tourist and other industries than the incident itself. That is a point that the hon. Gentleman made just now by reporting—rightly—that the beaches are likely to be cleaned in the near future. I am sure that no one would want to say anything in the House that would damage the tourist industry in Pembrokeshire.

I repeat what I have said and what my noble Friend Lord Goschen has said about the availability of tugs. My Department made available one of the two tugs that are available on standby to the salvors, and they declined it because, in their view, they had access to the tugs they needed. The independent review that I have announced will consider all the important issues that the hon. Gentleman has rightly raised in his questions.

We understand, of course, the strength of feeling on the matter, but I hope that the hon. Gentleman will not imply that the inspectors I have appointed will be anything but independent and impartial. As the inspectors have done in the past, they will criticise my Department if it deserves criticism. [HON. MEMBERS: "And you."] Yes, and me.

Mr. Walter Sweeney (Vale of Glamorgan): While I note my right hon. Friend's comment that most of the recommendations of Lord Donaldson have already been implemented, will he specifically deal with the recommendation that tugs be stationed permanently all around the coast and the likely cost implications if that were to be done?

Sir George Young: Lord Donaldson made it clear that he did not think that that would be a practical use of resources. That was clear from his report, and I am grateful to my hon. Friend for making that point.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): The Secretary of State's statement that it is not always possible to overcome the forces of nature will be regarded as extraordinarily complacent. The view held locally, with every justification, is that, if resources had been properly and efficiently deployed, the forces of nature could have been overcome in this case.

The Sea Empress incident is more serious than the Braer, because it is likely to have a much more severe environmental impact. If the inquiry is any less searching, complete and open than the Braer inquiry, there will be great anger in south-west Wales—just as there is anger because, whereas heavy tugs have been deployed off Dover and the north of Scotland, they have not been deployed in south-west Wales—despite that coast being subject to extraordinarily busy tanker movements, great environmental sensitivity and importance, and one where seafaring is inherently hazardous. In those circumstances, heavy tug facilities should certainly be available there.

I ask the right hon. Gentleman to make it absolutely clear that the cost of restoring the area and of all compensation to the local economy and to the people of the wide area affected will be fully met according to the

[Mr. Cynog Dafis]

"polluter pays" principle—just as the oil industry and the shippers should meet the cost of deploying heavy tugs, so that such an incident does not happen again.

Sir George Young: I confirm that the polluter will pay. Up to the first £10 million is borne by the ship's insurers. Any sum over that is borne by the international oil petroleum compensation fund, as with the Braer.

Lord Donaldson did not indicate that the area around Milford Haven should have the same priority in respect of heavy tugs as Dover and the Minches. The inquiry that I have announced will be the same type as that initiated for the Braer incident—it will have the same powers, and be conducted every bit as rigorously.

Sir Hector Monro (Dumfries): Following the Braer incident, many conservation bodies, scientists and the Scottish Office gained a great deal of practical first-hand information. Will my right hon. Friend consider applying some of that knowledge in the weeks ahead, while Pembrokeshire is being cleared up? As a crumb of comfort to the people in Pembrokeshire who have been so grievously hurt, I can confirm that the insurers and the oil industry paid up the compensation that was expected of them after the Braer disaster, without too much difficulty.

Sir George Young: I am grateful to my right hon. Friend for that assurance, and I will certainly pass on his generous offer of assistance in the recovery operation.

Mr. Gareth Wardell (Gower): My hon. Friends have made clear the anger felt by the people of Wales at an incident in an area of tremendous marine importance that is part of the national heritage of Wales.

Commercial shipping throughout the world is an unregulated industry relative to others. Donaldson makes it clear, in the report that is at the right hon. Gentleman's side, that the United Kingdom has excellent facilities for cleaning up oil spills. In view of that, what will the Secretary of State do to guarantee that the beaches of Gower and the shellfish industry of north Gower will not suffer as a result of the Sea Empress incident?

My hon. Friend the Member for Pembroke (Mr. Ainger) made clear his concerns. I am surprised that the Government still need to be taught lessons. I hope that the Government have good teachers—as good as Lord Donaldson, because their response is the same every time that a disaster occurs. Perhaps the right hon. Gentleman can tell the House what new lessons he will learn this time.

Sir George Young: It would be advisable to await the result of the inquiries before I say what new lessons can be learned. Of course I understand the hon. Gentleman's anger. I visited the area on Friday, and I understand the concern of those who live there. He is not quite right to say that the industry is unregulated. For example, we detain ships when they are sub-standard, and publish the names of the countries that are offending. We take safety very seriously. We take action against ships that are unsafe, and detain them until appropriate precautions are taken.

The hon. Gentleman rightly reminded the House that we have good facilities to deal with these incidents. We are one of the few countries with aircraft on standby that are dedicated to the spraying of dispersants in such incidents. A total of seven Dakotas and Cessnas are available solely for that purpose. We set up the marine pollution control unit, which has the highest technology available to plot the impact of tides on pollution. It was in place in Milford Haven within four hours of the ship going aground.

The hon. Gentleman asked me to give an assurance that parts of his constituency will not be affected. Of course, I cannot give the categorical assurance that they will not, but if they are, they will be cleaned up and restored as quickly as possible.

Mr. James Hill (Southampton, Test): My right hon. Friend has the sympathy of the House, inasmuch as no one seems to take into account the fact that it was one of the worst hurricanes to strike the coast for many years. [HON. MEMBERS: "Nonsense!"] One of the queries in the Donaldson report was about the lack of oceangoing tugs of sufficient quality and quantity to be able to bring a tanker of that size off the rocks. Has my right hon. Friend any plans to investigate whether money can be spent on essential stationing for oceangoing tugs around our coastline?

Sir George Young: On the last point of my hon. Friend's question, we have already taken action on the priorities that Lord Donaldson identified, and have placed two tugs in strategic places at the Minches and at Dover. We shall shortly publish the Belton report, which outlines where resources should be placed next. The availability of tugs will be examined by the inquiry, but, as has been clear from some initial comments, it is not just the availability of the tugs that is important but their manoeuvrability and their ability to work as a team in the narrow straits of the channel into Milford Haven.

My hon. Friend rightly pointed out that the rescue operation was not assisted by the weather. There was a real risk to life and limb in undertaking the operation at certain times of the week, and one cannot totally discount the impact of the weather, the tide and other factors on the safety of this particular salvage operation.

Mr. Eddie Loyden (Liverpool, Garston): The Minister referred to the use of planes, but does he realise that that happens only after the event? We are talking about the prevention of such tragedies. I believe that the Government have been culpably negligent as far as taking the advice of Donaldson and the situation around our coastal waters are concerned.

The Government have sat back and watched a reduction over the years in the standards of coastal lights in estuarial and coastal waters. That ship should never have been allowed to enter estuarial waters in the conditions that prevailed at the time. If the maritime organisation had been as efficient as it should be, that vessel should not have been allowed to come in until the risk had passed.

Regardless of whether a pilot is on board or not, the vessel should not have been allowed to enter estuarial waters with the danger of suffering damage to its hull. How long must we wait before we impose the standards of double skins on these tankers to avoid what is

happening? It is a disgrace that the Government sit back after what Donaldson had said. I underline the point made by my hon. Friend the Member for Birmingham, Ladywood (Ms Short). The marine accident investigation branch covered up what happened to the MV Derbyshire for years before it conceded that the matter should be referred to another body.

When will the Government act on these matters?

Sir George Young: I do not accept what the hon. Gentleman says. The Government established the Donaldson report. We commissioned it, we published it, and we accepted 86 of the 103 recommendations. The United Kingdom has set and implemented higher standards of sea safety than most other countries. The hon. Gentleman is right, of course, to say that these accidents should not occur. That is why I have set up an inquiry to ascertain what went wrong in this instance, so that we can learn the lessons and take steps to ensure that such an incident does not happen again.

The Milford Haven port authority has all the powers it needs to exclude vessels if it thinks that they are unsafe.

The issue of double hulls was taken up on Monday. I urge the hon. Gentleman to read what the Donaldson report says about double hulls. The report urges caution before they are advocated as a panacea to the difficulties that have detained us this afternoon.

Several hon. Members *rose—*

Madam Speaker: Order. I am not prepared to tolerate further statements from Back-Bench Members. I want brisk questions. If they are not forthcoming, the statement will have to be closed down.

Mr. Christopher Gill (Ludlow): Does my right hon. Friend agree that one of the possible conclusions that might be drawn from this incident is that it would be better if more British cargoes were carried in British-registered vessels crewed by British nationals? When P and O and the Shell tanker group are flagging out more of their vessels, will my right hon. Friend give the House the assurance that he will speak urgently to my right hon. and learned Friend the Chancellor of the Exchequer in discussing the recommendations currently in front of him from the Chamber of Shipping?

Sir George Young: As my hon. Friend says, the course he advocates is one for my right hon. and learned Friend the Chancellor of the Exchequer. He will know that, in last year's Finance Bill, as it then was, when I happened to be Financial Secretary to the Treasury, we introduced an element of fiscal roll-over relief for British ships, which was welcomed. I shall pass on my hon. Friend's remarks to my right hon. and learned Friend.

Mr. Tony Banks (Newham, North-West): Does the Secretary of State recall that I asked him on Monday how many sea birds were affected by the oil pollution? He said that six had died. How many sea birds have now been affected—not only those that are dead—by the oil pollution? How many people are working on rescuing wildlife? What is being done to save the roosting sites, which are among the most important in the world?

Perhaps we should be grateful that a Chinese tug turned up. Given the Government's incompetence, I am surprised that it was not three tonnes of chicken chow mein.

Sir George Young: I do not have exact information now about the number of birds that have been affected. If I am able to procure that information, or if my noble Friend the Minister for Aviation and Shipping is, it will be passed on.

There is some limited oil on Skomer, but there is not a large population of birds there at present. They are expected to return in about four to six weeks. The species most affected has been gulls, with a number reported as being stained. My latest information is that relatively few birds have been found dead or are being cleaned.

Mr. Barry Field (Isle of Wight): Will my right hon. Friend ensure that the inquiry ascertains whether a satellite navigation system was available to both the master and the pilot of the vessel, and whether it was the pilot or the master who was giving instructions when the vessel grounded?

Will he consider the inquiry ascertaining also when the vessel last docked in the United Kingdom and whether she was inspected, and publishing the report, if there was one, of that inspection? Will my right hon. Friend ensure that the inquiry considers the role that the Royal Society for the Protection of Birds has to play in liaising in disasters of this sort, bearing in mind that it has a useful input in trying to save some of the sea birds?

Will my right hon. Friend consider asking the Department of Education and Employment to ascertain whether the Natural Environment Research Council might undertake a long-term study of the implications of oil pollution in the area affected, so that we might gain some scientific knowledge?

As I was a Member of this place following a marine accident in my constituency, single-handedly, with no support from any Member on either side of the House, my efforts led to the publication of maritime accident reports, to bring them into line with the air accident reports produced by my right hon. Friend's Department, will he utterly reject the slur that has been cast on the marine accident investigation branch?

Sir George Young: I am grateful to my hon. Friend for what he said, and especially for his final comments. One of his questions concerned the Department of Education and Employment. I think that the Countryside Council for Wales may be doing part of the work to which he alluded. I shall certainly take up his other points on that theme.

My hon. Friend's question about responsibility for the initial accident and where it should fall goes to the heart of the matter. I hope that that will become clear when the MAIB report, following the inquiry into the accident, is published.

Mr. Alan W. Williams (Carmarthen): I accept that double hulls are not a panacea, but vessels of that size, which carry such enormous cargoes, are by definition extremely unstable and extremely vulnerable. I should remind the House that, four months ago, there was an incident in those very same waters, when the Borga ran aground, and that the hon. Member for Pembroke

[Mr. Alan W. Williams]

(Mr. Ainger) warned that a major accident could happen at any time. The Borga was double-hulled, and there was no major leakage. Will the Secretary of State re-examine the use of double-skinned ships, especially in areas such as the Pembrokeshire coast, which have such high value for nature conservation?

Sir George Young: Yes, I shall consider that. It is important not to draw too many conclusions when contrasting the Borga incident with this one, because the speed of impact may have been different, and the ships may have come aground at different parts of the coast.

In relation to double hulls, I should remind the House that Lord Donaldson said:

"We have some doubts on the merits of double hulls and consider that there is scope for discussion".

He also makes the point that, in certain circumstances, double-hulled tankers can be more dangerous than those that are single-hulled. One must approach that issue with some caution.

Mrs. Teresa Gorman (Billericay): Will my right hon. Friend confirm that, throughout this disaster, the Minister for Aviation and Shipping, Lord Goschen, appears to have been camped out on a promontory, providing information not only to the nation but to the Government? Does my right hon. Friend wish to divorce himself from the racist and snobbish remarks about the Chinese gentleman, who chipped in his translation skills in addition to his culinary skills to help out in a very difficult situation?

Sir George Young: I agree with my hon. Friend's final remark. I also pay tribute to my noble Friend, the Minister for Aviation and Shipping, who went up to Milford Haven on Tuesday and returned only this morning. He took a personal interest in the responsibilities that my Department have with the marine pollution control unit. I shall pass on my hon. Friend's kind words to him.

Mrs. Gwyneth Dunwoody: (Crewe and Nantwich): Does the Secretary of State agree that the removal of air-sea rescue from Brawdy, cuts to the coastguard and changes in the marine accident investigation branch have had any affect on what has happened? Does he seriously suggest that this incident should be investigated by a branch of his own Department, which is also suffering considerable cuts?

Sir George Young: I am satisfied that the MAIB has all the necessary resources to produce the type of report that I announced at the beginning of my statement. I have made it quite clear—I shall do so again—that safety is our paramount concern, and that it will remain so. The chief executives of the agencies have that message from Ministers clearly in their minds.

Mr. Paul Flynn (Newport, West): Why is it that everything that goes right is a result of the work of Ministers, while anything that goes wrong is the fault of someone else? The Secretary of State has blamed the weather, the press and the judgment of the salvors.

Has not this accident turned into a catastrophe because the tugs did not have enough pulling power, and because they were not pulling the vessel, but the vessel was pulling the tugs—back on to the rocks? Is not that the Government's responsibility, because they failed to carry out the Donaldson report recommendation that big tugs should be located at five centres, and that three of those tugs should have been set in place as an interim measure? The tug at the western approaches has not been set in place, and that was the Government's responsibility. Why does not the Secretary of State say the word that the whole country is asking him to say: sorry?

Sir George Young: Unlike the hon. Gentleman, I did not attribute blame in my opening statement. I said that I was setting up inquiries and reviews to find out exactly what happened. That is the right way to approach the matter. It may be that the MAIB apportions blame differently from the way in which the hon. Gentleman has, but I do not know. We must await the report.

In relation to the tugs, I urge the hon. Gentleman to read the article in *The Independent*, because the matter is not necessarily as simple as many people might think. The author of that article makes the point that, at a key stage, more tugs and more pulling power might have done more damage to the hull when it was impaled on a pinnacle.

Mr. Tony Marlow (Northampton, North): To what extent has the environment recovered—and how long did it take to do so—from the Braer disaster? Did my right hon. Friend read the article by Matt Ridley in *The Daily Telegraph* earlier this week, in which he said that, mercifully, things recover from such incidents in a shorter period than most people fear?

Sir George Young: I read that article, as well as several other articles that have made the same point. There is a robustness in the marine ecology, to which my hon. Friend has rightly drawn attention. One must, of course, take all the necessary steps to minimise such accidents, but one should not over-dramatise the long-term consequences.

Mr. Barry Sheerman (Huddersfield): "Safer Ships, Cleaner Seas" has a hollow ring about it today. Those of us who know and love that part of south-west Wales care very much about the environment that has been severely damaged—we cannot underestimate the damage to the environment. How many such disasters is the Minister willing to put up with—one a year as an annual event, one every two years, or one every three years? Is he aware that the oil industry itself believes that tougher regulation of the industry is the only answer, and that will only come from the Government's initiative?

Sir George Young: One accident is one accident too many. This country takes the lead in driving through the International Maritime Organisation higher standards, not least on ferry safety. There is a meeting on the subject this week designed to achieve higher standards of safety.

Mr. Roy Hughes (Newport, East): Bearing in mind the fact that people's livelihoods are at stake, will the Secretary of State give the House some idea of the criteria for compensation? Will it embrace fishing interests,

tourism and other interested parties? How far along the south Wales coast will the compensation provisions apply?

Sir George Young: Compensation is available for property damage, economic loss and reasonable preventive measures. Claimants should initially discuss the matter with their solicitors or with the fund I mentioned to assess whether their claim will be eligible. As my right hon. Friend the Member for Dumfries (Sir H. Monro) said, so far claims have been met promptly by those involved.

Mr. Tam Dalyell (Linlithgow): As the hon. Member who represents Hound point in the closed waters of the Forth, may I ask what the time scale is for the discussions on double skins?

Sir George Young: The IMO has decided that single skins should be phased out over a period. That period varies from country to country—for America, I think that it is about the year 2013. Discussions are continuing, not least in the light of evidence about whether or not double-skinned hulls are the only answer. It is important to aim at improved safety. Double hulls may be an answer, but there may be other ways of achieving the same safety.

Dr. Norman A. Godman (Greenock and Port Glasgow): Lord Donaldson was wrong when he suggested that, in exceptionally heavy weather, very large crude carriers and other big vessels should use the Minches. The dreadful event in Wales has caused serious concern to fishermen who fish the Minches. I shall tell the Secretary of State, as I told his predecessor, that, in heavy weather, such big vessels should stand well to the west of the Western Isles. I urge the Secretary of State to take advice from our fishermen.

Sir George Young: I take seriously the hon. Gentleman's point. He asks me to bring his comments to Lord Donaldson's attention, and I shall of course do so.

Mr. Stephen Day (Cheadle): Will my right hon. Friend confirm that, on the night of this tragic accident, he was not personally on the bridge of the Sea Empress, as, listening to Opposition Members, one would think that my right hon. Friend drove the ship on to the rocks himself?

Sir George Young: I am grateful to my hon. Friend for pointing out that the Government did not own the ship and were not on board the ship. The Government's responsibility is to set the parameters, which we are happy to do. But ultimately, the responsibility for many such accidents rests with the individuals involved.

Ms Roseanna Cunningham (Perth and Kinross): In his statement, the Secretary of State said that we must not lose sight of the need to learn lessons for the future. What is the oceangoing tug cover in the north and west of Scotland? Does he consider that adequate in terms of the Donaldson report? Does he—yes or no—believe that tug cover in Milford Haven was adequate following that report's recommendations?

Sir George Young: On the first question, I can answer for the tug cover provided by my Department, but Donaldson's point is that other tugs are available and must be taken into account. I will send the hon. Lady a reply to that question. On Milford Haven, the salvors' reaction was that they had enough tugs available to turn down the Government's offer of one of their tugs, either from Dover or from the Minches.

Mr. Jon Owen Jones (Cardiff, Central): Tug availability is central to this matter. Was the Secretary of State aware by the weekend that the only powerful tug available was crewed by Chinese—none of whom could speak English—and could not be used effectively? If his office was not aware, why not? If it was aware, why did it not intervene to send a powerful vessel with an English-speaking crew from Dover to Milford Haven, or an even closer vessel in Brest, which had a French-speaking crew but presumably someone on it could speak English? He had the power to intervene. He should have known. Why did he not?

Sir George Young: I am not in the business of second-guessing professional salvage firms. The Chinese tug was in Falmouth. Initially, it looked like a valuable resource, but, when it was used, it was found that it was not a salvage but a towing tug, that the crew lacked expertise, and that the tug was not suited to complex salvage work in confined but highly tidal waters.

Mr. Graham Allen (Nottingham, North): It appears not only that the Secretary of State was not on the Sea Empress's bridge on Thursday night, but that he has not been at the Department's bridge in the subsequent five days. The heart of the matter is that the salvage company offered advice about adequate tugging power which has proved, at best, to be grossly optimistic—but, above all, it was advice. Who accepted that advice, who failed to question it, who was responsible, and who took the decision not to send adequate tug power to the disaster scene?

Sir George Young: The hon. Gentleman simply has not been listening to what I have said. I have set up an inquiry that will find the answers to the questions that he poses. I invite him to have some patience and to wait for the independent inquiries, the results of which we will publish as soon as they are available.

Business of the House

4.27 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, I should like to make a statement on the business for next week, which will be as follows:

MONDAY 26 FEBRUARY—Debate on the Scott report on a motion for the Adjournment of the House.

TUESDAY 27 FEBRUARY—Second Reading of the Criminal Procedure and Investigations Bill *[Lords]*.

WEDNESDAY 28 FEBRUARY—Until 2 pm, there will be debates on the Motion for the Adjournment of the House.

Until 7 o'clock, motions on the Revenue Support Grant (Scotland) Reports. Details will be given in the *Official Report*.

Motions on the Housing Support Grant (Scotland) Variation Order and the Housing Support Grant (Scotland) Order.

Money resolution relating to the Noise Bill.

Ways and Means resolution relating to the Prisoners' Earnings Bill.

THURSDAY 29 FEBRUARY—Debate on Welsh Affairs on a motion for the Adjournment of the House.

FRIDAY 1 MARCH—Private Members' Bills.

MONDAY 4 MARCH—Second Reading of the Community Care (Direct Payments) Bill *[Lords]*, probably followed by other Government business.

On Tuesday 5 March and Wednesday 6 March, I expect to take Government legislation and to provide Opposition time. On Thursday 7 March, I hope to have a debate on a motion for the Adjournment of the House. On Friday 8 March, the business will be private Members' Bills.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 28 February to consider the *Official Journal* No. OJ C303 of 14 November 1995, relating to the European Court of Auditors' annual report for the financial year 1994, together with the replies from the institutions, and the *Official Journal* No. OJ C352 of 30 December 1995, relating to the European Court of Auditors' statements of assurance for the financial year 1994.

[Wednesday 28 February:

European Standing Committee B—Relevant Community Documents: (a) OJ C303, Court of Auditors' Report for 1994; (b) OJ C352, Court of Auditors' Statement of Assurance 1994. Relevant European Legislation Committee Reports: (a) HC 51-vi (1995-96); (b) HC 51-x (1995-96).

Revenue Support Grant (Scotland) Reports—Relevant documents: Local Government Finance (Scotland) Order; Revenue Support Grant (Scotland) Order; Local Government Finance (Scotland) Notional Amounts Report.]

Mr. Jeff Rooker (Birmingham, Perry Barr): I am the first to admit that it is possible for the House to engage in momentous debates on motions for the Adjournment. Indeed, it is on record that the Chamberlain Government were brought down on such a motion. Adjournment motions are not to be dismissed out of hand. Why, however, are the Government not inviting the House to agree with their view on the Scott report? Without a motion of that kind, they will be unable to claim at any time in the future that the House of Commons made a decision to agree with the report. It is almost the equivalent of parliamentary cowardice not to table a motion on which the House could divide.

Given the seriousness of the matter, it would be useful to know on Monday whether the Prime Minister has issued a writ against last Sunday's edition of *The Observer*, which accused him of lying in respect of the Scott report.

It would also be useful to hear a statement next week from the Minister for Industry and Energy about the Government's intentions in respect of nuclear privatisation—preferably with a view to its being scrapped. Yesterday, the Minister told the world that the Government had received an "indirect approach" from the American company Duke Power, whose safety record on nuclear reactors is being questioned in the United States. The Minister should make a statement explaining how United Kingdom nuclear regulators with no experience of regulating safety in a profit-motivated nuclear industry can protect the safety of United Kingdom citizens and communities.

May we also have a statement from the Chancellor of the Exchequer about the special rules that govern the tax treatment of foreign nationals? Why should members of middle eastern royal families, companies that front for overseas Governments—such as the Kuwait Investment Office—and now the chair of British Gas be treated differently from millions of United Kingdom citizens who are prepared to put their shoulders to the British wheel and pay their fair share?

It has been widely reported that the Millennium Commission, chaired by the Secretary of State for National Heritage, has already decided in principle to award the millennium exhibition to London rather than the west midlands. Given that the award will represent the largest tranche of lottery cash, and that the Secretary of State is on record as referring to "committing public funds", should not the decision be announced in the House rather than at a press conference? It was made behind closed doors, with all the usual hurrying and scurrying; none of the participants could put their case to the public.

I give due notice that we shall be asking my next question until we receive an answer. Will the Government be moving the writ for the by-election in South-East Staffordshire next week? The delay is unacceptable. I do not want to hear about conventions relating to a certain number of weeks; we are ready to go. The people of South-East Staffordshire deserve a voice to put their case in the House of Commons, wherever that voice may come from.

Mr. Newton: The hon. Gentleman has spoken with characteristic vigour. *[Interruption.]* I did not think that he was aggressive; he merely spoke with characteristic vigour. I shall reply with—I hope—characteristic emollience to his questions, although in many instances I have little to add to what I have said before. That certainly applies to the South-East Staffordshire by-election writ, and, indeed, to Monday's debate, on which I shall not seek to add to what my right hon. Friend the Prime Minister said only about an hour and a quarter ago.

On nuclear privatisation, safety is and will remain paramount in any arrangements. The Health and Safety Executive has confirmed that there will be no reduction in nuclear safety as a result of privatisation. On the points that I took to be principally related to British Gas, rather than the other matters to which the hon. Gentleman referred, Mr. Giordano's pay package is, of course, a matter for the shareholders.

I shall bring the point about the Millennium Commission to the attention of my right hon. Friend the Secretary of State for National Heritage, who will be answering questions on Monday 4 March.

Mr. John Biffen (North Shropshire): On Monday's business, has my right hon. Friend been approached by the official Opposition about the offer of an Opposition day to match the Adjournment debate, the motion for which would be amendable, which would consequently enable a two-day debate on Scott and therefore validate the sincerity of their protestations?

Mr. Newton: No, I regret that I have not.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Given that only this afternoon Sir Richard Scott wrote to the President of the Board of Trade to say that he considered that Ministers were wrongly and selectivity misquoting what he has said at press conferences about his report, and that also this afternoon the Prime Minister said that the Government would be bringing forward substantive changes as a result of the report's conclusions, is it not slightly ludicrous that the Government are hiding behind the procedural device of an Adjournment motion, rather than arranging a substantive motion that could be amended and on which the House could vote on Monday?

Mr. Newton: No, I do not think that it is ludicrous that the Government have thought it right to have a debate on the motion for the Adjournment, partly because although various different individual aspects of the Scott report have been focused on, it is a hugely wide-ranging report and contains many recommendations on issues such as export licensing control, the future use of public interest immunity certificates and other matters. Such a wide-ranging report demands the wide-ranging debate for which we have provided.

Sir Norman Fowler (Sutton Coldfield): On the millennium exhibition, which was raised by the hon. Member for Birmingham, Perry Barr (Mr. Rooker), is my right hon. Friend aware that there is no doubt that the announcement on its location will be made next week? Is he also aware of the concern, especially in the midlands, about the decision-making process that appears to be behind that decision? At the very least, we expect that a statement will be made at the Dispatch Box by the Secretary of State for National Heritage on the day of the decision.

Mr. Newton: Of course, I understand that there is concern in both the areas that have been the subject of speculation. I shall draw the representations of my right hon. Friend to the attention of my right hon. Friend the Secretary of State, as I will those of the hon. Member for Birmingham, Perry Barr (Mr. Rooker).

Mr. David Winnick (Walsall, North): Following the previous question, is the Leader of the House aware that many people in the west midlands consider that they have been treated shabbily in the past? If my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) is right that a decision has been made and that it is not in favour of the west midlands, dissatisfaction in the region will only increase. Will there be a statement? If—as I understand it—no decision has yet been taken, will the Leader of the House ensure that the feelings of west midlands people and all hon. Members who have the honour to represent west midlands constituencies are fully taken into account?

Mr. Newton: The hon. Gentleman will understand that I cannot add to what I have said twice. I shall ensure that his comments are also brought to the attention of my right hon. Friend the Secretary of State.

Sir Michael Spicer (South Worcestershire): Is my right hon. Friend aware that there is a good deal of interest across the country in the Government's review of Government research establishments? Could we have a debate on the subject before the Government take a final decision on what could be very important for a number of hon. Members?

Mr. Newton: I am aware that there is a great deal of interest in the matter and I shall bear my hon. Friend's request in mind.

Rev. Martin Smyth (Belfast, South): The Leader of the House will know that, in the House's lottery, my question dealing with the further democratisation of Northern Ireland and the use of the Northern Ireland Grand Committee was not called in Northern Ireland questions. Will the Secretary of State for Northern Ireland share his thoughts with us on the matter or at least follow the practice of the Secretary of State for Wales, who I understand has been inviting Members who represent Welsh constituencies to meet him to discuss how they might go down the road with such matters in Wales?

Mr. Newton: The hon. Gentleman has made representations on those matters in recent weeks; I do not think that I can add in general terms to what I have said. Two or three weeks ago, he asked me about the possibility of the Northern Ireland Grand Committee meeting to discuss hospital provision in Northern Ireland. We would be willing for the Committee to hold a debate on the draft "Regional Strategy for Health and Social Well-Being", which the Department of Health and Social Services published for consultation last year. If that happens, it may be best if the debate takes place in the next few weeks, so that any comments can be considered before the strategy is published in final form.

Mr. John Redwood (Wokingham): Will the Government make time available so that we can debate the growing powers of the European Courts and how parliamentary sovereignty could be reasserted?

Mr. Newton: I cannot promise to make time available for such a debate in the near future. However, my right hon. Friend will have heard what my right hon. Friend the Prime Minister said in Prime Minister's Question Time in respect of the European Court of Human Rights.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that if he does not get on with moving the

[Mr. Dennis Skinner]

writ for the by-election in South-East Staffordshire, somebody from the Opposition Back Benches might well do it? I have had some practice because I have moved two writs already. It is high time that the people in the area had a chance to take part in that democratic test.

It was announced yesterday that Coalite would have to pay a fine of £150,000 plus £200,000 costs. In view of the fact that Ministers have said for six years that the polluter must pay, will Coalite ensure that everyone in the Bolsover area who has been affected gets due compensation? Will the Leader of the House ensure that there is, at long last, a public inquiry, initiated by the Minister of Agriculture, Fisheries and Food or the relevant Minister? Will he tell the Tory quango, Derbyshire health authority, to conduct a comprehensive review into the effects of dioxin in the Bolsover area and into the direct connection with all forms of cancer, so that the people in the area can feel safer, now that Coalite has pleaded guilty after six years?

Mr. Newton: I am sure that those responsible will have noted the first half of the hon. Gentleman's remarks. On the second half, I would have hoped that the hon. Gentleman would commend Her Majesty's inspectorate of pollution for the diligent way in which it investigated and pursued the case. Leaving that aside for the moment, I shall bring the hon. Gentleman's remarks to the attention of both Environment and Agriculture Ministers, who are here to answer questions next week.

Mr. Charles Wardle (Bexhill and Battle): Will my right hon. Friend find time for a debate on proposals for a British academy of sport? Is he aware that last year, I asked the university of Sussex and the university of Brighton to take the lead on a proposal to develop such an academy in Sussex, where there is ideal potential? A preliminary paper has now been submitted to the Department of National Heritage. Is it not a project of which not only Sussex, but the whole nation could be proud?

Mr. Newton: I am sure that the project is worth while and will be studied with proper care by the Department of National Heritage. Sport is always a good subject for a debate and I shall bear my hon. Friend's suggestion in mind, although my recollection is that we had a day's debate on sport on a Friday at the back end of last year.

Mr. Bruce Grocott (The Wrekin): Given that our proceedings are broadcast and that we all have a responsibility—perhaps the responsibility of the Leader of the House has a special one—to ensure that our proceedings are intelligible and understood by millions of people across the country, can the right hon. Gentleman explain in two simple sentences the relationship between a debate on arms sales to Iraq and a motion, tabled by the Government, That this House do now adjourn?

Mr. Newton: I have already explained that the report is wide ranging and goes into some very important issues, which the Government have undertaken to consider, as my right hon. Friend the Prime Minister confirmed earlier this afternoon. A debate on the Adjournment seems the best way in which to provide for a debate on such a wide-ranging report.

Mr. David Porter (Waveney): My right hon. Friend will be aware of the severe battering that the coast of Suffolk and Norfolk received this week. We have seen lives at risk, houses at risk and the Broads at risk. Will he arrange for a debate next week on coastal protection, sea defences and flood prevention? Although the worst of the winter may be over, we still face the risk of surge tides in the North sea in the spring.

Mr. Newton: I have already made the point that the Secretary of State for the Environment and the Minister of Agriculture, Fisheries and Food, who have particular responsibility for those matters, are here to answer questions next week. I will, of course, bear in mind the request for a debate. I come from an east coast town that was significantly flooded, during my boyhood, in the North sea disaster of 1952 so I am, of course, aware of the concerns about those matters on the east coast.

Mr. David Hanson (Delyn): May we have an early debate next week on open access to televising major sporting events, especially given the recent announcement by Sky television of a pay-as-you-view scheme for the Bruno-Tyson fight on 17 March? Many of us view that as the thin end of the wedge, which will ultimately allow major sporting events to be seen only by those who can afford to pay for them directly.

Mr. Newton: It will be within the hon. Gentleman's observation that there has already been some debate on those matters in another place. I anticipate that the Broadcasting Bill will arrive here in due course and it will provide ample opportunity for debate.

Mr. Harold Elletson (Blackpool, North): Has my right hon. Friend seen early-day motion 436, which has been signed by 35 Labour Members, including two Lancashire Labour Members?

[*That this House deplores the continuing oppression of the people of East Timor by the Government of Indonesia; recalls that one-third of the people of East Timor have been killed in the twenty years since its illegal annexation; is appalled at the fact that the United Kingdom Government has sanctioned the sale of British Aerospace Hawk aircraft to the Indonesian Government despite the fact that such aircraft have been used to attack the people of East Timor; and demands that the delivery of Hawk jets and other weapons to Indonesia be cancelled until a full enquiry on the lines of that conducted by Lord Justice Scott into the Arms to Iraq affair has investigated the role of the British Government in allowing such sales.*]

The motion calls for a new Scott inquiry into the sale of British Aerospace Hawk aircraft to Indonesia.

Does my right hon. Friend agree that there is absolutely no evidence that British Aerospace Hawk aircraft have been used in attacks on civilians in East Timor? However, there is plenty of evidence that British Aerospace employs thousands of people in Lancashire. Is not it now clear that the original Scott inquiry and what we are now seeing are just the tip of the iceberg, and that Labour's real agenda is to attack the defence industry and defence exports? Can we have a debate on the matter, so that we can expose the threat that the Labour party poses to defence industry jobs in Lancashire?

Mr. Newton: It may be that my hon. Friend, if he catches your eye, Madam Speaker, will find it possible to

make such a point in Monday's debate. I simply confirm that the export licence for Hawk was granted only after assurances from the Indonesian Government that the aircraft would not be used for internal security and a rigorous examination of the application against the usual criteria.

Mr. Roy Hughes (Newport, East): May I draw the attention of the Leader of the House to early-day motion 423?

[*That this House notes the EU Driving Licence Directive which comes into force on 1st July 1996 and provides new more rigorous eyesight regulations for LGV drivers, which the Department of Transport estimates will fail to be met by about 3000 current drivers; while accepting that road safety is paramount, is concerned that the employment of these drivers will be threatened; and calls on the Government to consult with employers and unions with a view to helping with re-training or where necessary a compensation package.*]

The motion deals with the new regulations on eyesight tests for heavy goods vehicle drivers. Does the right hon. Gentleman appreciate that there is considerable concern about the issue throughout the country and that the regulations could result in many of our most experienced and safest drivers being put off the road? Can we have an early debate on the matter?

Mr. Newton: My understanding is that the new regulations are, in almost all respects, very similar to those already applied in the United Kingdom, although a small number of existing drivers may lose their entitlement to drive lorries and buses when their current licences expire. Although I do not dismiss that point, I think that some press reports have given an exaggerated picture of the impact of the changes and have caused unnecessary alarm.

Mr. Nicholas Budgen (Wolverhampton, South-West): May I urge my right hon. Friend to allow an early debate on the operation of the European convention on human rights? Now that the Prime Minister has said that there are defects in the way in which it works, will my right hon. Friend ensure that the Government explain to the House what, if any, disadvantage would be suffered by the United Kingdom if we were no longer a signatory to that convention?

Mr. Newton: My hon. Friend is joining my right hon. Friend the Member for Wokingham (Mr. Redwood) in his request. Although I cannot add to what I said in response to the earlier question, I shall ensure that attention is drawn to my hon. Friend's comments.

Mr. Tam Dalyell (Linlithgow): Although my hon. Friend the Member for Motherwell, North (Dr. Reid) and I suspect that the Scottish Office are as surprised and dismayed as we are about the pay-off of 700 men at the highly technologically advanced Cummins factory at Shotts, could there none the less be a statement about what the British Government and the Scottish Office have said to the American owners about the decision, which will create havoc among a highly skilled and very loyal work force?

Mr. Newton: I well understand how disappointing the news has been for the work force in Shotts, which has, I know, been well regarded by the company. The hon. Gentleman is probably aware that Scottish Office Ministers tried to persuade the company to change its mind. My right hon. Friend the Secretary of State for Scotland met the local Member, the hon. Member for Motherwell, North (Dr. Reid), this morning. The hon. Gentleman may wish to know, if he does not know already, that Ministers have arranged to meet the company management tomorrow.

Mr. Jacques Arnold (Gravesham): May I support the call for a debate on the European Court of Human Rights, because it seems that that institution is losing sight of the high ideals that led to its establishment soon after the last war, not least by this country? It seems intent on producing rulings that let loose young murderers and pay the expenses of IRA bombers.

Mr. Newton: My hon. Friend can manifestly add, and has added, his voice to the representations that have already been made. I shall draw his comments to the attention of those concerned.

Mr. Tony Banks (Newham, North-West): Has the Leader of the House been moved, as I have, by the search of Chief Gcaleka from the Transkei, who is seeking the head of the last Xhosa king, Hintsa, which, I understand, was blown off by a British Army officer in 1835? That is a whole new concept of head hunting. There are several such macabre relics in British museums and institutions. We should have a debate on the matter, because they are sad tokens. It is barbaric for us to retain them when a country wants them to be repatriated.

Mr. Newton: As the hon. Gentleman went from a light-hearted mode to a more serious one, I shall make sure that those points are drawn to the appropriate Minister's attention. Until he became more serious, I had been tempted to say that if he would offer me his head on a plate, I would allow a debate.

Mr. Barry Field (Isle of Wight): May we have an early debate on the future of the local government ombudsman service? I believe that only two hon. Members, of whom I was one, submitted evidence to the recent inquiry. I am horrified by the suggestion that the service might be done away with or reconstituted so that local people have to go via a councillor. Many hon. Members believe that such an arrangement would be much too cosy with council officers. We regard the local ombudsman service as an independent arbiter in matters that can generate considerable heat locally.

Mr. Newton: I am sure that there will be much sympathy with that. In the first half of his question, my hon. Friend confirmed—not to my surprise—what an assiduous Member he is.

Mr. Paul Flynn (Newport, West): Is not it urgent that we discuss the perverse results of the habitual residence test, which was approved by the House on the basis that it was designed to stop abuses by foreign nationals of our social security system? Now, 8,000 British citizens have been denied all benefits, even on the basis of hardship, because of the operation of the rule. Four of them are my

[Mr. Paul Flynn]

constituents, who have paid into national insurance and tax schemes for many years. That was not what the House intended.

Mr. Newton: The hon. Gentleman, who is an assiduous attender at business questions, will probably recall that I was asked about that very matter by the hon. Member for Hampstead and Highgate (Ms Jackson) last week. I refer him to the answer that I gave her.

Mr. Harry Greenway (Ealing, North): May I support the calls for a debate on the judgments of the European Court of Human Rights? I have already had strong objections from my constituents to the possibility of decisions on the future of, say, the murderers of Jamie Bulger and Myra Hindley being taken somewhere other than where they should be taken—that is, in this country and by our Home Office.

Mr. Newton: I shall pass on those comments, but cannot add to what my right hon. Friend the Prime Minister said at Prime Minister's questions.

Mr. Roy Thomason (Bromsgrove): Will my right hon. Friend find time for a debate on the road programme, with particular reference to the western orbital route, a much-criticised road proposal that adversely affects my constituency? That would be an opportunity both to congratulate my right hon. Friend the Secretary of State for Transport on postponing the road proposal and to encourage him to take the further step of striking it out from the programme completely.

Mr. Newton: I shall bring those representations to the attention of my right hon. Friend.

Mr. John Marshall (Hendon, South): May I add my voice to the calls for an early statement on the siting of the millennium exhibition? Many people believe that it should, like the Festival of Britain, be in London, which has by far the best tourist infrastructure, transport, theatres and hotels and, as the capital city, is the obvious site.

Mr. Newton: It is just as well that my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who was sitting immediately in front of my hon. Friend, has had to leave the Chamber, but I shall add those representations to the others that I need to pass on.

Mr. Nigel Evans (Ribble Valley): May we have a debate on the repercussions for the economy of the north-west, especially in Lancashire, which would follow if we were to carry out the recommendations of early-day motions 436 and 413 relating to the export of arms to Indonesia?

[*That this House condemns the continued denial of the rights of the people of East Timor by the Indonesian government; notes with concern the fact that, in spite of 10 UN resolutions over the past 20 years, Her Majesty's Government continues to support the genocidal actions of the Suharto regime including by the morally and legally reprehensible provision of export licences allowing British Aerospace to sell Hawk jets to Indonesia; believes that the Scott Inquiry team should be asked to investigate the role of the British Government in allowing sales which are contrary to international and national guidelines; and finally calls for the immediate cancellation of the delivery of the Hawk jets and all other weapons to Indonesia until such inquiry has taken place.*]

I refer not only to the jobs of people who work at British Aerospace at Warton and Samlesbury in my constituency, a highly skilled work force of which I am proud, but to those at several smaller contractors that supply British Aerospace. The only people who would rub their hands if we were to cancel the Hawk order and other defence contracts with Indonesia would be the manufacturing industries of France, Germany, Italy and other countries that would benefit.

Mr. Newton: My hon. Friend, like my hon. Friend the Member for Blackpool, North (Mr. Elletson), makes an important point, which I hope will be reflected upon by the Opposition.

Points of Order

4.57 pm

Mr. Bryan Davies (Oldham, Central and Royton): On a point of order, Madam Speaker. I want to raise a gross breach of the conventions of the House and of the way in which we seek to represent our constituents. I have told the hon. Member for Littleborough and Saddleworth (Mr. Davies) that I would raise the matter. I am sorry that he is not in his place.

I have received several complaints from my constituents that personalised letters have been sent to many of them above the signature of the hon. Member for Littleborough and Saddleworth. In addition to containing tendentious Liberal Democrat propaganda, they include a leaflet entitled, "For Help and Advice". Underneath is a photograph and the words, "Chris Davies MP". There was also a questionnaire on local and national matters. A freepost envelope is enclosed with the address "Chris Davies MP", in which the questionnaire can be returned. If the questionnaire is returned, the hon. Gentleman writes to the individual, my constituent, who has corresponded with him. I consider that to be the grossest interference with the rights of my constituents and with my rights as their elected representative.

My constituents are clearly being misled, because the hon. Member for Littleborough and Saddleworth is not their representative and cannot carry out actions in the House on their behalf, as suggested by the material. I ask for your guidance, Madam Speaker, on how I may make progress in ensuring that that activity ceases and that the conventions of the House are upheld.

Mr. Robert Sheldon (Ashton-under-Lyne): Further to that point of order, Madam Speaker. Several hon. Members will be suffering from that problem because of the redistribution of constituency boundaries. I am in a similar position, because my hon. Friend the Member for Oldham, West (Mr. Meacher) represents an area that is due to become part of the constituency for which I expect to stand. I have been scrupulous in not contacting his constituents and have referred letters to him because he is the Member of Parliament. I am surprised that the hon. Member for Littleborough and Saddleworth (Mr. Davies) did not pursue the same course.

Mr. Barry Field (Isle of Wight): Further to that point of order, Madam Speaker.

Madam Speaker: I did not think that the hon. Gentleman could have such a problem with his constituency.

Mr. Field: That is why I rise to make a point of order. I am sure that you would be amazed to know, Madam Speaker, as keeper of good order and discipline in the House, that the Isle of Wight is not subject to boundary redistributions, yet a Liberal Democrat spokesman regularly describes himself as the parliamentary spokesman to the people of the Isle of Wight and sends out questionnaires in that way. That is a total misrepresentation. I very much support the hon. Member for Oldham, Central and Royton (Mr. Davies). The Liberal Democrats are a bunch of poltroons and you should send them out.

Madam Speaker: The House will know that I have often given guidance on these matters. Of course, I deprecate the activities of any Member who interferes in such a way in another's constituency. The hon. Member for Littleborough and Saddleworth (Mr. Davies) is a relatively new Member. Hon. Members should be mature and sensible enough to resolve such matters among themselves. I see that the Liberal Democrat Whip is in his place and has heard the exchanges. I am sure that he will use his good offices to ensure that there is no recurrence.

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. I wish to ask you a question, arising from what my hon. Friend the Member for The Wrekin (Mr. Grocott) said, about Monday's business and vote.

It is important that people outside understand what we mean and how we vote. As I understand it, Madam Speaker—you will correct me if I am wrong—if a vote is on a Government motion for the Adjournment, the usual practice, although it may not be followed on Monday, is that the Government vote against that motion, in order to protect their business, so presumably on Monday we shall vote for the motion.

To many people, that is an almost Alice-in-Wonderland position, which they do not understand, and one can hardly blame them. I wonder whether many Members of the House, who may not be present, understand the technicalities.

Of course you are not, and cannot be, responsible for which motions are tabled, Madam Speaker, but the fact that there will not be a proper Government motion regarding the Scott report, and that there will be a technical motion, will cause difficulties and confusion, not necessarily in the House—with the Whips about and so on—but to millions of people outside. Such people have a duty, which they carry out, to want to know about important public business. Surely they cannot be criticised, and it will certainly look like Alice in Wonderland when the Government move a motion and then vote against it.

Madam Speaker: The hon. Gentleman is correct, in that on Monday, if the Opposition wish to oppose the Government, they will vote aye, and the Government will vote no, but I think that the hon. Gentleman, with respect, underestimates our electorate. I think that they know precisely what goes on here. According to my mailbag, I can tell him that that is absolutely correct.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

INDUSTRIAL DEVELOPMENT

That the draft Financial Assistance for Industry (Increase of Limit) Order 1996, which was laid before this House on 25th January, be approved.

CONTRACTING OUT

That the draft Contracting Out (Functions in relation to the provision of Guardians Ad Litem and Reporting Officers Panels) Order 1996, which was laid before this House on 6th February, be approved.—*[Mr. Knapman.]*

Question agreed to.

ESTIMATES

Motion made, and Question put forthwith, pursuant to Standing Order No. 131(2),

That this House agrees with the Report [20th February] of the Liaison Committee.—*[Mr. Knapman.]*

Question agreed to.

Orders of the Day

Asylum and Immigration Bill

Not amended (in the Standing Committee), further considered.

Clause 8

RESTRICTIONS ON EMPLOYMENT

5.1 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I beg to move amendment No. 44, in page 5, line 22, after 'that', insert '(a)'.

Madam Speaker: With this, it will be convenient to discuss also the following: Government amendments Nos. 45 and 46.

Amendment No. 57, in page 5, line 27, at end insert—

'Provided that no order made pursuant to this subsection shall specify a birth certificate as a relevant document for the purposes of a defence under this section until statutory provision has been made requiring applicants seeking the issue of a birth certificate—

(a) to complete a comprehensive application form,

(b) to state their relationship to the subject of the required certificate, and

(c) to state the purpose for which the certificate is to be used.'.

Mr. Kirkhope: A key argument made by many respondents to our consultation document was that it was important for employers to know exactly what they needed to do to establish a defence. The three Government amendments to clause 8 are designed to ensure that employers can be clear in their minds about two key points.

The first point was raised in Committee, and we promised to consider it. We now propose that the wording in subsection (3) be amended as set out in amendment No. 45. Our consultation document referred clearly to employers seeing documents which appear, prima facie, to belong to the person offering himself or herself for employment. Subsection (3), however, simply refers to documents relating to the person concerned. It was suggested that that formulation would require employers to make more elaborate efforts to establish the true identity of potential employees.

Amendment No. 45 will ensure that no more is expected of employers than is outlined in the consultation document. They will be able to assume that a document belongs to and relates to the person proffering it unless there is a good reason that would suggest that that is not the case.

Amendment No. 46 will amend subsection (3) to allow us to give employers the clearest possible indication of what they will need to do, when they have seen a document, to provide themselves with a defence. The current draft simply allows us to specify documents that would establish a defence, but does not allow us to be specific about other important details. In some cases, as our consultation document said, we would expect employers to take a copy of a document to establish a defence. In the case of the P45 defence, an employer

would simply need to have retained—as he is required to at present in any event—part of the form. Obviously, it would be inappropriate to include in the Bill detailed points about the taking of photocopies or the scanning of documents using information technology equipment. Nevertheless, amendment No. 46 will enable us to leave employers and the courts in no doubt about what is required.

Amendment No. 44 is a minor drafting amendment to subsection (3) which is desirable because of the introduction of amendment No. 46.

Before I leave amendments Nos. 44 to 46, I should tell the House that we have been giving further consideration to an argument that was made in Committee about the possibility that racketeers would abuse the statutory defences. The hon. Member for Blackburn (Mr. Straw) yesterday recognised the need to deal with such people.

We certainly do not want unscrupulous employers to have a defence when they know that the person employed is not entitled to work or when they have been actively involved in producing false documentation for that employee. We need to ensure that racketeers are guilty of an offence in those circumstances. We shall examine the matter carefully. If we consider that clause 8 needs strengthening, we shall table an amendment to that effect in the other place, but legitimate employers will have nothing to fear and no additional burdens will be placed on them. I commend those minor but important amendments to the House.

I should like to give my reaction to amendment No. 57, which has not yet been moved. It would prevent an order made under subsection (3) from including a birth certificate as a specified document until the Government have implemented certain proposals contained in the White Paper "Registration: Proposals for Change", relating to controls on the issuing of certified and uncertified birth certificates.

The amendment reflects anxieties, which the Government share, about the comparative ease with which certified copies of birth certificates can be obtained and the fact that such certificates can be used to establish false identities. Several hon. Members mentioned the issue in Committee.

The procedure for obtaining certified copies of birth certificates is primarily a matter for my right hon. Friend the Secretary of State for Health because he is responsible for the Office of Population Censuses and Surveys, whose White Paper discussed the problem and possible ways of solving it. We are discussing the issue.

The Government understand and share the fundamental concern that lies behind the amendment, and we shall bear that concern in mind when we draft the final version of an order under the clause. We do not believe, however, that the significant but fairly small-scale abuse that can and does take place will necessarily justify excluding birth certificates from the list of specified documents. We do not consider it appropriate for such an exclusion to be contained in the Bill.

I hope, therefore, that Opposition Members will agree to withdraw that amendment.

Mr. Max Madden (Bradford, West): I beg leave to move amendment No. 57, standing in my name and that of a number of right hon. and hon. Friends.

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Gentleman does not need to move the amendment at this moment. If it were to be moved, it would be done separately after the others have been considered.

Mr. Madden: As the Minister said, the amendment is designed to block an important loophole that was first revealed in the book "The Day of the Jackal", whereby it is lawful and extremely easy for any person to obtain the birth certificate of any other person, living or dead, and to assume that person's identity.

The Government have expressed concern about the loophole—and expressed the intention to legislate to block the loophole—since 1990 and the publication of the White Paper "Registration: Proposals for Change", in which the idea of making personation more preventable was suggested. The White Paper made several recommendations to regularise procedures for obtaining birth certificates, which are contained in amendment No. 57; sadly, the Government have failed since 1990 to provide time for appropriate legislation to be brought before the House.

Action to make personation more difficult has become tangled up in the controversy concerning identity cards. The amendment gives the Government the opportunity to take the action that they say they wish to take to stop the ease with which people may acquire a birth certificate—and the identity—of someone else, either alive or dead. This matter has been of long-standing concern to hon. Members, and I pay particular tribute to my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker), who has been campaigning on this issue for several years, and to the hon. Member for Ealing, North (Mr. Greenway), who has brought this matter to our attention in the past.

I hope that the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope), reconsiders the Government's attitude to amendment No. 57. Birth certificates are specified in orders relating to the Bill as providing employers accused of employing illegal entrants with a defence. The amendment has three aims: first, in applying for a birth certificate, a person would have to complete a comprehensive application form; secondly, a person would have to state his or her relationship to the subject of the required certificate; and, thirdly, a person would have to state the purpose for which the certificate would be used.

These seem to be perfectly reasonable requests to be made of someone applying for a copy of a birth certificate. We have been waiting a long time for such legislation. I strongly urge the Minister—if he is unable to accept the amendment—to consider, in another place, coming forward with an appropriate vehicle to realise the intentions of amendment No. 57.

Mr. Kirkhope: I have already stated that the Government are considering the position. I cannot give the hon. Gentleman the assurance that he requires, but I acknowledge that there is a problem with birth certificates for these proceedings, as well as for agencies and organisations that rely on birth certificates as evidence, such as building societies, passport agencies and insurance companies. It is a problem of a general nature and the Government are examining it and are concerned to deal with it as soon as possible.

Mr. Madden: The Minister is clearly reinforcing the case that urgent legislation must be introduced. He should

[Mr. Madden]

come forward, in another place, with a suitable way of introducing the intentions that lie behind the amendment, and that clearly are of concern to all hon. Members. I hope that a way can be found to introduce these long-awaited reforms during the passage of the Bill.

Mr. Harry Greenway (Ealing, North): I identify with the hon. Gentleman's points because I have had a most distressing case in my constituency. People who are personated believe that their lives have been wrecked—as is the case for one of my constituents and, no doubt, for the constituents of other hon. Members. One of my constituents had the experience of someone going to St. Catherine's house, getting access to her birth certificate, assuming her identity and undertaking all sorts of fraudulent activity.

My constituent had no legal means of addressing the situation. The person who committed the offence was taken to court, found guilty of gross and serious impersonation—and much worse—and sentenced to imprisonment for three months. She was released after six weeks and has continued to use the name of my constituent, who has since been through a pregnancy, which was not easy for her and which added to her distress. She is at the end of her tether and feels that nothing can be done.

I ask the Under-Secretary of State for the Home Department, my hon. Friend the Member for Leeds, North-East (Mr. Kirkhope), to give some ground. There is a great need, even if only for a small number of people—that is what a democracy is all about—to address this problem. The amendment is one way of addressing it. I look to my hon. Friend to offer some way forward—in another place, if it cannot be done now, or by some formula that has a measurable time span, which will not kick the issue into the long grass for ever. That would cause my constituent, and the constituents of other hon. Members, distress that I could not live with.

5.15 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): I have read about the situation affecting the constituent of the hon. Member for Ealing, North (Mr. Greenway), and I feel for him. It is unbelievable that something like that can happen in this modern day. I support amendment No. 57. I have in my hand the birth certificate of a young girl named Jennifer, who was born in Birmingham at 6 am on 3 October 1967. I also have in my hand the death certificate of Jennifer, which is dated 4 October 1967. Jennifer and her twin did not survive more than 24 hours.

Hon. Members may not be surprised to learn that on 6 May 1988 a national insurance number was issued to Jennifer; on 5 December 1992 a British visitors passport was issued; and on 25 November 1993 a full British passport was issued. All the details were the same—the names of the parents, the name of the hospital of birth and the date of birth. For all intents and purposes, this person was Jennifer—who survived for less than 24 hours.

It is difficult to describe the distress suffered by the parents of Jennifer—who died almost 30 years ago—when a Home Office investigator knocked on their door, having tracked them down, to explain what had happened. I do not criticise the Home Office investigation unit. It discovered this fraud as a result of a random check of one year's British visitor passport applications at one post office. The death certificate was discovered. It took quite a while to track down the now elderly couple, who were pensioners and who had had several more children. Thirty years after the twins had died, someone decided to impersonate Jennifer—someone claimed that she was Jennifer. She could not possibly claim to be the birth child of the couple, but she stuck it out for months before her true identity was discovered.

As a result of looking into this case, of contact with the Home Office and of parliamentary questions, I became aware of the White Paper. I had not been aware of the proposals; but when I looked at the detail, I was reminded that there had been a proposal to change the marriage laws so that people could get married in a submarine or somewhere. In answer to parliamentary questions, I was referred to the proposals in Command Paper 939. However, none of the parliamentary answers in 1995 said that the White Paper was dated 1990. Only when I examined it did I realise that it was six years old.

The Government have a problem: the White Paper, which followed a Green Paper, made it clear that they had taken on board the criticisms in the Green Paper. Paragraph 6.10 of the document states:

"In essence, the right to buy certified copies of events will be more tightly controlled".

Paragraph 6.11 states:

"Statutory provision will be made for the issue of non-certified copies of entries in the recent records and, instead of the present entitlement to a certified copy, all applicants will be entitled to non-certified copies . . . However, those requiring certified copies will have to complete a more comprehensive application form resembling that for a passport. Applicants will be required to identify themselves, state their relationship to the subject . . . and the purpose . . . for which it is required. They will also be asked to give their address".

It does not deny access to people wishing to check their historical family records. However, the procedures were tightened.

St. Catherine's house issues almost 250,000 certified birth certificates per year. In answer to a parliamentary question from me, the then Under-Secretary for Health, the hon. Member for Bolton, West (Mr. Sackville), replied:

"In 1994 the Registrar General issued 245,961 full birth certificates".—[*Official Report*, 13 March 1995; Vol. 256, c. *399*.]

I received another answer from the Department of Health on 31 March 1995. The then Under-Secretary said that the forms would be redesigned and that people applying at St. Catherine's house would

"also be required to state their relationship to the subject of the required certificate and the purpose for which the certificate was to be used . . . the application forms now in use by the Registrar General ask for this additional information, but applicants cannot, at present, be obliged to provide the answers".—[*Official Report*, 31 March 1995; Vol. 257, c. *814*.]

It is possible—as I have proved more than once—to walk into St. Catherine's house, not fill in the form properly and still be given a certificate. I visited St. Catherine's house to check out the procedure a year ago and I went again yesterday and today. The application form currently in use does not conform with what the Under-Secretary told me on 31 March. The form does not require applicants to state their relationship to the person whose

birth certificate it is: they are simply asked whether they are applying for their own certificates. Applicants are not asked whether it is a family birth certificate.

I took up the matter with the Prime Minister last May. The Government have identified the problem: they know about "The Day of the Jackal" loophole. They commissioned a Green Paper, followed by a White Paper, to examine an issue that cannot be contentious in this place. Yet, six years later, there is no legislation. The Prime Minister wrote to me on 23 May last year to say that some of the measures to which I had alluded had been implemented. He continued:

"It remains the Government's intention to introduce the necessary legislation to implement the remaining White Paper proposals, when Parliamentary time permits".

I have been a Member of Parliament for nearly 22 years—it has been a privilege every day—but the last two parliamentary Sessions have been the lightest in legislative terms that I can recall. A short Bill—a private Member's Bill or a Government Bill—could deal with the matter. We could dispense with it in a few days. There is no problem: the snags have been ironed out already in the Green and the White Papers.

I cannot see why we do not send a signal to organised crime. It is not a case of one or two people playing around—although the hon. Member for Ealing, North has highlighted a particular difficulty. Organised crime is clearly involved. Procuring a birth certificate is only the beginning of creating a personality—I understand that it is described as creating a "legend". Although the birth certificate states that it cannot be used as proof of identity, no one takes any notice of that. If one offers a birth certificate along with other documents, one can get a national insurance number, open bank accounts and get one's name on the electoral register. People can create false personalities and cause mayhem. I cannot understand why the loophole has not been closed.

I shall give another example of a constituency case that was drawn to my attention only a few weeks ago. I made inquiries about a constituent who had been involved in some illegal activities and had been caught. I received a letter from the Under-Secretary, the hon. Member for Leeds, North-East (Mr. Kirkhope), which is pertinent to the thrust of the debate. I shall refer to my constituent as "Mr. A". The letter states:

"Furthermore, Mr. A. was convicted on 28 March 1994 of three counts of theft and forgery and was sentenced to nine months in prison on each count to be served concurrently. He was arrested by police on 7 May 1993, having produced a British birth certificate that was not his in order to secure employment with the Department of Employment since 1990. Whilst so employed, he had obtained approximately £13,000."

That person was found guilty of fraud against the Department of Employment, and he got his job by offering a false birth certificate.

There is clearly a problem with false birth certificates. Although it may not be possible to close the loophole in the Bill in the other place, I do not believe that, six years after the publication of the White Paper, it is impossible to put before the House the clauses necessary to close that loophole. Such legislation could be debated fully—it is proper that that should occur—receive Royal Assent, and be on the statute book before the close of play in summer. The Government intend to clear all legislation by that time—for reasons that I will not go into, but will be obvious to everyone with a passing interest in politics in this country.

I do not believe that it is not possible to do that. The Minister will have to give me a better reason than the statement, "The Government are still considering it." The White Paper proposed such legislation six years ago. I am aggrieved about the matter because some of my constituents are affected by people who are misusing the system and obtaining birth certificates to create false personalities. My constituents and I demand action.

Mr. David Alton (Liverpool, Mossley Hill): I support the amendments. I assure the hon. Member for Birmingham, Perry Barr (Mr. Rooker) that his persistent campaign on the issue has not gone unnoticed. His efforts, and those of the hon. Members for Bradford, West (Mr. Madden) and for Ealing, North (Mr. Greenway), should commend themselves to the Government and command all-party support.

It is ironic that only yesterday we were told that a heavy hand should be raised against the 10,000 people who were supposedly working illegally in this country and using false documents to secure those jobs. Today we have an opportunity to do something about those who are culpable of working illegally and using the most unacceptable methods. As has been said, they are causing grievous distress to the people whom they have impersonated or to their families.

It seems bizarre that in amendments Nos. 44, 45 and 46, tabled by the Under-Secretary, we are now saying that if a document looks official in some way, we will not prosecute. That shows that the Government are willing to be more reasonable than they were even yesterday. However, the Government are not prepared to do anything about the one document—a false birth certificate—that we know might be falsely held and used illegally.

As the hon. Member for Perry Barr said, a statement was made to the House about that problem as long ago as February 1990. In answer to a question from the Government Whip, the hon. Member for Chelmsford (Mr. Burns), the Government replied:

"Nearly all of the changes envisaged will require legislation for their implementation, and the Government hope to introduce this at an early date".—[*Official Report*, 1 February 1990; Vol. 166, c. *353*.]

I hope that the Government Whip's office is a little more efficient about other matters than it has been in implementing the reply that the hon. Gentleman received in 1990. In 1995, the Prime Minister said that the need for legislation:

"has not been lost between the Home Office and the Department of Health".

In an article in the *Evening Standard* on 13 December 1995,

"A Home Office spokeswoman said she was aware that procedures had been tightened. She said: 'There have been some occasions when people applied for replacement birth certificates and other certificates which haven't necessarily been replacements for their own. We have picked up 10,000 people working illegally last year. Primarily it is birth certificates that are used.'"

The legislation proposes every possible way of tackling refugees and asylum seekers, but it does not tackle the problem that the Government say is primarily to blame. Something should be done about it and amendment No. 57 provides an opportunity to do so. If the Government cannot give that assurance today, I hope that they will have the sense to do so in another place.

5.30 pm

Mr. Jack Straw (Blackburn): I congratulate my hon. Friends the Members for Birmingham, Perry Barr (Mr. Rooker) and for Bradford, West (Mr. Madden) on their persistent campaign to bring the matter to public attention and to the attention of the House.

Reliable and secure certification of identity is fundamental to the operation of a democracy such as ours. Without it, people cannot claim their rights. Moreover, there is an open encouragement to the fraudulent access to rights to which people are not entitled. Having examined its background, I am quite astonished by the Government's complacency on the issue. They accept that there is a problem, but they sit on their hands when sensible proposals are made—not by us, but by Ministers—to deal with it.

It is not a controversial issue between the parties. We have said before and I say again that we shall co-operate fully with the Government in putting legislation on the statute book, either within the Bill or separately, before the summer. If Ministers are wondering why their motives in bringing forward employer checks are open to question, they need look no further than the gaping hole in the regime. On one hand, they impose criminal sanctions on decent, hard-working small business people; on the other hand, they are faced with a complete scandal by which people can evade those controls to obtain jobs and other benefits, and although proposals have been ready and waiting in a White Paper for five years, following a Green Paper two years previously, they take absolutely no action.

Action is required. Without it, the continuing scandal of people gaining access to rights, including benefits and jobs, will continue. We want it stopped and we want the Government to accept our offer to have it stopped.

Mr. Kirkhope: I am grateful to everybody for their contributions in the short debate. There was certainly a general feeling of sympathy, and I shall undertake to draw our exchanges to the attention of my right hon. Friend the Secretary of State for Health, who is aware of the matter, as I explained earlier.

Mr. Harry Greenway: I should like briefly to point out to my hon. Friend that the cases about which we have heard have largely been resolved, but the person who impersonated my constituent was sentenced to three months' imprisonment, served only three weeks and is now impersonating her again. She ought to be deported, but no one knows from which country she comes and she says that she does not know either. Those extra difficulties make the matter even more urgent.

Mr. Kirkhope: I thank my hon. Friend for that. As I said, I shall draw to my right hon. Friend's attention the details of this evening's debate.

Amendment agreed to.

Amendments made: No. 45, in page 5, line 25, leave out 'related' and insert

'appeared to him to relate'.

No. 46, in page 5, line 27, at end insert 'and

(b) either the document was retained by the employer, or a copy or other record of it was made by the employer in a manner specified in the order in relation to documents of that description.'—*[Mr. Kirkhope.]*

Clause 9

ENTITLEMENT TO HOUSING ACCOMMODATION AND ASSISTANCE

Amendments made: No. 47, in page 6, line 2, leave out from beginning to 'immigrant' in line 3 and insert

'no tenancy of, or licence to occupy, housing accommodation provided under the accommodation Part is granted to an'.

No. 48, in page 6, line 32, at end insert—

' "licence to occupy", in relation to Scotland, means a permission or right to occupy;

"tenancy", in relation to England and Wales, has the same meaning as it has in the Housing Act 1985.'.—*[Miss Widdecombe.]*

Clause 10

ENTITLEMENT TO CHILD BENEFIT

Mr. Doug Henderson (Newcastle upon Tyne, North): I beg to move amendment No. 9, in page 6, leave out lines 39 to 41 and insert—

'"(1) No person to whom subsection (2) below applies shall be entitled to child benefit for any week unless she satisfies prescribed conditions.

(2) This subsection applies to a person who under the Immigration Act 1971 requires leave to enter or remain in the United Kingdom who—

(a) is not a person who has been granted indefinite leave to enter or remain in the United Kingdom, or

(b) is not a person who has been recognised as a refugee, or

(c) is not a person who has been granted exceptional leave to enter or remain in the United Kingdom, or

(d) is not a dependant of a person falling within the exceptions set out in paragraphs (a), (b) or (c) above;

whether or not such leave has been given.".'.

Madam Deputy Speaker: With this, it will be convenient to discuss also amendment No. 10, in clause 12, page 7, line 9, leave out from 'means' to end of line 11 and insert—

'(a) for the purposes of section 8, a person who under the 1971 Act requires leave to enter or remain in the United Kingdom (whether or not such leave has been given) and who has not been recognised as a refugee; and

(b) for the purposes of section 9, a person who under the 1971 Act requires leave to enter or remain in the United Kingdom who—

(i) is not a person who has been granted indefinite leave to enter or remain in the United Kingdom, or

(ii) is not a person who has been recognised as a refugee, or

(iii) is not a person who has been granted exceptional leave to enter or remain in the United Kingdom, or

(iv) is not a dependant of a person falling within the exceptions set out in sub-paragraphs (i), (ii) or (iii) above;

whether or not such leave has been given.'.

Mr. Henderson: When clause 12 was discussed in Committee, there was much concern about the definition of an immigrant and who would be caught under the provision. Clause 12 gives the Secretary of State power to make that definition by order. There was considerable anxiety that, some persons, who are effectively British citizens—having lived here for most of their lives, having paid taxes for 20 or 30 years, having sometimes served with British forces and having made a major contribution

to the economy—could suddenly be classified as immigrants under the new definition and, in some circumstances, no longer be entitled to housing assistance or child benefit. There was a lengthy discussion about just what circumstances would apply in relation to clauses 10 and 12.

Amendments Nos. 9 and 10 would introduce minimum definitions of those who would not be excluded. The three categories would be:

"a person who has been granted indefinite leave to enter or remain in the United Kingdom . . . a person who has been recognised as a refugee . . . a person who has been granted exceptional leave to enter or remain in the United Kingdom"

and the dependants of persons in those categories.

I do not know whether the Government are yet able to issue a precise definition of an immigrant for the purposes of the Bill, covering all circumstances. Perhaps the Minister has something up her sleeve. If not, and there is still the confusion that there was in Committee, there is a case for providing at least a minimal classification of who would not be covered by the definition of an immigrant in clause 12.

The Minister of State, Home Office (Miss Ann Widdecombe): If there was any confusion in Committee, it could only have been in the mind of the hon. Gentleman. There was a very full debate in Committee, the substance of which I repeat now. The purpose of clause 10 is to bring child benefit into line with the other social security benefits for people from abroad, as set out in the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1995.

Amendment No. 9, would subvert that purpose. It would fix the entitlements of some immigrants in primary legislation, whereas regulations would continue to be needed to prescribe entitlement for others.

I do not see why Opposition Members are so intent on removing consistency from the legislation. We made very clear in Committee how we intend to use the powers under clause 10 and we have given the House details of the groups who will retain entitlement to child benefit. I am prepared to run through them again but, to save time, the Opposition probably do not want me to do that.

Mr. Henderson: Can the hon. Lady confirm that the categories mentioned in the amendments are covered one way or another by her intentions?

Miss Widdecombe: I was about to do just that—perhaps the hon. Gentleman will hold on. I take it that he does not want me to read out the list of those who would be entitled and those who would not.

Mr. Henderson: If the hon. Lady can answer yes to my question, I shall excuse her from that onerous task.

Miss Widdecombe: We have given the House details of the groups who will retain entitlement to child benefit. The hon. Gentleman should now listen very carefully. They will include all the people from abroad specified in amendment No. 9 and more besides. The additional groups are all those—as I explained in Committee—covered by reciprocal and EC agreements.

It seems to us logical and consistent to have all the conditions for entitlement to child benefit for people from abroad set down in one place in regulations. We oppose amendment No. 10 for precisely the same reason. We made clear, on Second Reading and in Committee, the categories of persons subject to immigration control that we intend to exclude from housing entitlement under clause 9. The main ones are those who are at present without leave and those with limited leave granted on the basis that they will have no recourse to public funds. Asylum seekers will not have access to council housing because that is a long-term resource which should be used for people entitled to live here. Asylum seekers will also be ineligible for assistance under the homelessness legislation, unless they have claimed asylum on arrival, are awaiting a decision from the Home Office and are in priority need.

I regret to have to tell the Opposition that, anyway, their amendments are defective. Amendment No. 10 would merely insert a superfluous list of categories into the definition of the term "immigrant" without substantially restricting the scope of clause 9. The same defect is also present in amendment No. 9.

Mr. Henderson: I find it strange that the hon. Lady is describing our amendments as defective. The Government have had to make dozens of changes to the original draft of the Bill. Had the Government proposed a more cogent Bill and given more explanation, it would have been possible to identify the category of immigrant referred to in clause 12 in primary legislation and not to have had to leave it to an order that the Secretary of State may issue from time to time.

On the basis of the hon. Lady's commitment that the categories intended to be covered by amendments Nos. 9 and 10 are included in her list, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 1

Amendments of the 1971 Act

Mr. Neil Gerrard (Walthamstow): I beg to move amendment No. 1, in page 8, line 3, at end insert—

'Dependants

1A. In subsection (4) of section 1 of the 1971 Act (general principles), after the word "dependants", there shall be inserted the words "(including the spouses or interdependent partners)".'.

Madam Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 19, in page 8, line 3, at end insert—*'Domestic workers—*

1A. In subsection (4) of section 1 of the 1971 Act (general principles), after the word "visitors," there shall be inserted the words "or as accompanying domestic workers,"'.

No. 2, in page 8, leave out lines 29 and 30 and insert—*'Interpretation—*

4.—(1) In subsection (1) of section 33 of the 1971 Act (interpretation), there shall be inserted, in the appropriate place in alphabetical order, the words—

" 'interdependent partner' means a person in a genuine and continuing relationship of interdependency with one other person which involves living together and a mutual commitment to a shared life;".

(2) In subsection (4), after the'.

No. 20, in page 8, leave out lines 29 and 30 and insert—*'Interpretation—*

4.—(1) In subsection (1) of section 33 of the 1971 Act (interpretation), there shall be inserted, in the appropriate place in alphabetical order, the words—

" 'accompanying domestic worker' means a person who prior to his entry into the United Kingdom is employed as a domestic worker and who accompanies or joins his employer in the United Kingdom;".

(2) In subsection (4), after the'.

Government amendment No. 49.

No. 58, in schedule 2, page 10, line 21, at end insert—*'Persecution on grounds of sexual orientation—*

A1. In subsection 2 of the 1993 Act (primacy of Convention), after the word "Convention" there shall be added the words"; and in interpreting the Convention, for the purposes of the immigration rules, persecution by reason of membership of a particular social group shall be taken to include persecution by reason of sexual orientation.".'.

Mr. Gerrard: I tabled amendments Nos. 1 and 2 with the hon. Member for Brigg and Cleethorpes (Mr. Brown), who is unfortunately unable to be present.

The amendments would deal with the discrimination that currently exists in the immigration rules against gay and lesbian couples, which make no provision for any unmarried—or non-marital, to be more accurate—relationship, whether homosexual or heterosexual. Spouses and fiances are recognised, but no other non-marital relationships are explicitly recognised. Some 10 or more years ago, the Home Office recognised reality and issued policy guidelines that covered unmarried, cohabiting heterosexuals. It is, therefore, possible for an unmarried, cohabiting couple—if they are heterosexual—to obtain entry clearance as partners. Obviously, they have to produce evidence of the relationships.

In 1993, some 400 unmarried heterosexuals applied and were allowed to remain in the United Kingdom on the basis of the relationships, but similar applications from gay and lesbian couples are routinely refused, despite the fact that there have been one or two immigration tribunal decisions that suggested that it would be appropriate to deal with such an application as a relationship between two people as partners. The numbers involved are quite small—in 1995, the Home Office received 60 applications from gay and lesbian people who wished to remain on the basis of a relationship. In those cases, the average length of the relationship was approximately five years and, therefore, significant and of some length.

The present official policy is to consider each application from interdependent homosexual partners on their individual merits, but permission to stay is granted only in exceptional and very compelling circumstances. The only examples of which I am aware in which permission has been granted are one or two cases in which the British partner was suffering from a terminal AIDS-related disease and the other partner was the carer. People have been allowed to stay on that basis, but even then the Home Office seems to have taken a rather tighter attitude recently and refused leave.

5.45 pm

The arguments for the amendments are fairly straightforward, and include the effects of the present policy on what are, by any standards, stable, long-standing and interdependent relationships between people who have every intention of staying together. One example is the case of a 34-year-old man, Mark, who is a chartered accountant and senior consultant with a well-known consultancy firm, earning a good salary. In 1991, he met a 37-year-old Brazilian called Paulo who was completing his PhD in London. They lived together from 1992 and, at the time, Paulo had a work permit. When the work permit ran out, he applied to stay on the basis of the relationship, but was refused. In similar circumstances, an application by a heterosexual couple would almost certainly have been accepted. The couple had been together for four years and had a stable, interdependent relationship. Paulo is now back in Brazil.

People in such circumstances are faced with two options. One is simply to separate; the other—as undoubtedly sometimes happens—is for the foreign partner to make a marriage of convenience to stay in the United Kingdom. Nobody wants that to happen.

I see no reason why relationships of the type that I have mentioned should not be recognised. I am sure that there are a few hon. Members—fortunately, a diminishing number—who believe that no homosexual relationships should be recognised and who regard such relationships with complete distaste, but even they should acknowledge that stable homosexual relationships occur.

The amendments would provide only equality with heterosexual relationships; that is all that is required. I would expect partners to be able to produce evidence to back up their claims that they were in a relationship that they intended to be long-standing and permanent. The change would cause no great difficulty. Some other countries have already recognised same-sex relationships for immigration purposes; Australia, New Zealand and Canada have, as have a number of European countries—Denmark, Finland, the Netherlands and Norway. Partnership rights will probably be introduced soon in Spain. South Africa grants equal rights under the 1994 constitution to same-sex relationships. It would not be difficult or unusual if this country were to change the rules.

The amendments would clarify the immigration rules, which ought to refer to an interdependent partner, meaning

"a person in a genuine and continuing relationship of interdependency with one other person which involves living together and a mutual commitment to a shared life".

As I said earlier, all non-marital relationships technically contravene the present immigration rules, which use the terms "spouse" and

"fiance(e) with a view to marriage".

They do not refer anywhere to cohabitees. The amendments would tidy up the immigration rules by stipulating that long-term relationships other than marital ones ought to be recognised.

Amendment No. 58, which has been tabled by my hon. Friend the Member for Leyton (Mr. Cohen), acknowledges that individuals are persecuted for their sexual orientation, by proposing that, included in schedule 2, should be the words,

"and in interpreting the Convention, for the purposes of the immigration rules, persecution by reason of membership of a particular social group shall be taken to include persecution by reason of sexual orientation."

That was discussed briefly in Committee. There are European countries in which to be homosexual is to invite persecution, so I commend my hon. Friend's amendment.

Mr. Alan Howarth (Stratford-on-Avon): I support the powerful plea made by my hon. Friend the Member for Walthamstow (Mr. Gerrard) because it is plainly right—as a matter of recognising modern realities and of justice—that the immigration rules should not discriminate against unmarried but truly interdependent partners, whether they are heterosexual or homosexual. I echo my hon. Friend's point that the Government should address the question of individuals from countries in which they are liable to be persecuted for their homosexuality. It may be that amendment No. 1 covers that concern. If neither it nor any other amendment does so adequately, I hope that the Government will think carefully and constructively about tabling an amendment in the other place.

A number of countries on the Government's white list actively persecute people who engage in consenting homosexual acts. An Amnesty International report on Romania published last year stated that people there are imprisoned and treated with great severity solely for their homosexuality. In Pakistan, prison sentences of between two years and life are imposed on homosexuals, who are also flogged for the offence. India has a maximum sentence of life imprisonment. The Bill fails to recognise the fear and reality of such persecution.

Last year, in the case of Ioan Vraciu—a Romanian soldier whose partner was arrested and tortured for his homosexuality—a UK immigration appeal tribunal ruled that gay people could be seen as a distinct social group for the purposes of interpreting the 1951 UN convention on the status of refugees. Hitherto, the Home Office has refused to accept that proposition. Mr. Vraciu's application for asylum did not succeed, although the immigration adjudicator declared that it was

"unnatural and contrary to human rights"

to criminalise private gay sex.

The Government should be willing to amend the Bill, by accepting the amendments before the House or tabling amendments in the other place, to establish that serious and justified fears of persecution on the ground of homosexuality or the committal of homosexual acts are legitimate reasons for seeking asylum in the UK. The United Nations convention offers protection to people who have

"a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion."

Gay men and women are plainly members of a particular social group, and they should be seen as such in the sense that the convention means when they have a justified fear of persecution. Such persons ought to have the protection of the law, the administration of which should be regulated by Home Office guidelines requiring sensitive and non-discriminatory handling of lesbian and gay asylum applications. People should not be discriminated against for their sexuality, any more than for their sex, race, religion or disability. The Republic of Ireland—not hitherto in the van of liberal social policy—has already legislated sensibly and humanely along those lines. In justice, we should do no less.

Mr. Henderson: I have sympathy with amendments Nos. 1 and 2, and I support amendments Nos. 19 and 20. As to the former, my hon. Friends have identified the difference of treatment of persons who are married and those who live together, whether they be homosexual or heterosexual. In today's world, we should recognise social realities. Many couples around the world are not formally married but have a stable, sound and loving relationship—which the law of this country and others should recognise.

If two persons who are not formally married want to enter the UK, it is at the Home Secretary's discretion whether an application for both persons in the relationship is permitted. Often, separate applications will be made, although in some circumstances that is not possible. I understand that far more cases of heterosexual couples than homosexual couples go before the Secretary of State. I am not saying that, in the circumstances of statutory provision for entry, those statistics would necessarily be mirrored. Homosexual couples might be deterred from making an application because they do not believe that they would be successful. I cannot say that that is the case, but I would not be surprised.

There would clearly be scope for circumvention of our intention to allow genuinely interdependent couples to be treated in the same way as a married couple, so there is a need for considerable investigation by the Government, Opposition parties and individual hon. Members, in determining practical regulations to meet the concerns and sympathies that have been expressed for the search for a solution.

I am not sure that amendments Nos. 1 and 2 would provide the solution, and I have reservations about them. I certainly want further investigation. However, I sympathise with those who want to find a solution to the problem.

Amendments Nos. 19 and 20 fringe the main purpose of the Bill but are still important. They relate to persons who are employed in virtually a slave relationship by foreign citizens who are allowed entry to the UK, often as visitors. Such persons are in some circumstances permitted to bring their domestic servants, who are often closely tied to the original applicant. I have been told of domestic servants who have been physically, verbally and sexually abused, but who have been unable to do anything about their predicament—unless the person by whom they are employed agrees to return them to their country of origin. Often, servants' passports are held by their employers. Sometimes, they do not even have independent passports. That makes it extremely difficult for them to end the relationship.

The amendments do not seek regulations to govern the position of those poor people but to categorise them separately in immigration law, so that the Secretary of State can lay regulations that apply to them. If the Secretary of State is prepared to allow it, I hope that those workers will be allowed to transfer from one employer to another on exactly the same conditions as applied when they entered the country. I do not ask that they be allowed to come in as a domestic servant to someone who has made an application on a visitor's passport and be able to leave that employment to seek normal employment with another person in the United Kingdom. If they wanted to apply for employment on the normal basis, they would be free to do that; the amendments do not attempt to deal with that situation.

[Mr. Henderson]

I hope that the Government will recognise that, in some cases, abuses that occur in this country arise from the "special circumstance". I hope that the Government will feel able to meet the concerns that have been expressed in the House.

6 pm

Mr. Harry Cohen (Leyton): I apologise to you, Madam Deputy Speaker, and to the House for not being here at the start of the debate, as I was held up in my office.

I tabled amendment No. 58. I shall be brief, as I know that hon. Members have referred to it, including my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth). My amendment refers to the persecution of a particular social group on the grounds of sexual orientation. Gays and lesbians are regarded as a particular social group, and that should be taken into account in the Bill. Persecution because of membership of that particular social group should be a reason to allow people to stay.

I tabled my amendment on behalf of the organisation Outrage! It makes a good case, which I have passed on to the Minister. It expressed great concern that three of the countries included in the Government's so-called white list actively persecute and severely punish people who are convicted of engaging in consensual homosexual activity.

Romania was condemned in an Amnesty International report in 1995 for its human rights record of imprisoning homosexuals and for torturing detainees. In Pakistan, people who engage in consensual homosexual acts are punished with prison sentences of between two years and life, and flogging. India continues to punish people who engage in consensual gay sex with a maximum sentence of life imprisonment. There is no recognition whatever of the fear of persecution on the grounds of homosexuality in the United Kingdom's present political asylum legislation. Indeed, applications made on those grounds are invariably turned down.

Last year, Ioan Vraciu, a Romanian soldier—I think all of this has been mentioned, so I shall be brief—won his case. An immigration appeal tribunal ruled that gay people could be seen as a distinct social group for the purposes of interpreting the 1951 United Nations Convention relating to the status of refugees. The Home Office refused to accept that argument and appealed against the decision. The Home Office lawyer, Alexandra Pond, cast doubt on Mr. Vraciu's claims and requested that doctors should test him to see whether he was really gay, which was amazing.

Mr. Gerrard: It is astonishing to think what the test might have been.

Mr. Cohen: Yes. Incredibly, her argument was accepted by the subsequent hearing and Mr. Vraciu lost his case, and so the special category for homosexuals is not currently accepted in law. It should be. Through my amendment, I hope that the Home Office will accept that. There are countries that persecute gays and lesbians, who might be seeking refugee status in this country to protect themselves from the harsh penalties that they might face there. Those countries include countries that are on the white list.

I urge the Minister to accept my amendment, or at least say that he can see that there is an argument for accepting such applications when these cases arise.

Mr. Kirkhope: We all appreciate the sincerity with which supporters of the amendments have spoken this evening, particularly the hon. Members for Leyton (Mr. Cohen), for Walthamstow (Mr. Gerrard) and for Stratford-on-Avon (Mr. Howarth), but frankly it is simply not a sensible or practical approach to set out the interpretation of the United Nations convention in domestic primary legislation.

With reference to amendment No. 58, it is ultimately for the courts to determine the interpretation of the convention rather than the Government. Sexual orientation is taken into account in the assessment of individual asylum claims where relevant, but our approach is not to make an abstract judgment as to whether homosexuals or any other set of people might or might not be regarded as a social group. Claims are considered on their individual merits in the light of all the circumstances of a particular case, and in Committee my hon. Friend the Minister of State wrote to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on a number of points, including on the question of homosexuals in relation to convention criteria. She set out the Government's position fully. The correspondence was made available to all members of the Standing Committee, and copies were placed in the Vote Office before Report began.

Mr. Alton: I had hoped that the Minister would refer to that letter. As he said, many of the issues, including the cases that, quite properly, were raised today, were referred to in Committee, and the letter was sent by the Minister of State on 31 January. It might be helpful to hon. Members if the letter were published so that they can see it properly. Members of the Committee found it helpful.

Mr. Kirkhope: I am sure that there would be no problem about having the letter placed in the Library, if that is the hon. Gentleman's wish.

I shall deal first with the drafting of amendments Nos. 1 and 2 and then set out some of the policy issues that they raise.

The acceptance of these amendments would result in common-law and homosexual relationships, which involve two people living together with a mutual commitment to a shared life, being accorded the same status as those who are married, for the purpose of immigration. The only objective test for the strength of a relationship in an immigration context is marriage. The concept of an interdependent partner is vague and ill-defined. These amendments would allow any person to claim that he or she was involved in a genuine and lasting relationship and consequently qualified for leave to remain in the United Kingdom without making the commitment to the relationship that is implicit in marriage. The introduction of the concept of an interdependent partner to the Immigration Act and immigration rules would cause difficulties of interpretation, would result in an increase in contested cases and would make the administration of immigration control more difficult than at present.

Several hon. Members *rose—*

Mr. Kirkhope: I shall continue for a moment.

I said that the amendments raise policy issues. Therefore, for the convenience of the House, I shall set out details of a change in policy that we intend to make to the way in which applications for leave to enter or remain as a partner in a heterosexual common-law relationship are considered. This point arises directly from the amendments, and it seems right for us to bring it before the House on the suitable occasion of the debate on these amendments.

The number of foreign nationals seeking to remain here on the basis of a common-law relationship has increased from about 400 in 1991 to about 900 now. There is evidence that some foreign nationals are seeking to prolong their stay here by claiming to be partners in common-law relationships. The immigration rules provide for the admission of married couples and fiances who are expected to marry within a reasonable period. The rules do not provide for the admission of foreign nationals who are partners in common-law relationships. In the light of the figures to which I have referred, my right hon. and learned Friend the Home Secretary has decided that the requirements of the immigration rules should be henceforth strictly applied.

A foreign national who wishes to join or remain here with a person settled here must be married to that person, except for those who qualify under the immigration rules as fiancés or fiancées. Foreign nationals who apply to enter or remain on the basis of a common law relationship can, with immediate effect, expect to have their applications refused.

It is not our intention to apply these new requirements retrospectively. But any foreign national refused leave to remain on the basis of a common-law relationship who does not leave the United Kingdom voluntarily may normally expect deportation action to be taken against him. In deciding whether deportation is the appropriate course, consideration will be given to any compassionate factors that may be present.

I shall give the House some examples of the sorts of case which have caused us concern. An applicant who was admitted as a working holidaymaker sought leave to remain as a common-law spouse. Checks of the evidence provided in support of the application revealed that the applicant was simply sharing a house with a British citizen and that no relationship existed.

In another case, a visitor sought leave to remain as a common-law spouse. Inquiries into the evidence produced suggested that what was intended was a prolonged visit so as to enable the applicant to earn sufficient money to marry in her own country.

Mr. Alan Howarth: No Opposition Member is arguing that the forms of abuse that the Minister has so recently illustrated should be condoned or that the law should be amended to enable such practices to occur.

I take up the Minister's argument that he cannot accept the amendments because they are unrealistic and impracticable. Will he comment on the fact that Australia, Canada, Denmark, Finland, the Netherlands, Norway, New Zealand, Spain, Sweden and South Africa all include provision for lesbian and gay relationships in their immigration rules and accept the concept of the interdependent partner, in whatever language those countries choose to use? If they find it feasible, what is the Minister's objection in principle?

Mr. Kirkhope: The hon. Gentleman must realise that we use as the basis for our immigration rules in these cases the institution of marriage—in other words, the fact that there is a marriage. It does not necessarily have always to be a United Kingdom marriage, but a marriage that is legitimate in all respects in the country where it was celebrated. We see no reason to change that position.

It was argued throughout consideration of the Bill in Committee that in our immigration rules and regulations we should look for clarity. Our proposals and my remarks this evening underline our commitment to clarity and to avoidance of doubt and misunderstanding.

Mr. Straw: I take up a separate but important issue. The Minister has said that the rules allow for settlement in appropriate circumstances of people who are already married or who are coming here to be married as fiancés or fiancées. Will he make it clear that nothing in the changes that he has announced is intended to discriminate against people who are fiancés or fiancées with the intention of marriage?

In my constituency there is a view—I try constantly to disabuse my constituents of it—that it is necessary to marry before application for settlement has been accepted so as to facilitate that application. That often leads to an application for good reasons being rejected and the woman having to remain married.

Mr. Kirkhope: I assure the hon. Gentleman that we intend to continue the arrangement that couples should be married or that there should be a fiancé or fiancée involved, with an intention to marry in the near future.

6.15 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): If a woman is seeking entry into the United Kingdom and she says, "I have proof that I have had a common-law relationship with Mr. X for several years", it seems that no attention will be paid to her assertion. If, however, she says, "I am engaged to Mr. X and here is my engagement ring", it seems that that will be all right. That does not make sense to me.

Mr. Kirkhope: We have made it clear that we accept the status of a fiancé or a fiancée if that is what she or he is shown to be. As I have said, marriage is the institution which we recognise in these circumstances. It provides the only safe way, and international way, in which we can deal fairly with these matters.

Amendment No. 19 provides for the inclusion in the Immigration Act 1971 of one of several concessions, which exist outside the immigration rules, allowing people to come to the United Kingdom for various types of employment. As such, the concession sought is already covered by the reference in section 1(4) of the 1971 Act to "persons coming for the purpose of taking employment".

It would be impractical to itemise all the existing concessions in section 1(4) as many are already covered by the categories listed—for example academic visitors, voluntary workers and the lawyers' concession all come under the heading of "taking employment". It would be

[Mr. Kirkhope]

illogical to mention one concession, such as domestic workers, without referring to all the others. The inclusion of existing concessions in the rules, such as domestic workers, is a separate matter and one that is still under consideration. Therefore, amendments Nos. 19 and 29 are unnecessary.

Mr. Gerrard: I am extremely disappointed with the Minister's remarks and I much regret what he appears to be doing. We shall need to read the official record carefully. My impression is that he is making things considerably worse for both heterosexual and homosexual couples. He has talked of cases where evidence was found to show that there was not a relationship and that people were not genuinely living together. That would apply equally to marriages of convenience, which we all know occur. If evidence turns up that a marriage is not genuine or that a couple who are supposedly living together are not, those situations can be dealt with. It does not matter whether it is a common law relationship.

I take the point made by my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) that there is a need to consider the detail of the amendments and whether technically they would work, especially having heard the Minister's remarks. We might need to think about alternative amendments to be tabled and introduced in another place. Having said that, I do not wish to press amendment No. 1 to a Division.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 49, in page 8, line 30, leave out

'In subsection (4) of section 33 of the 1971 Act (pending appeals),'

and insert

'(1) In subsection (1) of section 33 of the 1971 Act (interpretation), for the definitions of "entrant" and "illegal entrant" there shall be substituted the following definitions—

"'entrant' means a person entering or seeking to enter the United Kingdom and 'illegal entrant' means a person—

(a) unlawfully entering or seeking to enter in breach of a deportation order or of the immigration laws, or

(b) entering or seeking to enter by means which include deception by another person,

and includes also a person who has entered as mentioned in paragraph (a) or (b) above;".

(2) In subsection (4) of that section,'.—*[Mr. Kirkhope.]*

Schedule 3

REPEALS

Amendment made: No. 50, in page 12, line 8, column 3, at end insert—

'In Schedule 2, in paragraph 5(1), the words "Subject to sub-paragraph (2) below,".'.—*[Mr. Kirkhope.]*

Order for Third Reading read.

6.18 pm

The Secretary of State for the Home Department (Mr. Michael Howard): I beg to move, That the Bill be now read the Third time.

The Government are committed to maintaining an open and tolerant society that is free from the blight of racial discrimination. We want a society that fosters respect for and understanding of the diverse cultures and backgrounds of all people lawfully present in this country. Firm but fair immigration control is a necessary pre-condition for such a society.

The Government are determined to maintain the United Kingdom's honourable tradition in providing a safe haven for those fleeing persecution. We shall continue to meet in full our international obligations, including those under the 1951 United Nations convention on refugees.

The Bill aims to improve our asylum and immigration procedures in three ways: first, by strengthening our ability to deal rapidly with bogus claims; secondly, by countering the economic incentives to illegal immigration; thirdly, by combating the despicable crime of immigration racketeering.

The Bill received its Second Reading on 11 December. Since then, the need for its asylum provisions has become even more pronounced. The number of asylum claims in the last quarter of 1995 was a record, bringing the total for the year to nearly 44,000, which is nearly double the level of claims in 1993. The number of asylum seekers awaiting a decision or appeal has risen to 84,000, and the average time for completing a new asylum claim now stands at 19 months. Queues and delays of that magnitude represent a threat to the integrity of our immigration control. The measures that we are proposing in the Bill are essential to prevent abuse and to allow us to give help speedily to genuine refugees.

To enable us to deal quickly with unfounded claims, the Bill provides for designation of countries of origin, wider criteria for certifying claims as without foundation and a more robust application of the safe third country rule. We have also amended the Bill to deal with the growing number of asylum claims in which the applicant has destroyed his documents or persists in maintaining that forged documents are genuine.

Mr. Madden: Can the Home Secretary tell the House when the Foreign Secretary expressed his satisfaction at the inclusion of India and Pakistan in the list of designated countries?

Mr. Howard: I cannot give the hon. Gentleman a date, not least because no final decisions have been taken, and will not be taken, as it is necessary to follow the procedures set out in the Bill. In consultation with my right hon. and learned Friend, the Foreign Secretary, I have listed the countries that we are currently minded to designate. It is right that we should have done so for the convenience of Parliament as it considered the Bill.

Other western European countries have strengthened their legislation since Parliament last enacted an asylum Bill in 1993. It would be very unwise for us to allow this country to be seen as a soft target. Asylum claims have been falling across Europe for the past two years but rising sharply in this country. We now receive the highest number of asylum claims of any country in Western Europe, apart from Germany. The key proposals in the Bill are already in place elsewhere in Europe. Designation of countries where there is no serious risk of persecution, fast-tracking manifestly unfounded cases, making appeals against removal to a safe third country non-suspensive

and making it an offence to employ someone who is not entitled to work are measures which have already been introduced by many of our continental neighbours.

It has been suggested that the solution to the backlogs and delays in the asylum system lies in greater resources and efficiency rather than in legislation and stricter procedures. The truth is that we must do both, and we are doing both.

Mr. Keith Vaz (Leicester, East): The Home Secretary was not in the Chamber yesterday when I raised the important point about the way in which Ministers respond to hon. Members, although I know that my hon. Friend the Member for Blackburn (Mr. Straw) has written to him and I have spoken to him myself about the letter that I received from his junior Minister, the hon. Member for Leeds, North-East (Mr. Kirkhope). Will he, please, look into the issue of the way in which Ministers respond to hon. Members? Does he agree that it is important that Members should be told of the outcome of cases which they have raised with Ministers? If he cannot give me an assurance today, will he at least meet hon. Members to discuss the matter further?

Mr. Howard: I think that my hon. Friend the Minister of State said in the debate to which the hon. Gentleman referred that she would write to him about the matter. I shall certainly discuss the matter with my hon. Friend. I understand and acknowledge the point made by the hon. Gentleman, whose company I look forward to later this evening at the Asian "Who's Who" dinner and the presentation of the Asian of the Year award.

Mr. Vaz: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael Morris): I hope it is for the Chair?

Mr. Vaz: It is, Mr. Deputy Speaker. May I make it clear that I am not accompanying the Home Secretary; we are on different tables.

Mr. Deputy Speaker: Order. When the Chair asks a question of an hon. Member, a proper response is expected.

Mr. Howard: We have increased the number of asylum caseworkers eightfold, from fewer than 100 in 1988 to almost 800 now, and we are investing £37 million more over three years to provide even more caseworkers and adjudicators. The new short procedure in the Home Office, which does not require legislation, enables straightforward cases to be decided in three to four weeks. We are using that procedure in a growing number of cases. Overall, we have increased the number of decisions taken from 21,000 in 1994, to 27,000 in 1995, which is a 29 per cent. rise. This year, we expect to take at least 37,000 decisions, which is a further rise of 37 per cent. In January, for the first time ever, we took more than 3,000 decisions in a month.

Our major programme to introduce new information technology will reduce bureaucracy and further streamline all caseworking procedures.

Miss Emma Nicholson (Torridge and West Devon): The Home Secretary is speaking about the system. Does he agree that a two-year wait when an in-country application is submitted is far too long? Does he agree that it generally takes two years before an interview opportunity is given once an in-country application has been made? Does he also agree that, once the interview is concluded, the file is put on hold for another caseworker to consider—which may take another two years—and that the second caseworker does not have the benefit of the knowledge of the first caseworker, who will have had the applicant face to face? Will the Secretary of State, therefore, look into the possibility of ensuring that the caseworker who has conducted the interview and heard the evidence first hand makes the proposal about granting asylum or otherwise? That is currently not the practice. Does he not believe that the practice that I have suggested would be fairer in terms of time and justice—

Mr. Deputy Speaker: Order. The hon. Lady can make a speech of her own on Third Reading. Interventions should be short.

Mr. Howard: I am told that the relevant period referred to by the hon. Lady is nine months, not two years. If she had been paying a modicum of attention, she would have heard what measures we are taking to deal precisely with the problem to which she referred in her intervention.

The output of the appeal system is also increasing dramatically. The number of appeals determined has risen from 2,500 in 1994 to 7,000 last year; but even those substantial improvements are not enough. The number of asylum applications is rising faster still; backlogs are still growing; and we are still having to deal with far too many bogus applications that should never have been made in the first place. That is why we need the asylum and employment provisions in the Bill.

The measures that we are introducing on entitlement to housing assistance are also important. Social housing is a valuable and costly resource. People whose leave to enter the United Kingdom was given on the understanding that they would make no recourse to public funds should not have access to assistance provided by local housing authorities at the taxpayers' expense, nor should those without valid leave. Those groups do not now have entitlement to social security benefits, except if they have claimed asylum on arrival and are awaiting a decision.

The Bill will enable entitlement under homelessness legislation to be brought into line with those changes. It will also enable us to ensure that people in this country with limited leave will not be entitled to council housing, which is intended to meet the long-term needs of people who are entitled to live here. It is also essential that entitlement to child benefit should be brought into line with the new policy. That will reduce public expenditure by £45 million over the next three years.

The Bill also contains substantial new measures to combat the growing problem of immigration racketeers and facilitators. Their pernicious trade undermines the integrity of our immigration control and feeds on often needy and desperate people in pursuit of misbegotten personal profit.

All the proposals in the Bill are grounded in the Government's long-standing commitment to maintaining this country's good race relations. We have consistently taken the view that that requires effective immigration control and a readiness to intervene to deal with abuses.

[Mr. Howard]

The Bill is fair. It is compatible with our international obligations. It involves no change in the status of those persons who are currently entitled to come here to live. It is a balanced, sensible and timely measure, and I commend it to the House.

6.28 pm

Mr. Straw: No one doubts the need to tackle the problem of bogus asylum seekers. That has never been an issue in any of our debates; what is at issue is how we should tackle the problem. The measure is unbalanced and disproportionate to the problem. It will harm race relations. It has already led to the prospect of refugee families being left without any effective support, and it could lead to a number of applicants whose applications are well founded being denied their rights under the United Nations convention on refugees, which this country voluntarily signed.

That is exactly the anxiety of the United Nations High Commissioner for Refugees, who said:

"UNHCR is concerned that the proposals currently before Parliament focus on restricting access to asylum procedures in a way that may make it just as difficult for genuine refugees to enter the process as it would for fraudulent applicants."

Throughout the debate on the Bill, Ministers and Conservative Members have sought to insinuate that only a tiny minority of applicants are genuine and that all the rest are bogus, but the facts tell a different story. Four per cent. of applications are accepted as within the convention and another 19 per cent. are accepted as within the stringent tests for the granting of exceptional leave.

That leaves 77 per cent., but it does not follow for a moment that all those applications are bogus. Many are genuine and fit the Government's test of genuineness on the Scott report—the test by which Ministers who deceive the House may be exempted from responsibility. After all, that test involves a "sincere self-belief" in the genuineness of an application. Many asylum applicants, however, would meet an objective test of the genuineness of their application, as their fear of persecution is high—as I know from a constituency case with which I am dealing—even though it may not fall within the strict tests imposed by Ministers in their interpretation of the convention or in their granting of exceptional leave.

After the Bill was announced in the Queen's Speech, we said that it should be thoroughly examined under Special Standing Committee procedure. No Bill has been more in need of such scrutiny. The motives behind the Bill are open to question, the policy has not been properly settled and the Bill has been poorly drafted—much of it is simply a skeletal enabling measure, which will rely on subordinate regulations for its practical effect.

Ms Jean Corston (Bristol, East): Is my hon. Friend interested to know that last night I lodged with the House a petition with more than 1,000 signatures, from people who attend churches in the Greater Bristol region? They believe that the Bill

"will lead to refusals and deportations of legitimate asylum seekers and that the introduction of sanctions on employers will increase race discrimination in employment and lead to a worsening of race relations in this country."

Does my hon. Friend agree that the most amazing thing about the Bill is that the Churches have been unanimous in their hostility and opposition to it?

Mr. Straw: I accept what my hon. Friend says. Another remarkable thing about the Bill is that, as the debates have progressed, the opposition to it among decent, non-political people has mounted.

Within the limits of the existing Standing Committee procedure, my hon. Friends have done an excellent job in exposing the Bill's inadequacy. Ministers have had to back down on some of its least defensible parts, but much of it remains offensive. There will still be a white list, from which it will be assumed that applications are unfounded. In addition, there will still be the whitewash of so-called "country assessments". Such an assessment gave the Nigerian Government a clean bill of health even as that odious regime was preparing judicially to murder Ken Saro-Wiwa.

The Secretary of State and Ministers say that race relations will not be damaged by the Bill. They should reflect on why no one with any knowledge of race relations shares their complacency. For the first time, under the Bill, some people who happen to have black or brown skin, who do not have a United Kingdom passport, but who have made this country their home with the full approval of the Home Office, and who may have been here for years paying taxes, are to be classified as "immigrants". Ministers are taking a power to withdraw their child benefit. Ministers say that they will not use the power in that way, so why put it in such an offensive way in the Bill in the first place? In many circumstances, benefits for genuine applicants and housing assistance are to be withdrawn, placing those people at risk of destitution and increasing the burden on local authorities.

As we heard in the debate on amendment No. 57, because of the lack of security on birth certificates and national insurance documents, employee checks are unlikely to be effective in stopping the employment of workers here illegally, but they will almost certainly be effective in limiting further the employment of Asian or black people who are lawfully here, and in damaging race relations. In September, that was the view of the Secretary of State for Education and Employment, who said:

"There is a danger that employers will concentrate checks on prospective employees whom they see as a risk, if not simply exclude them from consideration for the job. Either way there could be racial discrimination".

Her hostility to the Bill has been echoed by the Commission for Racial Equality and the Federation of Small Businesses.

The Government and the Secretary of State never cease to complain about burdening small firms and the labour market

"with bureaucratic and inflexible rules, regulations, and practices"—

to quote from a little-noticed 1993 speech by the Secretary of State for the Home Department—but, against the wishes of many representative business organisations, the Government are doing just that: regulating ineffectively where they should not, but refusing to regulate where they should.

Everyone knows that many bogus applications for asylum and for settlement generally are manufactured by unofficial profit-making immigration advisers operating at the margin of criminality. At every stage, we have pushed

the case for effective regulation—with criminal sanctions—of those so-called advisers. We did so again last night, but received the usual complacent "do nothing for the moment" response from the Minister. What a bizarre spectacle the Government's position is. Ministers refuse to regulate the crooked advisers, to stop their rackets and to end the burden that those advisers place on the Home Office, but the Bill imposes a new burden of regulation on decent, hard-working small business people and the threat of criminal sanctions.

No wonder so many people have doubted the motives behind the Bill. After all, it was introduced less than three years after the Asylum and Immigration Appeals Act 1993. On that occasion, Ministers not only predicted that applications would rise—that was one of their reasons for introducing that measure—but promised that the Act would cut delays to three months and increase efficiency. As the Secretary of State has just admitted and as we predicted, far from increasing efficiency and cutting delays, the Act has increased delays and decreased efficiency.

Although Ministers have always been coy about their motives, we have never had to look far for a motive, not least as the present Conservative candidate for South Cambridgeshire let the cat out of the bag in his notorious article in *The Observer* last September. We know that Conservatives wish to keep their motives quiet. They may be ungrateful to Mr. Andrew Lansley. On this occasion, Labour Members are grateful to him and we shall continue to repeat what he said in that article, because nothing has more graphically illustrated the real motives behind the Bill. He said:

"Immigration, an issue which we raised successfully in 1992 and again in the 1994 Euro-elections campaign, played particularly well in the tabloids and has more potential to hurt."

Few measures have received such excoriation as the Bill from people who, whatever their wider political beliefs, care about justice and decent race relations in this country. For example, *The Economist* said that

"by promoting anti-immigrant policies the government risks encouraging racism and undermining liberty. It deserves contempt, not votes, for proposing this nasty little bill."

Most damning of all, however, has been the condemnation of Mr. John Taylor, the Conservative candidate for Cheltenham, who last week complained that his party was

"pandering to xenophobic voters with promises of crack-downs on immigration".

That is the truth about the Bill, which is gratuitously harmful to race relations and much of which is unworkable. We shall oppose it in the Lobby tonight.

6.38 pm

Mr. James Couchman (Gillingham): I have followed the Bill since its Second Reading some months ago. I accept entirely my right hon. and learned Friend the Secretary of State's emphasis of the need for the Bill. He has given hon. Members figures for 1995, which show what a problem bogus asylum seekers present to the Home Office and to its machinery.

During the Bill's consideration, I had a constituency case that underlined just what the problem is. An Albanian wanted to stay here. When all the processes of applying for legitimate permission to stay had been exhausted, what did he do? He applied for political asylum. The application was entirely bogus; he knew that, as did those who had advised him to submit it. Although the application has now been withdrawn, the case underlines the reasons for which my right hon. and learned Friend felt it necessary to introduce the Bill.

I remain concerned about clause 8, however. The burden on small businesses could indeed be difficult for them to bear: that is one point on which I agree with the hon. Member for Blackburn (Mr. Straw). Since the Committee stage, further possible problems have been brought to my attention. It has been suggested, for instance, that people running a country pub who wanted to take on staff at short notice might have to make a 20-mile round trip in order to obtain photocopies of relevant documents. Moreover, a publican who employed someone who turned out to be an illegal immigrant could subsequently be prosecuted and receive a criminal conviction under the Bill. He could lose not just his good name, but his livelihood and his home. That should have been taken into account in Committee.

I pay tribute to my hon. Friends the Minister of State and the Under-Secretary of State, whose replies in Committee and on Report were always good humoured, courteous and careful. I believe that we need the Bill: as my right hon. and learned Friend has said, we need measures to surmount the huge problem of bogus asylum seekers. I for one will have no difficulty in supporting it.

6.41 pm

Mr. Alton: I gladly associate myself with what the hon. Member for Gillingham (Mr. Couchman) said about the Minister of State and the Under-Secretary of State, who always dealt courteously with matters raised by hon. Members of all parties in Committee. I do not agree with him about the Bill, however. The hon. Member for Blackburn (Mr. Straw) was right to remind us of what that dispassionate commentator *The Economist* said about this "nasty Bill" in December. It was *The Times* that said:

"Britain is anything but a 'soft touch' for would-be refugees . . . the way to cut these costs is not to pauperise innocent refugees, and their children, along with illegal immigrants; it is to speed up Britain's sluggish asylum procedures."

That is the one thing that the Committee stage failed to achieve. We are doing nothing to speed up the procedures, but we are introducing more punitive, penalising measures against immigrants and asylum seekers.

The adversarial tone was set on Second Reading. On 11 December, by 314 votes to 287, we refused to set up a Special Standing Committee. Calls for such a Committee, which would have led to a more informed debate and might have helped to remedy significant flaws in the Bill, were rejected by the Government. That has resulted in inadequate pre-legislative scrutiny, and the problem is increased by the absence of the systematic post-legislative review that should have taken place. Only three years after passing the previous asylum Bill, here we are having to introduce more legislation. In the absence of any procedural rules—which the Committee was promised at the outset—how could hon. Members discharge their responsibilities properly?

This is a thoroughly bad Bill. It sacrifices the rights and freedoms of highly vulnerable individuals to administrative convenience and political expediency. It contravenes many of our obligations under international human rights law. It compromises the already fragile

[Mr. Alton]

balance between individual freedom and the ever-increasing arbitrary powers of the state, and it encourages racial discrimination and social division. It is taking a sledgehammer to crack a nut.

This is a bad Bill because clauses 1 to 3 make it more difficult for genuine refugees to enter the asylum process, by compromising the fairness and effectiveness of the asylum appeals procedure, including the right to due process. The proposals will erode important safeguards against mistaken refusal of refugee status, and will abandon many more people to the cruel, inhuman and degrading treatment to which they may be subject in their home countries. It is a thoroughly bad Bill because it creates a designated list, and extends the fast-track appeals. It has serious implications for the right to due process, compromising supposedly independent adjudications by placing certain asylum applicants within a category that prejudices their chances of a fair hearing. That violates one of the key principles of the 1951 United Nations convention on the status of refugees—that each asylum claim should be examined on its merits.

The Bill will almost certainly deter genuine asylum seekers from designated countries from trying to enter the United Kingdom and applying for asylum. Instead, they may decide to remain in hiding in their home countries, facing prosecution, torture and even death. The alternative is to attempt to enter this country illegally, which will simply exacerbate one of the problems that the Government said that they wished to address. Full appeal rights are essential for all those categories of asylum seeker, providing vital safeguards against miscarriages of justice.

This is a bad Bill because it ushers in a new era of internal immigration controls. Clauses 4 to 8 mark a dangerous intensification of such controls, without establishing corresponding safeguards against the potential for abuses of public power that those controls will foster. It is a bad Bill because it sours race relations, and erects a sophisticated system of snooping and snitching in the workplace. As well as increasing race discrimination in employment, the Bill threatens to turn all employers into yet another arm of the state, involving them in the policing of fellow members of the community and undermining the delicate balance between the freedom of the individual and the power of the big state.

This is a bad Bill for parliamentary democracy and public accountability. The Home Secretary had the effrontery to tell the House earlier that there would be parliamentary control over matters such as the designated list, but anyone who knows anything about the negative procedures in the House knows that all that will happen is that a Committee will consider the matter, and that all that the Committee will be able to do is dissent from the decision. That will place no binding power on the Home Secretary, and there will be no debate on the Floor of the House.

We have adopted all the worst features of the systems of other countries such as Germany, without introducing any of the safeguards that apply in those countries. Elected politicians are becoming increasingly irrelevant to our law-making process. One of the most dangerous trends in recent years has been the growth, and the increasing scope, of insufficiently defined delegated powers, which are often arbitrary and not subject to adequate parliamentary scrutiny. There are three glaring examples of that in the Bill. Clause 1 leaves membership of the white list to the discretion of the Home Secretary, who is empowered to designate whatever countries he likes as posing no general or serious risk of persecution. Clause 8 empowers him arbitrarily to add to the categories of people who may not be specifically prohibited from working. Clauses 9 and 10 empower him to withdraw entitlement to housing assistance and child benefit from unspecified categories of immigrant with the wave of an executive wand.

The Bill is an arbitrary and—in places—deliberately unintelligible and inaccessible piece of legislation. It gives one Minister far too much power. The Bill and the new social security regulations are symptomatic of the inherent dangers of written rules from above. We can never hope for a fair and just asylum and immigration policy until we address the fundamental flaws of a system of government in which basic human rights are not deemed worthy of special protection in law; in which power is concentrated in the hands of the Executive; in which Parliament has become little more than a sideshow; in which checks and balances against the abuse of public power are entirely dependent on the good will of the ruling party of the day; and in which outdated notions of national sovereignty automatically take precedence over our wider obligations to the international community.

Human rights, a love of justice, a willingness to show mercy and a passion for the dispossessed are the hallmarks of a civilised society. They are not the hallmarks of this thoroughly bad Bill. I hope that it will be given a very rough ride in the other place; tonight, we should decline to give it a Third Reading.

6.48 pm

Mr. Jeremy Corbyn (Islington, North): The Bill is a deeply obnoxious piece of legislation and yet another nail in the coffin of any reputation that this country has ever had for being a haven for the civil liberties or safety of people fleeing from oppression and danger. It is rooted in xenophobia and the sort of populist jargon that successive Home Secretaries have thought necessary to use at successive Tory party conferences.

The Bill is based on a deliberate misuse of the figures for people seeking asylum. Europe has far fewer asylum seekers than any other continent in the world. This country has the fewest asylum application acceptances per head of population of any country in Europe. The problem is the creation of the Home Secretary and his cohorts in the *Daily Mail* and other newspapers. The Bill is yet another example of the Tory Government blaming the victim rather than looking at the causes of people seeking asylum. It represents a refusal to look at the destruction of democracy in so many places. Indeed, it involves taking part in a hunt against individuals such as Dr. al-Masari, who will be disgracefully thrown out of this country if the Home Secretary has his way.

We are coming up, by the way, to the first anniversary of the incarceration of Ademole Onibiyo in Campshill detention centre. He is there because he is unwilling to join his father—who has been missing for more than four months—in Nigeria for an unknown fate. So much for the Government's concern for the safety of individuals—either while they are in this country or when they are evicted.

The Bill makes employers into agents of the Home Office, as the hon. Member for Liverpool, Mossley Hill (Mr. Alton) pointed out. It denies housing rights to people who seek asylum. In fact, it will create a new underclass of people, who will be forced to live on charity, handouts and begging. Total deprivation beckons such people as a result of the combination of the Bill and the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1995 that go with it.

The Home Secretary has misjudged the opposition to the Bill—not only in the House, but outside. I have never known a piece of immigration legislation to generate such opposition. That opposition will be apparent on Saturday when—I hope—thousands of people will demonstrate against the Bill by marching through London to a rally in Trafalgar square. That will show that there are people in this country who care about asylum, refugees and human rights—something in which the Home Secretary clearly has no interest whatever.

6.51 pm

Ms Diane Abbott (Hackney, North and Stoke Newington): Ever since the Commonwealth Immigrants Act 1962, debates on immigration have been code for a debate on race. This Bill is no different. Ministers expressed concern in Committee about the millions of refugees criss-crossing the globe. If the Government are seriously concerned about the refugee problem, they ought to look to their own policies on economic relations with the third world, their policies that quietly prop up military regimes such as that in Nigeria, and above all, their policies relating to arms sales. Those policies are at the root of the refugee problem in 1996.

One of the most unpleasant aspects of the Bill has been Conservative Members' recurrent use of the term "bogus refugees", which tends to stigmatise and criminalise all refugees. The truth is that most refugees genuinely believe that they have something to flee—even if it is the threat of starvation. The majority of refugees are no more bogus than the Home Secretary's parents were when they came here so many years ago. We might wish that this country offered the same mercy to refugees fleeing their home countries in 1996 as it did to his parents.

The Bill is a misconceived attempt to catch a very small minority of people who might be abusing the regime. It is unfair, unjust and—probably—unworkable. I have found that the more that ordinary people—black and white—know about the Bill, the more they are opposed to it. Opposition Members look to the other place to improve further the Bill and make it more just. My hon. Friends and I will be proud to vote against it.

6.53 pm

Mr. Madden: The Bill will inevitably stir racial tension and incite racial hatred, which is why my hon. Friends and I claim that it represents the playing of the race card by the Conservative Government. It is an effort to deter people from seeking asylum in this country—even those who bear the scars of torture. It will make the lives of those who seek asylum so intolerable that they will be coerced into leaving the country.

We all know that if the Government really wanted to deal fairly and justly with those who seek asylum, they would agree that we need people and resources to ensure that claims are examined properly and quickly, and adjudicators and accommodation, so that appeals can be heard promptly and fairly.

The Bill is flawed, nasty, bad and unnecessary. I trust that the House will deny it a Third Reading on those grounds, which the Opposition have contested throughout its stages. I hope very much that if it reaches the statute book, the next Labour Government will repeal it and replace it with fair and effective measures that accord with natural justice.

6.55 pm

Miss Widdecombe: I shall not be long in answering the debate. I do not need to be because not one argument advanced by Opposition Members provides any good reason for opposing the Bill.

In quoting the much-maligned and much-misquoted Andrew Lansley, the hon. Member for Blackburn (Mr. Straw) said that the Bill was designed to hurt. It is and it will. It will hurt the bogus claimant who clogs up the system and makes life difficult for the genuine claimant. It will hurt the racketeer who lives off those who are vulnerable and too easily exploited. It will hurt the exploitative employer who makes a living by undercutting and exploiting people to the detriment of the genuine employer. It will hurt those who have imposed on the British taxpayer needlessly, fraudulently, frivolously, maliciously and unfoundedly.

The Bill will also hurt the Opposition, because it exposes their real attitude towards fair immigration measures. The Opposition opposed immigration measures solidly in 1981, 1988 and 1993, and they are opposing the Bill because they cannot bear firm and fair immigration measures that underpin good race relations in this country. The Bill is firm and fair. It is to the detriment of the bogus claimant—and it should be—but to the great benefit of the genuine asylum seeker. I commend it to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 280, Noes 250.

Division No. 60] **[18.56 pm**

AYES

Ainsworth, Peter *(East Surrey)*	Body, Sir Richard
Aitken, Rt Hon Jonathan	Booth, Hartley
Alexander, Richard	Boswell, Tim
Alison, Rt Hon Michael *(Selby)*	Bottomley, Peter *(Eltham)*
Allason, Rupert *(Torbay)*	Bottomley, Rt Hon Virginia
Amess, David	Bowden, Sir Andrew
Ancram, Rt Hon Michael	Bowis, John
Arbuthnot, James	Boyson, Rt Hon Sir Rhodes
Arnold, Jacques *(Gravesham)*	Brandreth, Gyles
Arnold, Sir Thomas *(Hazel Grv)*	Brazier, Julian
Ashby, David	Bright, Sir Graham
Atkins, Rt Hon Robert	Brooke, Rt Hon Peter
Atkinson, David *(Bour'mouth E)*	Browning, Mrs Angela
Atkinson, Peter *(Hexham)*	Budgen, Nicholas
Baker, Rt Hon Kenneth *(Mole V)*	Burt, Alistair
Baker, Nicholas *(North Dorset)*	Butterfill, John
Baldry, Tony	Carlisle, John *(Luton North)*
Banks, Matthew *(Southport)*	Carlisle, Sir Kenneth *(Lincoln)*
Banks, Robert *(Harrogate)*	Carrington, Matthew
Bates, Michael	Carttiss, Michael
Batiste, Spencer	Cash, William
Bendall, Vivian	Channon, Rt Hon Paul
Beresford, Sir Paul	Chapman, Sir Sydney
Biffen, Rt Hon John	Churchill, Mr

Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Pu'cliff)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Davies, Quentin *(Stamford)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Patnick, Sir Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Simon Burns and
Mr. Patrick McLoughlin.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge Hl)*

Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Grant, Bernie *(Tottenham)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(Lpool Brdgn)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
Madden, Max
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Islton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Joe Benton and
Mrs. Bridget Prentice.

Question accordingly agreed to.

Bill read the Third time, and passed.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Wednesday 28th February, the Speaker shall, notwithstanding Standing Order No. 14B (Proceedings under an Act or on European Community Documents), put the Questions on the Motions in the name of Mr. Secretary Forsyth—

(i) relating to Local Government Finance (Scotland) not later than Seven o'clock, and

(ii) relating to Housing (Scotland) not later than one and a half hours after the commencement of proceedings on the first such Motion.—*[Mr. Brandreth.]*

Libel Cases (Costs)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

7.12 pm

Mr. Peter Bottomley (Eltham): I am grateful to my hon. Friend the Parliamentary Secretary for attending the debate on behalf of the Lord Chancellor's Department. I note the presence, among others, of my hon. and learned Friend the Member for Harborough (Mr. Garnier), who I am sure will be able to help me if I go wrong.

"Live pure, speak true, right wrong".

Those are some of the words used by Charles Kinglsey's pupil John Martineau, and they apply as well to journalists and Members of Parliament as to lawyers and others.

We need to respect the law and the role of newspapers and journalists. I know that libel does not apply only to words published by journalists, for which editors take responsibility. The press has a responsibility to make available to all what is known to a few.

There is much in common among lawyers, journalists and Members of Parliament. We each have to take up causes that may be unpopular, and make judgments that may turn out to be wrong. We have to take up unpopular causes for unpopular people, and be prepared to suffer for it. An independent judiciary and legal system, the press and the freedom of Back-Bench Members to raise issues in the Chamber are important parts of democracy.

I do not want to make the debate one on the hourly rates of solicitors or barristers, or give much attention to the pay of journalists or the earnings of star columnists. I want to discover whether we can help, not only through the law but by changing the culture, to reduce the number of times that people make allegations of libel, by removing many of the causes. I do not expect that we can remove them all, but we can reduce their number.

The debate is also about resolving claims of libel, and reducing the impact of cheque books on justice. To find an example of cheque books in justice, we may consider the reasons that newspapers gave for not having pursued Anthony Blunt, the Bank of Credit and Commerce International or Robert Maxwell. If my right hon. and noble Friend Margaret Thatcher had not named Blunt as a spy in the Chamber, thus gaining privilege, he could have sued anybody who wrote about him in a newspaper or book.

Subject to the guidance of my hon. and learned Friend the Member for Harborough, we may assume that libel is saying something that is untrue and damaging about someone that is not protected by privilege. The BCCI case involved a most corrupt bank being defended from exposure because newspapers did not dare print what they thought they knew, because BCCI used the law and plenty of other people's money to impose its will on others.

For many of the final years of Robert Maxwell's life, he kept out of court by using the legal process and threatening to make that process too expensive for other people. Most people cannot do that. I must declare an interest, in that I have been involved in a small number of libel cases with the media. I do not claim any merit or advertise any vices and I do not want to go into my cases that have gone to the High Court.

I accept the advice in this week's *UK Press Gazette* that people who want to make a claim against editors should go to court. That referred to freelance journalists who were not paid. If a journalist who has not been paid £200, £50 or £7.50 is advised to go to court if he has a legitimate claim, someone who thinks that they have been wronged by a libel should be able to do the same.

The problem is with what newspapers decide to print, what they do with complaints and what happens after that. I would like proprietors, editors and journalists to print, as does the BBC, their guidance to themselves. What standards do they themselves want to uphold? I am not talking about the codes of the National Union of Journalists or the Press Complaints Commission, but about the standards by which each paper wishes to be judged. Each newspaper should, as do some local newspapers, say to people, "If you have a complaint, let us know, and if we think you are right, we will put it right."

When I was a junior Minister, one of the things in which I took the greatest pride was answering a parliamentary question with two sentences that fitted into one line of one column of *Hansard*—"I am sorry. I made a mistake." That is not frightfully difficult to say, but it can get a lot people out of an awful lot of trouble.

I have an example. I rang up a journalist about an unimportant story that appeared in a newspaper a couple of days ago. I asked him whether he had checked the story. He said that he had, and I asked him with whom he had checked it. He said that he wanted to protect his sources. I said, "I am not asking who gave you the story in the first place, but who you checked it with?"

He admitted that he had not checked it, and started to make a bit of a fuss. He said that the story had an unimpeachable source that he had always relied on, and that if it turned out to be a duff story, he would never trust that person again. He did not say in the newspaper next day that he was sorry that he had not checked it and had made a mistake, but went on with his own flannel. That is one reason why people do not bother to take things up with the press. On important issues, how such complaints are treated can matter.

We all know that we must be prepared do risky things. If we are accused—and I do not mean only MPs but members of the public, too—of things can stop us from doing the work to which we have dedicated our lives, there needs to be some redress.

Editors should declare, "When something has been written that is plainly wrong, or so ambiguous that it is wrong in some of its meanings, we are prepared to make it plain on the day of publication, or as soon as we are told that there is a complaint. If we accept that the complaint is right in part, we shall make an announcement to the Press Association, and we shall put it right in our next publication."

There should be no need to wait a week for a Sunday newspaper, or to wait three or four days for a daily. If it turns out that something has been said that is plainly wrong, editors should say so, and admit that it does not meet their standards and apologise. Most people would accept that, even after serious defamation had occurred. If there were also a minor cash settlement, that would be nice, but instant acknowledgment that something was either seriously ambiguous or plain wrong would greatly reduce the fuss, bother, stress and strain.

I should have acknowledged earlier that, in my experience, most lawyers, when consulted on such cases, try to reach a settlement as fast as possible. Lawyers do not set out to run cases on, whether they are consulted by newspapers or by individuals who may want to initiate a case against a newspaper or an individual.

There will always be threats to press freedom. As I have said in the House, the press need to have the right to be wrong. They should not always be able to prove something in court. Nevertheless, they should be able to decide when it is right to say something that they cannot prove but believe to be in the public interest, or their commercial interest, to say.

In an article in the *Sunday Times* on 18 June 1995, in an article headed "Method in the madness of the great libel lottery", Andrew Neil wrote:

"Such are the competitive pressures—and the financial rewards for scooping the opposition—that editors would more often be inclined to publish and take the risk of having to pay the libel cost, which would be factored into the calculation."

We should not hide the fact that running a newspaper is a great commercial enterprise. I do not want to take away from newspapers either that calculation or what they consider to be their duty, in which I support them, to alert the public to potential dangers from crooks and other types of wrongdoing. There will be times when newspapers feel that they must settle although they believe that they have been right—and there have been examples that have shown them to be right.

My prejudice is to try to avoid laws that apply specifically to journalists or to newspapers. The law should apply generally. One may sometimes want to give a newspaper a public interest defence, but one should not try to introduce a "corrupt practices for journalists" Bill that does not apply to private detectives or commercial concerns, or a "right to privacy" Bill that applies only to what journalists do and not to what private detectives do, or a "right to reply" Bill that applies specifically to journalists—although I am slightly dubious about my interpretation of part of the Defamation Bill in another place, which may appear to take from judges a power that was probably implicit in the draft Bill. One should not impose on newspapers the duty of balance that is applied to broadcasters.

I do not say that journalists and editors should not have to face criticism. We have unlimited privilege in the Chamber. Members of Parliament are limited in what they say and do by the opinion of those around them—social pressure, exposure, argument, criticism, debate—rather than by Mr. Deputy Speaker putting his hand up and saying, "You are not allowed to say that, because it is illegal." Editors are like Back Benchers, but obviously with greater access to the media.

There is room for argument, debate and criticism. We need to ask whether broadcasters should consider more often what the press do. I am not saying that most of what the press do or say is wrong. Considering that a newspaper may contain 700,000 words in a day or a week, it is surprising how few facts newspapers get wrong. I find it surprising how seldom they make unfair comment in a general sense, let alone unfair comment in a legal sense.

There are times, however, when newspapers slip into bad habits. They must make judgments.

Let me take some examples that did not go to law. I was once the subject of allegations by broadcasters and the press that I was involved in drug smuggling. I thought that that was laughable, but they did not at the time. It was only when *Private Eye* obtained the information that it turned out that a hoaxer had got half the British press staking out a motel in Basingstoke for a week or two, waiting for me to come along with the money to swap for the drugs.

More recently, there was a time when some of the media had seriously considered that there was a story that I had accepted free flights in America from a commercial concern, and I had to say that the only time I remembered accepting a free flight was in Richard Branson's helicopter getting away from Silverstone when there was a traffic jam after the British grand prix.

Stories can grow up and develop a momentum of their own. In 1989, a fair part of the press had become involved in swallowing a story about me that, if they had bothered to check, they would have known to be untrue.

In general, people should not sue, and we should continue to emphasise that, but costs are a factor. Having acknowledged that the press may be intimidated by BCCI or Robert Maxwell, one must consider the impact that their resources can have on other people. If a newspaper group budgets to spend £200,000 or £1 million a year in legal costs and damages in libel cases, or if it has taken out libel insurance above a certain level, does that create a lack of balance?

Does that not start to deal with the present tendency to ask why, if personal injury compensation is at a certain level, someone's reputation is worth more or less? The answer is that most people are able to sue on personal injury and are not confronted with the probability of incurring the massive costs of the insurance company or the person defending the claim.

In libel cases, even if the plaintiff wins, wounded pride or some other feeling—assuming that excessive damages are not awarded by the jury—may lead to an appeal, which would reach the Court of Appeal a year later. If that succeeds—it may be on the judge's summing-up or some other issue—the plaintiff must go to the High Court again, with not the slightest prospect of obtaining anything extra, and the possibility of having to carry the costs for others.

When the House considers the Defamation Bill, we should try to discover whether there is some way to cap the costs of a successful private plaintiff, even if, on a point of law, for some reason a defendant wants to go off and establish some other precedent.

The last subject that I shall mention is slightly beside the main subject of the debate. That is what I call printmail.

At the moment, if someone thought that they knew something about me, and came to me and said, "Unless you give me £20,000 I shall tell a newspaper," I could take that person to the police, and they would probably be charged with blackmail; and, regardless of whether they were convicted, I would retain my anonymity.

However, suppose that a person cuts out the middle stage and answers the type of advertisement that one reads in some newspapers saying, "If you have any information about a Member of Parliament, please ring 0171-782" and so on, that person cuts out the blackmail stage and proceeds straight to publication. If the journalists pay £20,000, rather than the victim paying £20,000, the position is different. I have no answer to that, but it needs open debate. I say to the Minister and to the House, we should try to find out what is going on.

[Mr. Peter Bottomley]

I recommend to the newspaper proprietors or the Press Complaints Commission or one of the media studies units in universities, before the Defamation Bill reaches the House, to try to conduct a study—I hope that the newspaper proprietors and editors will help—to discover how many complaints they receive in a specified time, how many are resolved, how many go to court, and how much they spend on libel insurance.

Libel is usually avoidable. If newspapers adopt a system of instantly putting right things that are wrong, or clearing up ambiguities that should not have got through the editorial process, the costs to newspapers will fall, the number of times that people have their reputation damaged will drop, and newspapers will be left free to say what they like that is true or privileged or a matter of fair comment, whether in a popular or a legal sense.

7.30 pm

Mr. Edward Garnier (Harborough): I am grateful for the opportunity to speak in the debate. I am a practitioner in defamation at the Bar, and therefore have an interest in the subject under discussion.

I congratulate my hon. Friend the Member for Eltham (Mr. Bottomley) on introducing the debate, which has been most valuable. He has come up with a number of interesting and thoughtful ideas, which I hope will be developed when we debate the Defamation Bill when it arrives from another place. There are good things about the Bill—but a number of things need careful attention. I am sure that the Bill is getting that attention in the other place, but I hope that, when it comes into this place, we will be able to make further improvements to it.

I corroborate what my hon. Friend has said about what most libel complainants want. In my 20 years' experience at the Bar, I have found that most people do not want huge damages in a year's time or in two years' time—they want a speedy apology and correction, preferably in the next day's paper. My hon. Friend is quite right to draw hon. Members' attention to the fact that people do not necessarily want money but a quick solution.

I draw hon. Members's attention to an anomaly: newspaper defendants, predominantly large corporations, have a tremendous advantage over private litigants. Hon. Members know that legal aid is not available for defamation cases—nor should it be, as the Government spend quite enough money on legal aid on other matters. The costs and the damages that newspapers pay are allowable against corporation tax, which gives them an inbuilt financial advantage over private litigants. However, a number of private litigants are supported by trade associations, trade unions and other such organisations. There is not always an imbalance. Trade unions do not have the same tax advantages as newspapers.

The cost of libel actions is exaggerated by newspapers because they want to discourage people from bringing libel actions against them. I refer to the libel case in which my hon. Friend was most successful before Christmas, and I congratulate him on that result.

After a high-profile case, newspapers like to say that the cost of the action was X, but they add on lots of noughts. By and large, the figures are highly inaccurate—they are plucked out of the air—and designed to deter people from bringing libel complaints against big corporations. That ought to be looked at. Greater accuracy by newspapers—not only in what they print in the first place, but in the way in which they report the size of costs in actions—should be encouraged.

Mr. Peter Bottomley: The main coverage of the result of my case contained the spurious accusation that someone who is now working in central office is the person that I had taken the action against. It seems to me that cases run for a week, the newspapers ignore them, and then print inaccuracies. That strikes me as rather odd.

Mr. Garnier: A lot of things are odd about libel actions—and that is obviously one of them. My hon. Friend was successful in his case, and greater currency should be given to his success and to the repair of his reputation as a consequence.

As I was saying, costs in libel actions are no greater than they would be in any big High Court litigation, such as a personal injury action. However, the difference is that legal aid does not cover defamation law, but insurance companies or legal aid cover most personal injury actions. The public or the individual are not made aware of the cost of litigation, but it has to be paid for one way or the other.

I have already mentioned the Defamation Bill—which is currently before the other House—but now is not the time to discuss it in detail. However, under the summary jurisdiction of the Bill, there is a proposed limit of £10,000 for damages when the judge alone hears a case in particular circumstances. I believe that, to most newspapers, £10,000 is petty cash. Perhaps we should consider increasing that figure to something more significant. I appreciate that damages are there to compensate and not to punish, but they must be of such a size that the newspaper is compensating—and knows that it is compensating—and not simply adjusting its petty cash book.

I am grateful to have had the opportunity to participate in the debate. I trust that the Parliamentary Secretary will have listened carefully to what my hon. Friend and I have said, and will bear it in mind when we deal with the Defamation Bill.

7.34 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Jonathan Evans): I congratulate my hon. Friend the Member for Eltham (Mr. Bottomley) on securing a debate on what I believe to be an important subject. I am particularly grateful to him for his timing, because earlier this month the Government introduced a Bill that brings forward reforms to defamation law and procedure that are designed to meet some of the concerns that he has expressed.

I am grateful to my hon. Friend for the balanced and well-argued way in which he dealt with the issues he raised. I also express my gratitude to my hon. and learned Friend the Member for Harborough (Mr. Garnier), whose views have to be seen within the context of his great personal expertise and reputation in defamation law.

It is widely believed that the costs of defamation proceedings are disproportionately high. Despite many attempts over the years to put things right, there is an

undoubted need to make further improvements in all civil proceedings, especially in proceedings for defamation. It must be significant that, when the outcome of a libel claim is reported, the estimated cost to the parties is almost always featured as prominently as—if not more prominently than—the result of the case.

My hon. and learned Friend the Member for Harborough gave us an insight into why that might be so. Even allowing for that, where a claim has succeeded, the amount of costs which it is estimated the loser will have to pay not infrequently exceeds the amount of damages that were awarded against him. In other words, the loser's financial position may be precarious simply as a result of the expense of the proceedings.

Mr. Denis MacShane (Rotherham): As a former journalist who has been both a defendant and a litigant in libel cases, I welcome the Defamation Bill, which is long overdue. Geoffrey Robertson QC wrote a book some 10 years ago along the lines of the ideas that the Government are putting forward. With all due respect to the hon. and learned Member for Harborough (Mr. Garnier), I lost the profits on one book because the publisher left me to defend a libel case that I thought was worth defending.

My right hon. Friend the Member for Chesterfield (Mr. Benn) urged me not to defend the case, and I thought that he was being quite pusillanimous, but he proved to be right. Another case, in which I was the defendant, dragged on for five years. I was being protected by a trade union, a point that the hon. and learned Member for Harborough made. It went on for five years, we got to the court, we blinked, and each side was left with about £20,000 in costs.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I thought that the hon. Gentleman was making an intervention—it is a long intervention.

Mr. Evans: I was aware that my hon. Friends the learned Member for Harborough and the Member for Eltham were speaking from personal experience. Although I had noted that the hon. Member for Rotherham (Mr. MacShane) was present for the debate, I was unaware of his personal experience in this area. As I develop my response, the hon. Gentleman will be able to see that the Government are proposing in the Defamation Bill some measures that will be, in my judgment, helpful. Perhaps if the hon. Gentleman contains himself for a moment, I will be able to outline those measures.

In the context of the cost of proceedings, we are talking not only about rich, large companies which can absorb expenses, but, as the hon. Member for Rotherham has said, about ordinary people who can face ruin as a result of court costs. There must be times when people who have been defamed—perhaps very seriously—choose not to take any steps to restore their reputations, because they are not willing to run the risk of losing not just the case, but everything they have. That is clearly wrong.

The Government examined the current issues and complaints relating to the law of defamation and found that there were many justified criticisms—particularly concerning the way in which the law of defamation operates in practice. There has been a series of reforming measures, the first of which was to give the Court of Appeal power to substitute its own award when it considers that an amount awarded by a jury is either excessive or inadequate.

Before that power was conferred, the court's powers of review were inadequate. If the jury awarded an unreasonable amount, the court could set aside that award, but it could not substitute a reasonable sum unless both parties were content for the court to do so. It could also order a retrial, but we have heard during the debate that that is particularly unhelpful: if the first trial is expensive, it is clear that a second trial would be doubly so.

The existence, and the court's exercise, of that power goes much further than eliminating the cost of an unnecessary second trial when an appeal is allowed. Its effect will be that fewer cases go to appeal. Judges directing juries refer to awards which have been approved or made in earlier cases by the Court of Appeal. A corpus of such awards will provide guidance, which should enable judges to help juries by indicating what level of award might be in proportion to the wrong inflicted by the libel or slander. More of those cases are now coming forward.

Another justified criticism was that the rules and practice for pleadings in defamation cases are unnecessarily complex, adding to the difficulty and the cost of preparing and conducting litigation. Therefore, the Lord Chancellor invited the Supreme Court procedure committee to review the rules relating to pleadings in actions for libel and slander, with a view to proposing changes for the purpose of reducing the complexity of the procedure without having an adverse effect on the interests of justice. The committee established a working group under the chairmanship of Lord Justice Neill, and its report and recommendations were published in 1991.

Some of those recommendations have already been implemented through changes in the rules of court, and others are included in the Defamation Bill. This evening, I shall refer to two changes which are designed to provide swift and less costly disposal of defamation claims.

In those cases where the defendant concedes that he has published a defamatory statement which is not true, he will be able to offer to make amends for the wrong that has been done to the plaintiff. If the offer is accepted, there will be no need for a trial. The parties will negotiate the exact form which the amends should take and, if they cannot agree on the details, they may apply to the judge. He will assess what money compensation, if any, should be paid and settle the terms of a suitable correction and apology by the defendant.

The judge will assess the compensation using the same principles as assessment of damages for defamation, taking account of the other steps which the defendant has taken—or will take—to make amends, as well as any aggravating features. There will be no fixed upper limit on the amount that can be awarded.

As we heard during the debate, the court will also have powers of summary disposal similar to those which are available already in all civil claims other than defamation. However, in defamation cases, the court will always consider at an early stage whether the case is suitable for summary disposal. The judge will consider whether the claim has any realistic prospect of success and, if it has not, he may dismiss it. He will consider whether any defence has been put forward that has a realistic prospect of success. If not—and there is no other special reason why there should be a trial—he may grant summary relief if he considers that the relief which he has power to grant will compensate the plaintiff adequately for the wrong suffered.

[Mr. Evans]

The plaintiff can ask the judge to grant summary relief. That relief may include damages of up to £10,000, as my hon. and learned Friend the Member for Harborough said, but no more. Again, the parties may negotiate a suitable correction and apology which the defendant will publish, but, if they cannot do so, the judge will order publication of an approved summary of his judgment.

The problem of excessive and disproportionate legal costs is not limited to defamation proceedings. The Lord Chancellor's Department is well aware that such costs can apply across a wide range of civil litigation. Against that background, Lord Woolf is presently undertaking a review of civil justice. He has advanced a raft of new proposals in order to ensure that there is swifter access to justice in future. That will be of assistance not only in the area which is the focus of the debate this evening, but across a wide range of civil justice, as I have said.

Finally, I am very grateful to my hon. Friend the Member for Eltham for bringing this important issue before the House. The Defamation Bill is presently in the other place, and, after consideration, it will come to the House. My hon. Friend has drawn attention, at an early stage and at an appropriate time in view of the fact that the Bill was published only a month or so ago, to the important issues which the House must consider in due course when the legislation comes before it. In that regard, I am deeply grateful to him.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eight o'clock.

House of Commons

Monday 26 February 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DUCHY OF LANCASTER

Government Policy (Presentation)

1. **Mr. Winnick:** To ask the Deputy Prime Minister what recent assessment he has made of the arrangements for the presentation of Government policy. [15237]

The Deputy Prime Minister (Mr. Michael Heseltine): The presentation of Government policy continues to go from strength to strength.

Mr. Winnick: In presenting Government policy on the Scott report, will the Deputy Prime Minister explain why he had so many misgivings about signing public interest immunity certificates? Why is the Deputy Prime Minister so keen to defend the Attorney-General, when the Attorney-General did not pass on to the court those misgivings or the fact that the Deputy Prime Minister—then the President of the Board of Trade—was anxious that the documents in question should be released to the court? Would it not be better if the Deputy Prime Minister now explained the position fully?

The Deputy Prime Minister: I am grateful to the hon. Gentleman for giving me a chance to do so. The Attorney-General gave me the clearest advice. He said that the papers in front of me would be considered by the judge who would determine whether they should be released.

Mr. Campbell-Savours: That is not what you told the inquiry.

The Deputy Prime Minister: It is interesting that, whenever one tries to give a serious answer in the House, one is barracked by sedentary Members on the Opposition Benches. This is an extremely important matter and I was giving a serious answer to the hon. Member for Walsall, North (Mr. Winnick), who asked a serious question. He is entitled to an answer and I shall give it.

I was given advice by the Attorney-General that the papers would be considered by the judge and, if he considered it appropriate, they would be released. The judge considered the papers and he thought that they should be released. The papers were released, the trial proceeded on that basis and two of the defence counsel said at that time that they thought the Attorney-General had behaved properly.

Mr. Nigel Evans: I know that my right hon. Friend is keen to ensure that we present Government policy on law and order to demonstrate that clear blue water exists between the Government and the Opposition. My right hon. Friend may be aware that I own a small retail business in Swansea. Shoplifting is a corrosive act that affects not only small businesses, but medium and large retail enterprises. Does my right hon. Friend agree that any political leader who tried to justify shoplifting as acceptable would demonstrate that he was not only soft on crime, but soft on the causes of the crime?

The Deputy Prime Minister: My hon. Friend is right. We were amazed that the leader of the parliamentary Labour party should appear to think that that sort of activity was of trivial importance. Shoplifting is a very serious matter for small business people, and, indeed, large companies, who suffer from it. A leader of a parliamentary party should give no succour to that sort of practice.

Mr. Beith: Can we get the Government's policy clear? Was the Deputy Prime Minister wrong to require a certificate to be set out in a special form and to require that his reservations be passed on to the judge—which they were not—or was he right, and were other Ministers wrong not to do that?

The Deputy Prime Minister: That is another serious question, and I shall try to answer it. I agreed a certificate with the Attorney-General that related to the papers in front of me in the Department of Trade and Industry. We both agreed that certificate, I signed it and it was the basis of the judgment that both the Attorney-General and I reached in those circumstances. It is not relevant to my colleagues in other Departments because they were signing certificates about papers in their Departments that were available only to them. It is fundamental to understand that when Ministers are invited to sign public interest immunity certificates of any sort, they sign them only in respect of the papers in front of them that relate to their Department.

Mr. Ian Bruce: Did my right hon. Friend hear two programmes this morning on Radio Four? On the first, the "Today" programme, my right hon. Friend the Chancellor of the Duchy of Lancaster gave a clear account of Government policy on Scott. The other was "Start the Week", on which a strange person, who appeared to be speaking for the Labour party, gave a muddled version of his intentions. Will my right hon. Friend ensure that both those programmes are given a wide airing and encourage the BBC to put them out more often so that people will realise how boring and confused the Labour party is, and how clear and straightforward the Conservative party is?

The Deputy Prime Minister: As always, my hon. Friend makes a valid point; but I would go further. The parliamentary Labour party's position is reprehensible to a fault. For three years, it conducted a vilification

campaign against my right hon. Friends and me, and on the substance and heart of the matter it has been found that its charges are ill-founded.

Mr. Prescott: Is the Deputy Prime Minister aware that his remarks encouraging the late payment of business debts have been condemned by the British Chamber of Commerce and the Federation of Small Businesses? Will he apologise to the thousands who have been made bankrupt by late payment? Is he able to confirm reports this weekend that senior figures in the Tory party have been in discussions with banks to save Tory Members from bankruptcy? Is that not an example of one rule for small businesses and another one for Tory Governments with small majorities?

The Deputy Prime Minister: I am delighted again to respond to a question seriously. Like many small business men in my position, I have faced the problems that often arise. I was faced with putting a company into liquidation or borrowing money to pay the creditors—I borrowed money to pay the creditors. I regard that as a matter of great personal pride, and I very much hope that it will be seen as such.

It is ridiculous to suggest that in any way I believe that, as an art form, small businesses—or large companies—should deny payment of their bills. That is why I have been part of a process of accepting the Confederation of British Industry's code of practice, and why Departments are making every effort to catch up on their payment problems. That is also why large companies will be expected to comply with the code of practice.

I have always been hesitant about the facile assumption that the introduction of an interest charge will somehow benefit all small companies. It is forgotten that many small companies might themselves be tipped into bankruptcy by that process.

Scott Inquiry

2. **Mr. Olner:** To ask the Deputy Prime Minister how many civil servants, and at what cost to public funds, were employed in the preparation of the Government's response to the Scott inquiry. [15238]

The Parliamentary Secretary, Office of Public Service (Mr. David Willetts): The Scott report covered a wide range of policy issues. Access to the report itself before publication was restricted to a very small number of officials in the main Departments concerned. However, a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not possible, therefore, to give precise numbers or costings.

Mr. Olner: The wider world will know that the Tories have once again failed to answer a question on the Scott report. If figures are not being given, my constituents in Nuneaton who suffered job losses as a result of Matrix Churchill being closed will conclude that the Tory Government are again engaging in a cover-up on the report. When will the Government pay some compensation to the 600 workers and their families at Matrix Churchill, workers who lost their jobs through the Government's bungling?

Mr. Willetts: I fail to understand how a 1,800-page report and a day's debate can be regarded as a cover-up.

Mr. Derek Foster: Does the Minister, who was part of the cost of the response to the Scott report, accept the verdict in paragraph D4.63 that

"Government statements made in 1989 and 1990 . . . failed . . . to comply with the standard set by paragraph 27 of the Questions of Procedure for Ministers"

on Ministers' accountability to Parliament? As "Questions of Procedure for Ministers" is the Prime Minister's document, is the Prime Minister not failing in his constitutional responsibility to the sovereign Parliament in not bringing Ministers to account? Is he not undermining parliamentary democracy? If the Ministers concerned do not resign, should not the Prime Minister resign?

Mr. Willetts: The right hon. Gentleman should know, if he has read the Scott report carefully, that Conservative Members have been cleared of any "duplicitous intent", to quote the words of the report, and have been cleared also of deliberately misleading Parliament. There will be a debate today when the wider issues that the right hon. Gentleman rightly raises will be addressed by my right hon. Friend the President of the Board of Trade.

Government Policy (Co-ordination and Presentation)

3. **Mr. Mackinlay:** To ask the Deputy Prime Minister what staffing resources he has within his Department in order to fulfil his duties of co-ordination and presentation of Government policy. [15239]

The Deputy Prime Minister: I have the resources that I need to carry out these duties.

Mr. Mackinlay: Does the Deputy Prime Minister not understand that many people would consider his Department to be over-resourced for someone who has a sinecure in the evening of his political life? May I tax his communication skill and ask him what he would say to the countless thousands of men and women who, through no fault of their own, had to endure the trauma of bankruptcy and were unable to get credit from the banks, and who see hatched in Downing street a rescue plan involving the National Westminster bank, Midland bank, Barclays bank, Trustee Savings bank and UCB to save the Government? Is he not aware that the people listening to the story will consider it grossly unfair that there is one law for Conservative Members of Parliament and the Government and another for people struggling to maintain businesses in which they have invested both their lives and their homes?

The Deputy Prime Minister: The whole House, having listened to that extraordinary outburst, will draw one clear conclusion: they would rather me half asleep than the hon. Gentleman wide awake.

Mr. Cabom: When he is co-ordinating policy, particularly on late payments for small businesses, can the Deputy Prime Minister tell us the Government's position

on the Interest on Debt Bill—a private Member's Bill, which was introduced by my hon. Friend the Member for Cardiff, Central (Mr. Jones)? Are the Government indifferent to that Bill?

The Deputy Prime Minister: No; it is an important issue. As the hon. Gentleman will know, we addressed and answered the question that he raised in the previous Government announcement on the subject. We made it clear that we are not at the moment persuaded of the advantages of a statutory interest rate on outstanding debts, because although some companies would gain from that, some companies would suffer. Therefore, we decided to back a number of initiatives, including support for the CBI code of practice and the encouragement of Government Departments to pay their bills rapidly, which we thought more likely to address the issue. We also made it clear that if our proposals did not deliver the improvements that we sought, we would return to the matter, and that we will do.

Deregulation

4. **Mr. Evennett:** To ask the Chancellor of the Duchy of Lancaster what progress has been made in the Government's deregulation initiative. [15240]

5. **Mr. Campbell-Savours:** To ask the Deputy Prime Minister if he will make a statement on the progress of the deregulation initiative. [15241]

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): By the end of last year, we had already repealed or amended more than 500 regulations, with another 500 in process. The first deregulation orders under the Deregulation and Contracting Out Act 1994 have now passed into law and there is a steady flow of new orders. We are also making useful progress in our efforts to encourage deregulation in Europe.

Mr. Evennett: I thank my right hon. Friend for that response and welcome the Government's initiatives to date on deregulation. There is, however, much more to be done. Does he share the concern of business men in my borough of Bexley that the red tape and bureaucracy emanating from Brussels need to be curtailed even more?

Mr. Freeman: I am grateful to my hon. Friend. I can confirm that, at the Internal Market Council informal meeting in Rome over the weekend, a clear majority of the member nations of the European Union agreed that greater priority should be given not only to reviewing existing European legislation but to ensuring that new regulations meet the simple test of being fewer, better and simpler. I am glad to tell the House that in Rome there was agreement to review existing legislation on machine standards, food hygiene and public procurement.

Mr. Campbell-Savours: Is there not a case for regulating for greater disclosure in the case of Campbell's Soups, which refuses to recognise trade unions? In the past five years, there have been six major scalding incidents in its two major factories, and one death last year. Surely such information should be made available to the great supermarket chains—for example, Tesco, Sainsbury and Safeway—which buy its products. Indeed, should not the consumer know the truth?

Mr. Freeman: I am grateful to the hon. Gentleman for raising the issue of health and safety legislation. I am glad to say that the Government have already agreed that 40 per cent. of existing health and safety legislation should be repealed. That is a start. There is more to be done. I am glad to tell the hon. Gentleman that, in relation to Campbell's Soups and every other American company that has operations in the United Kingdom, the Department of the Environment recently requested all health and safety officials to enforce the law in a more uniform, user-friendly and sensible fashion. I welcome that.

Mr. Wilkinson: Following the European Union ministerial meeting in Rome, can my right hon. Friend reassure the House that EU directives and, in particular, EU health and safety regulations, will not be used to sabotage Her Majesty's Government's opt-out from the social chapter, and that, if the European Court decides against Her Majesty's Government in regard to the working-time directive, the United Kingdom will take no notice of that adjudication?

Mr. Freeman: Yes, that is our intention.

Mr. Pike: Does the Minister accept that most of what the Select Committee on Deregulation has dealt with so far has no significant implications for this country? The implications for greyhound betting and the possibility of a £10 rather than a £4 payout on a one-armed bandit in a pub or arcade will not contribute to the well-being of the nation, even under the Tories.

Mr. Freeman: The hon. Gentleman is being unnecessarily modest. A great many draft orders are being prepared, which I expect to be of more consequence, including a proposal to save money on the circulation of used cheques between banks once they have been drawn and credited. There is much more to be done, but the process has started. I am grateful to the hon. Gentleman and to other members of the Deregulation Committee for their hard work.

Mr. Nicholls: Does my right hon. Friend agree that a substantial contribution would be made to reregulation if the country took on itself the social chapter, recognition of trade unions, workers councils and the like? Does he agree that business men who favour deregulation should bear in mind the fact that the Labour party would throw the process into reverse by introducing those European measures?

Mr. Freeman: I am grateful to my hon. Friend. One reason why our unemployment rate—measured on a basis consistent with that in other European countries—is now broadly the same as Germany's, but falling, is the fact that businesses in this country need not shoulder the substantial on-costs on labour rates borne by Germany, Italy and France.

Civil Service Pension Scheme

6. **Mr. Jim Cunningham:** To ask the Deputy Prime Minister what plans he has to contract out the principal civil service pension scheme. [15242]

Mr. Willetts: I intend shortly to lay before both Houses an order, under the Deregulation and Contracting Out Act 1994, to open up the administration of the principal civil service pension scheme to the private sector. The pension entitlements of civil servants will not be affected in any way.

Mr. Cunningham: Can the Deputy Prime Minister say what discussions he has had with the Paymaster General on the implications of the proposed privatisation—

Hon. Members: Reading.

Madam Speaker: Order. I am sure that the hon. Gentleman is aware that he is not allowed to read out questions during Question Time.

Mr. Cunningham: What discussions has the Deputy Prime Minister had with the Paymaster General regarding the implications for the Paymaster General's office of the proposed privatisation of the civil service pension scheme? What objections has he received from teachers about the privatisation of their pension scheme, particularly teachers in Coventry?

Mr. Willetts: What we are talking about is the possible contracting out of the administration of schemes. Many letters that we have received from teachers and other organisations have reflected a serious misunderstanding of the position, and a fear that their pension entitlements will be affected in some way. I am pleased to assure the House that there will be no change in the substance of civil servants' or teachers' pension entitlements.

Mr. Dicks: Do the new arrangements mean that civil servants will have to contribute to their pensions for a change, like the rest of us?

Mr. Willetts: The changes are in the administration of civil service pension arrangements. They do not change either the pension entitlements of civil servants or the way in which they are financed. I assure my hon. Friend, however, that they contribute to the Government's overall public expenditure objectives. Whenever we have contracted out public sector services, we have achieved an average saving of 21 per cent.

Recruitment and Assessment Services Agency

7. **Mr. Miller:** To ask the Deputy Prime Minister if he will make a statement on the privatisation of the Recruitment and Assessment Services Agency. [15243]

Mr. Willetts: The privatisation of the Recruitment and Assessment Services Agency is proceeding as announced. I expect the sale to be completed in the summer.

Mr. Miller: In the wake of Nolan and now Scott, are not the Government taking actions that will undermine the neutrality of our civil service?

Mr. Willetts: That is complete nonsense. The selection of civil servants will still be in the hands of civil servants and, as now, the procedures will be regulated by the independent civil service commissioners. That is another example of a successful privatisation combined with stringent regulation. It is a great pity that, after 16 years, the Opposition still do not understand the basic argument for privatisation.

Mr. Bill Walker: Does my hon. Friend think that, if the Opposition are concerned about the civil service's neutrality, they may be leaning towards new Labour rather than old Labour? We know that old Labour is still what runs the Labour party.

Mr. Willetts: I do not recognise the terms old Labour or new Labour. We know what the Labour party stands for and we remain opposed to it.

Government Policy (Presentation)

8. **Mr. Grocott:** To ask the Deputy Prime Minister what recent representations he has received on his responsibilities for the strategic presentation of Government policy. [15244]

The Deputy Prime Minister: As I told the hon. Gentleman when I last answered questions to my Department, I have received no recent representations on my responsibilities

"other than from Opposition Members."—[*Official Report*, 29 January 1996; Vol. 270, c. 632.]

Mr. Grocott: With all the millions of words have been said and written about the Scott report, is not the irreducible truth that Ministers—I put it in its kindest way—deliberately withheld information from the House? As that is the clearest possible abuse of our parliamentary system, and as it is difficult to see how the system can operate if that abuse is allowed to continue, will the Deputy Prime Minister, on behalf of the Government and without reservation or qualification, publicly apologise to the House?

The Deputy Prime Minister: When the Scott report is considered in its totality, the overriding conclusion will be that the allegations peddled by the parliamentary Labour party for three years were unfounded. We did not arm Saddam Hussein or conspire to send innocent men to prison. The parliamentary Labour party and its spokesmen should apologise unreservedly for those charges.

Mr. Harry Greenway: Does my right hon. Friend agree that the Scott report argues in a number of different directions at the same time and that, finally, it is impossible to take it seriously for that reason?

The Deputy Prime Minister: I have read of the Scott report that it is biblical in its judgments—there is something there to suit most people, depending on which quotation they use, but the facts remain that the central charges against the Government have not been proved by the report.

Mr. Skinner: The Deputy Prime Minister now has a newfangled machine in the biggest office in Whitehall and the new titles Deputy Prime Minister and First Secretary of State—which he screwed out of the Prime Minister on the day of the ballot. If he had had that spying machine and that position when the arms sales were taking place, could he have used them to tell all the Cabinet Ministers, "Look, you are going down the wrong track"? Does he think that that would have worked?

The Deputy Prime Minister: As often with the hon. Gentleman, he is out of touch with his own party. Only one big lying machine has been introduced in modern politics recently and that is in Millbank. It has been put there by the Labour party.

Mr. Stephen: Does my right hon. Friend recall that, in the 1960s, British business man Greville Wynne was arrested by the Soviets, that a Member of Parliament, who should have known better, asked in the House whether Wynne was working for British intelligence and that, on that occasion, the Minister was obliged to lie to Parliament? Does my right hon. Friend accept that there are occasions, especially in relation to foreign affairs and defence, when not only should Ministers not answer the question, but Members of Parliament should not ask the question?

The Deputy Prime Minister: My hon. Friend raises important issues. I very much sympathise with the reply given by the right hon. Member for Bethnal Green and Stepney (Mr. Shore), who clearly recognised the dilemma that Ministers sometimes face when they have to answer questions giving the fullest possible information to Parliament but also have regard to our security and commercial interests overseas. Every Minister has had to wrestle with that balancing judgment. The right hon. Gentleman had the integrity to answer that question honestly. It is of course apparent that it is long time since the Labour party was in a power and that now it is prepared to disregard totally what its own spokesman said when he was in office.

Deregulation

9. **Mr. Barry Jones:** To ask the Deputy Prime Minister what assessment he has made of the effect of his deregulation proposals on British manufacturing industry. [15245]

Mr. Freeman: As we made clear in our second White Paper on competitiveness, deregulation is central to improving the competitiveness of British industry. Unnecessary requirements stand in the way of market entry, innovation, investment and jobs. We are also ensuring that new regulations are introduced only where really necessary, meet the test of public benefit exceeding cost of implementation and are enforced in a business-friendly way.

Mr. Jones: In that case, why have the Government imposed 294 new regulations since 1992? May I please have a truthful reply?

Mr. Freeman: If the hon. Gentleman is referring to the press speculation about the document coming from the European Commission, I should tell him that I have not seen that document. Early reports imply that the document is substantially flawed because it includes UK legislation that implements European legislation. We introduce about 1,400 substantive statutory instruments each year and a clear majority of them either have no bearing on business and industry or are deregulatory in nature.

Mr. Jenkin: Does my right hon. Friend agree that we are only just beginning to realise the huge magnitude of the regulatory task before us not only in preventing British officials from implementing to the letter everything that is put before them, but in relation to the problem of gold plating European regulations? Not only are some European regulations excessive, but we implement them with excessive zeal.

Mr. Freeman: My hon. Friend is right. For far too long in Whitehall, we have added unnecessary additional provisions to legislation that implements directives agreed by various Councils of Ministers. My right hon. Friend the Deputy Prime Minister and I have put a stop to the gold plating of European legislation. My hon. Friend is also right to refer to over-enforcement. It is important that, when officials enforce any European legislation in this country implemented under the European Communities Act 1972, they do so sensibly, and in a balanced and user-friendly way.

Mr. Dafis: Does the Sea Empress episode not show the importance of more stringent regulation in some areas? Is that not especially true for the environment, where regulation can stimulate technological inventiveness and therefore produce solutions? For example, is the right hon. Gentleman aware of the work of the Environmental Industries Commission, and of its conviction that Britain needs to recognise the huge importance of environmental technology as a major sector in global industry over the next decade? Will he firmly undertake not to deregulate in the important area of environmental sustainability?

Mr. Freeman: Yes.

Compliance Cost Assessments

10. **Sir Donald Thompson:** To ask the Chancellor of the Duchy of Lancaster what guidance has been issued to Ministers on the preparation of compliance cost assessments. [15246]

Mr. Freeman: Following publication of the new guidance booklet on compliance cost assessments on 25 January, I have written to all departmental Ministers asking them to ensure that the new guidelines are observed in their Departments. The guidance includes a requirement for Ministers to sign off personally all compliance cost assessments and to certify that the benefit of the regulatory proposal exceeds the cost.

Sir Donald Thompson: Will my right hon. Friend confirm that he agrees that compliance costs and likely compliance costs must be rigorously examined and the whole of an industry consulted before legislation from either Britain or Europe is accepted without compliance

costs? Often, the cost of compliance to a large firm is negligible, while the cost to a small firm of compliance to the same regulations is relatively huge.

Mr. Freeman: I agree with my hon. Friend and I am happy to say that the European Commission has accepted in principle that it will follow the practice that we have adopted in the United Kingdom and will introduce compliance cost assessments for new draft directives and regulations before the end of the year.

Mr. MacShane: Surely the Minister will agree that one of the most important elements of any compliance cost system is that companies or individuals who are bankrupt are not allowed to continue trading? Do not the revelations yesterday, that No. 10 has spread its protective arm over the hon. Member for Bromsgrove (Mr. Thomason) to allow him to keep trading while bankrupt, show that there is nothing but contempt for the normal operations of business at the heart of our Government system?

Mr. Freeman: I am grateful to the hon. Gentleman for his support for general deregulatory measures in company law, auditing and other financial requirements. The Government have an excellent record over the past 24 months in introducing deregulatory measures in relation to auditing and accounting standards for small firms.

OVERSEAS DEVELOPMENT

Indonesia

30. **Mr. MacShane:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance he provides to the independent trade union movement in Indonesia. [15267]

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): There has been no change since the hon. Gentleman last asked that question. No aid is given to the independent trade union movement in Indonesia.

Mr. MacShane: Is not the deplorable fact that no help is given to one of the most important trade union movements in Asia a reflection of the complaint that the Minister's boss, Baroness Chalker, made in her lecture last week, when she protested at Treasury cuts in the budget of the Overseas Development Administration? We can leave that aspect of the Government's death throes to the Ministers involved, but will the right hon. Gentleman accept that the SBSI, the independent trade union movement in Indonesia, is an important social actor and should receive Government support? Is the Minister prepared to meet a small delegation to discuss whether there is some line of budget to give help to Indonesia in future?

Mr. Hanley: British aid to Indonesia was £22.2 million in 1993-94 and £21.5 million last year—excluding the Commonwealth Development Corporation's programmes and debt relief. The money is spent on those who are most in need. I do not believe that there is a strong case for sponsoring the trade union movement in Indonesia, but there is a strong developmental, economic and commercial case for Britain to maintain a substantial aid programme to Indonesia—other donors agree.

East Africa (Sustainable Development)

31. **Mr. Carrington:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the aid budget is directed towards sustainable development in east Africa. [15268]

Mr. Hanley: In 1994-95, 7.6 per cent. of total British bilateral aid was spent on sustainable development in east Africa—Kenya, Tanzania and Uganda. In 1993, the latest year in which figures for our share of multilateral programmes to the three countries are available, 6.4 per cent. of the aid budget was spent on bilateral and multilateral aid to east Africa.

Mr. Carrington: I am grateful to my right hon. Friend for that answer. Does he agree that the quality of aid is more important than the straight quantity of aid? In order for our aid programme to be successful in east Africa, it is vital that the recipient countries pursue more sensible economic policies than they show signs of doing at present.

Mr. Hanley: I agree that our aid should be given to countries where there is not only poverty and a need for aid but a good developmental case and a good case for economic restructuring—Uganda is an excellent example. Our aid in Uganda has helped to achieve an average annual economic growth rate of 6 per cent. over the past eight years.

Miss Lestor: Notwithstanding that reply, does the Minister accept that one of the biggest threats to sustainable development in east Africa is the totally unsustainable level of external debt? Does he agree that it is unacceptable that Tanzania spends twice as much on repaying debt as on providing access to clean water? Does he also agree that it is unacceptable that Uganda is forced to spend $17 per person on debt, while it can still afford to pay only $3 per person on health?

Will the right hon. Gentleman assure hon. Members that at the spring meeting in April of the International Monetary Fund and the World bank, the British Government will be at the forefront in pushing for a comprehensive solution to the debt crisis aimed at restoring debt stock and debt servicing to sustainable levels by 2000, and financed from new and additional resources from within multilateral institutions, including the World bank and the sale of IMF gold stocks?

Mr. Hanley: The hon. Lady will be aware that the United Kingdom is leading the way in the progress that is being made to reduce aid debt. Indeed, we have led the last two series of negotiations and we will continue to convert debt into aid, as we have done over the past few years.

Mr. Cash: Will my right hon. Friend note the early-day motion in my name, as chairman of the all-party east Africa committee, which is designed to come forward with proposals—backed by President Museveni—

to reduce debt and interest on debt, having regard to the opening of the books of account of Uganda? Is my right hon. Friend aware that I have had meetings with Baroness Chalker of Wallasey and with the economic section of the Treasury? Is he aware that the Government are making efforts to exert pressure on the countries that are corrupt? The Government are ensuring that we achieve a degree of reduction of debt, where it can be justified, and a reduction in the necessity for aid—which otherwise just goes back into the reduction of debt.

Mr. Hanley: I will certainly look at that early-day motion. I shall discuss the matter with my right hon. Friend Baroness Chalker. As I have said, the United Kingdom is leading the way in the process of reducing debt and turning debt into aid.

Iraq

32. **Mr. Gapes:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current position with regard to sanctions against Iraq and provision of aid to Iraq. [15269]

Mr. Hanley: The purpose of sanctions is to ensure that Iraq complies with its obligations under relevant United Nations Security Council resolutions. There has been some progress, notably in the recognition of Kuwait and UN-demarcated borders. However, I am sorry to say that Iraq remains a long way from compliance. Since 1991, we have given £73 million to the humanitarian effort in Iraq.

Mr. Gapes: If the Government are concerned about the situation in Iraq today, why were they not concerned in the 1980s? Will the Minister give hon. Members an assurance that the Government are not allowing the diversion of aid, aid and trade provision funds or export credit guarantee funds to Jordan which might be used to assist the Saddam regime, as referred to in section E of the Scott report?

Mr. Hanley: Yes, Madam Speaker.

Mr. Stephen: Is it not vital to the interests of this country and to the people of the middle east that neither Iran nor Iraq should ever become powerful enough to overwhelm the other? Were not British trade relations with those two countries managed so as to ensure that neither country was able to dominate that region? Was that not a foreign policy triumph of which the House should be proud?

Mr. Hanley: I am grateful to my hon. Friend for making these comments. However, today I am here to answer questions about the Overseas Development Administration and its role with regard to overseas aid, and I think it will be best if I stick to that subject.

We are conscious of the suffering in Iraq. It is Saddam, not the United Nations, who is responsible. Food and medicines are not subject to sanctions. There is clear evidence that Saddam is using Iraq's foreign currency reserves for military procurement, for ostentatious construction projects and for luxury items for his hangers-on. This underlines the blatant disregard for his people. We will continue to help the people of Iraq—they deserve our help.

Europe (Social and Economic Disparities)

33. **Mr. Mackinlay:** To ask the Secretary of State for Foreign and Commonwealth Affairs what measures are being taken by the Overseas Development Administration to reduce the social and economic disparities that exist between the EU and new democracies in central and eastern Europe. [15270]

Mr. Hanley: We contribute to the reduction of social and economic disparities between the EU and the countries of the region through the know-how fund. This aims to support their transition to a pluralist democracy and a market economy. More than £230 million has been spent since its inception in 1989.

We also provide assistance through our membership of the multilateral institutions that operate in the region, in particular the EU, the European bank for reconstruction and development, the European investment bank and the World bank.

Mr. Mackinlay: I welcome the information given by the Minister. I wonder whether he would use his good offices and give consideration to the need for British newspapers to be available in all the further and higher education institutions of Russia and the former communist bloc countries. Countless young men and women are desperate to read and consume information about the United Kingdom but do not have access to a quality British newspaper. Surely it would be a small contribution if the United Kingdom made available those newspapers in such places, outside the main capital cities?

Mr. Hanley: I can assure the hon. Gentleman that newspapers are available in British Council offices and libraries. They are also available on the streets of many countries in central and eastern Europe. There are some newspapers that I would not want those people to see anyway.

Sir Patrick Cormack: Does my right hon. Friend agree that, in many cases, the communities that the hon. Member for Thurrock (Mr. Mackinlay) mentioned would be much better served by adequate provision of the BBC World Service? Does he also agree that British Council offices should never be closed in parts of former communist Europe?

Mr. Hanley: I am grateful to my hon. Friend for that point. The British Council is reviewing its operations at the moment. The World Service will continue to be an excellent service, and I believe that my hon. Friend's praise for the World Service and the British Council is echoed throughout the House.

Aid Recipients (Free Elections)

34. **Mr. David Evans:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries that receive United Kingdom aid which have been assessed as not having free and fair elections. [15271]

Mr. Hanley: We have not made a systematic analysis of the 160 recipients of our aid, but our policy is to encourage good government, including moving towards the holding of free and fair elections, in all recipients of our aid.

Mr. Evans: I thank my right hon. Friend for his reply. Does he agree that charity begins at home—

Mr. Tony Banks: We want an election!

Madam Speaker: Order.

Mr. Evans: Does my right hon. Friend agree that no country should receive aid unless it has one man, one vote? Does he further agree that that lot over there would spend more taxpayer's money on any corrupt Government they thought fit, as they have great experience of not holding free and fair elections—what with clause IV, 176 of them being supported by unions, blah, blah, blah, and the Labour-controlled councils of Hackney, Islington and Camden? Is this not another example of saying one thing and doing another?

Madam Speaker: Order. The hon. Gentleman does try the patience of the House.

Mr. Hanley: I am pleased to confirm to my hon. Friend that the last four general elections in the United Kingdom were free and fair; so was the result.

Dr. Godman: The Minister talked of good government. How does he measure Indonesia in relation to the Government's policy on good government? Is it not the case that, for the people of East Timor, that is a harsh and oppressive administration—if it may be called that? How much of that aid goes to the people of East Timor?

Mr. Hanley: We are concerned about reports of continuing human rights abuses in Indonesia, especially East Timor, and we certainly let the Indonesian Government know of our concerns. We did so most recently when Foreign Minister Alatas visited us last month. I shall write to the hon. Gentleman about how much Indonesian aid goes to East Timor.

South Africa

35. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage change has taken place in aid to South Africa since the South African elections of 1994. [15272]

Mr. Hanley: Bilateral aid to South Africa in the year leading up to the South African elections in April 1994 was £14.4 million. The outturn for the current financial year is expected to be about £17 million—an increase of 18 per cent. Our share of European Union assistance has increased from approximately £12.5 million to about £17 million in 1995 at current exchange rates—an increase of 36 per cent.

Mr. Pike: Although those increases are very welcome, does the Minister recognise the tremendous legacy of the apartheid years, particularly in education, health and housing? Should we not do far more to help the majority of South Africans to achieve the living standards to which they are entitled?

Mr. Hanley: I agree with the priorities that the hon. Gentleman has expressed. We believe that education is a vital part of the aid that we provide to South Africa in helping its transition to what I hope will be a glorious future.

Mr. John Marshall: Does my right hon. Friend agree that the main hope for economic development in South Africa is international investment? Will he recommend to President Mandela that he encourage, rather than discourage, international investment?

Mr. Hanley: The key to South Africa's long-term prosperity is trade and investment. The Government are committed to developing our commercial links with South Africa, but there is also a role for well-targeted aid. Our aid is designed to help to develop sound policies and to establish models of sustainable development while focusing on the most disadvantaged groups. The South African Government understand their responsibilities and I believe that they are on the right track.

PUBLIC ACCOUNTS COMMISSION

Health Service Bodies

40. **Mr. Simon Hughes:** To ask the Chairman of the Public Accounts Commission what discussions the Commission has had with the Comptroller and Auditor General on the costs of inspecting the accounts of health service bodies. [15277]

Sir Peter Hordern (Chairman of the Public Accounts Commission): The commission regularly discusses the costs of the National Audit Office's activities—most recently on 30 January when it considered the National Audit Office's estimate for 1996-97. The costs of inspecting the accounts of health service bodies are included in the totals, but they were not discussed separately.

Mr. Hughes: I am grateful for that answer. I have received on the best—*[Interruption.]* As I have received information that the local Guy's and St. Thomas' national health service trust is to write off about £7 million in relation to the Philip Harris phase 3 building, how may I be assured that the Comptroller and Auditor General will have the resources this financial year to investigate and report on whether that information is correct?

Sir Peter Hordern: The Comptroller and Auditor General will have the resources for that study. Further, in light of preliminary work undertaken by the National Audit Office, the Comptroller and Auditor General intends to carry out a full investigation into what is now referred to as Guy's phase 3. The work will focus on the reasons for delays and cost overruns, given the National Audit Office's understanding that the building will be used largely as was intended at the outset of the project. The timing of the work is complicated by pending legal action. A report is expected to be published next year.

OVERSEAS DEVELOPMENT ADMINISTRATION

Palestine

36. **Mr. Gunnell:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for increasing aid for improving infrastructure and public services in Palestine. [15273]

Mr. Hanley: The United Kingdom intends to spend £85 million over three years for the Palestinians, with our bilateral aid for the west bank and Gaza being focused on improving public services. We will continue to provide aid for infrastructure improvements through our share of the substantial multilateral programmes.

Mr. Gunnell: In the wake of the events this weekend—which I am sure we all deplore—does the Minister agree that, as the election process is complete, the people who live on the west bank and those parts of Palestine under Palestinian control must see urgent and real improvements in their living standards? Does he agree that recent events signify the importance of redoubling efforts in support of the new, democratic regime in Palestine?

Mr. Hanley: I am pleased to agree with every word that the hon. Gentleman has said. Our aid to the Palestinians is the main pillar of our support for the peace process. Our policy is to encourage all states in the region to reach lasting, just and comprehensive settlements. We welcome the progress that has been made so far in the middle east peace process and we hope that there will be a resolution on the Israel-Syria track.

As to the hon. Gentleman's comments about the awful incidents yesterday, the whole House sends its sympathy to the families of those who were killed and to those who were injured. We all hope that it will not put the peace process off track. Considerable courage must be shown in the peace process. I hope that the people who suffered yesterday will share in the courage that is required.

Aid Budget

38. **Mr. Jim Cunningham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of gross domestic product will be devoted to the Government's overseas aid budget in 1996-97. [15275]

Mr. Hanley: The aid budget in 1996-97 will be more than £2.1 billion. The proportion of gross national product that it will represent will depend on the rate of United Kingdom economic growth and inflation.

Mr. Cunningham: Is the Minister not ashamed of the Government's record? Over the past 10 or 15 years, the Government have systematically cut overseas aid. Is that not a disgrace when many under-developed countries are still struggling to modernise their water facilities, for example?

Mr. Hanley: I am certainly not ashamed of our aid contribution. Our aid budget of £2.23 billion covers aid to developing countries and assistance to countries in transition. We readily admit that last year's public expenditure survey was particularly rigorous, but the Government have had to take some tough decisions. The cuts in the bilateral aid programme are effectively offset by lower forecasts of multilateral aid spending and, despite the small reduction in the budget, Britain will continue to be the fifth largest donor with an aid budget of £2.1 billion next year.

CHURCH COMMISSIONERS

Cathedrals (Admission Charges)

42. **Mr. Jenkin:** To ask the right hon. Member for Selby, representing the Church Commissioners, what is the policy on admission charges to cathedrals. [15279]

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): It is not a matter for the Church Commissioners. Policy on admission charges rests with individual cathedrals, but I would be happy to convey any representations that my hon. Friend might wish to make to the appropriate authority.

Mr. Jenkin: Has it not become evident that cathedrals that levy charges on entrance for tourists are maximising their resources? In these straitened times, should not the Church Commissioners encourage cathedrals and other major church buildings to levy charges so that extra revenue can be raised?

Mr. Alison: My hon. Friend makes a fair and reasonable point. In practice, there is a good deal of variation in regard to the bits of a cathedral to which admission charges apply, but I shall arrange to have the general point that my hon. Friend makes widely circulated in all cathedral cities.

Mr. Donald Anderson: Is it not surprising that the Government have not sought to bring cathedrals into the private finance initiative?

Mr. Alison: I am happy to tell the hon. Gentleman that cathedrals are almost entirely financed by the residual money left in taxpayers' pockets after the Chancellor of the Exchequer has taken his share, so their funding arises from voluntary donations from supporters of cathedrals.

Beneficial Clergy (Salaries)

43. **Mr. Harry Greenway:** To ask the right hon. Member for Selby, representing the Church Commissioners, what is the current average salary of the beneficial clergy; and if he will make a statement. [15280]

Mr. Alison: The average stipend for clergy of incumbent state for the year beginning 1 April 1995 is £13,450. That is 2.1 per cent. above the previous year's figure of £13,170.

Mr. Greenway: Does my right hon. Friend agree that there need to be differentials in terms of pay and emoluments between archbishops, bishops, archdeacons, vicars and curates? Vicars live in vicarages; why do so many bishops continue to live in palaces? Would it not

be better if the majority followed the example of the few who have been taken out of their palaces and placed in bishops' houses?

Mr. Alison: I take my hon. Friend's point that some bishops appear to live in substantial and splendid circumstances, but I am glad that he is in a favour of differentials in the ranks of the clergy, as he is no doubt in favour of differentials between Back-Bench Members and Cabinet Ministers, although Cabinet Ministers do not live in palaces.

Ordination of Women (Financial Provision) Measure 1993

44. **Mr. Tony Banks:** To ask the right hon. Member for Selby, representing the Church Commissioners, what payments have been made under the terms of the Ordination of Women (Financial Provision) Measure 1993. [15281]

Mr. Alison: At 31 January 1996, the commissioners had made payments from their income totalling £6 million. Since the legislation came into effect in 1994, 300 clergy eligible for financial assistance under the Measure have resigned during that period.

Mr. Banks: That figure is astounding. Why on earth should those crusty old sexists get a penny piece for opposing the ordination of women? The right hon. Gentleman has given an appalling answer, and it shows how deep sexism runs within certain elements of the clergy in the Anglican Church. Those people should get not a farthing. They should be driven from the temples of the Lord with scourges, not be given a silver handshake from the offertory plate.

Mr. Alison: The hon. Gentleman called the figure of £6 million "astounding". If I had said that the amount was £600,000, £6 million or £60 million, he would still have described it as astounding. His references to the clergy of the Church of England would have been exactly the same, whatever the figures involved. The House may expect the same sort of response when we hear the hon. Gentleman speak later this afternoon on another compendious statement, the Scott report.

Points of Order

3.30 pm

Mr. Andrew Mackinlay (Thurrock): On a point of order, Madam Speaker. Will you, in the course of the afternoon, read pages 119 and 128 of the 21st edition of "Erskine May", which relate to the influencing of hon. Members? Page 128, under the heading "Improper influence", refers to the resolution of the House of Commons of 1695, which stated that

"the offer of money, or other advantage, to any Member of Parliament for the promoting of any matter whatsoever, depending or to be transacted in Parliament is a high crime and misdemeanour and tends to the subversion of the English Constitution."

The current edition of "Erskine May" states also that

"the offering to a Member . . . of any fee or reward in connection with the promotion of, or opposition to any bill, resolution, matter or thing submitted or intended to be submitted to the House"—

Madam Speaker: Order. I am quite capable of reading, and the hon. Gentleman gave me the page numbers. What is the hon. Gentleman's point of order?

Mr. Mackinlay: It seems to me that if an extraordinary package is put together for one hon. Gentleman—a Conservative Member of Parliament—so that he can avoid disqualification from the House, that could unduly influence the hon. Gentleman's conduct. It goes to the heart of the matter. If that package had been put together exclusively to keep the hon. Gentleman in question in the House, that would affect his conduct. I ask you, Madam Speaker, to consider whether or not such a package is lawful, and whether such a package should be declared in the Register of Members' Interests.

Madam Speaker: If the hon. Member for Thurrock (Mr. Mackinlay) believes that the matter may be a question of privilege, he should write to me and I will consider it in that light. If the hon. Gentleman believes that the matter relates to the standards of the House, the hon. Gentleman should write to the Parliamentary Commissioner for Standards. If the hon. Gentleman is not clear in his own mind, if he will write to me, I will be glad to sort him out.

Mr. Jerry Hayes (Harlow): On a point of order, Madam Speaker. I gave you written notice of this point of order, which concerns the conduct of the hon. Member for Cynon Valley (Mrs. Clwyd)—to whom I sent a courtesy note, to inform her of my remarks.

At the weekend, a well wisher gave me a letter from the hon. Member for Cynon Valley—of which you, Madam Speaker, have a copy. The letter is to Conservative constituency chairmen throughout the country, asking them to urge their Members of Parliament to vote against the Scott report. Of course that matter is for the hon. Lady. The difficulty is that the letter is on House of Commons notepaper. The added difficulty is that the letter was posted in a prepaid House of Commons envelope. I make no political points, Madam Speaker, but seek your guidance.

Madam Speaker: The political points come later. I would ask the hon. Gentleman to refer the matter to the Serjeant at Arms. The hon. Gentleman has been kind enough to let me have a copy of the document to which he refers. The Serjeant at Arms will be carrying out an inquiry, and he would be helped in that if the hon. Gentleman let him have any information in his possession.

Mrs. Ann Clwyd (Cynon Valley): I am grateful to the hon. Gentleman for writing to me to say that he was going to raise that point of order—but I could not understand his writing. I suggest that next time he writes to me he joins up his letters, or types.

I find it difficult to take seriously a point made by an hon. Member who is prepared—*[Interruption.]*

Madam Speaker: Order. This matter has been referred to the Serjeant at Arms; the hon. Lady has been referred to; it is quite right that she should be heard.

Mrs. Clwyd: Parliament has been brought into disrepute by the hon. Gentleman dressing up as French maid, and by all sorts of other activities—

Madam Speaker: Order. I have given my ruling. The matter has been referred for an investigation.

Mr. Hayes *rose*—

Madam Speaker: The hon. Gentleman would look very pretty as a French maid. I wish I had his curls.

Scott Report

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

Madam Speaker: I must tell the House that speeches by all Back Benchers will be limited to 10 minutes.

3.35 pm

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Ian Lang): The House will welcome the opportunity afforded by this debate to consider Sir Richard Scott's report, now that all hon. Members have had the opportunity to study it. That is why the Government deliberately allowed 10 clear days to elapse between publication and debate.

We welcome the central conclusions of the report: that there was no plot secretly to arm Saddam Hussein, and no attempt to suppress documents that could have led to a miscarriage of justice. Those issues were central to the inquiry. But today I want to look forward. I want to look in detail and with care at Sir Richard Scott's recommendations and criticisms, as he asked the Government to do.

Dr. John Reid (Motherwell, North): Just before the right hon. Gentleman leaps forward, will he tell the public whether he accepts the findings of Scott in sections D4 and D8, that the Chief Secretary to the Treasury "deliberately" and "designedly" misled Parliament? If he does, how can the Chief Secretary remain with honour in the Cabinet?

Mr. Lang: With respect to the hon. Gentleman, those were not Sir Richard Scott's words. If he contains himself, however, I shall try to cover all points of relevance as I proceed.

Mr. Menzies Campbell (Fife, North-East) *rose—*

Mr. Lang: I must get started. The report rightly focused on the serious and defamatory charges that had been made and of which the Government now stand acquitted. But in my statement 10 days ago, I also took care to draw attention to Sir Richard's criticisms, to which I referred repeatedly, and to his conclusions and recommendations on which I should like today to indicate more of the Government's thinking.

To recap on my earlier remarks, mistakes were made. There are lessons to be learnt. The Government have accepted the inquiry's criticisms concerning the distribution of intelligence material, and have already taken action to improve it. We have accepted the criticism about export controls and licensing procedures and have already undertaken to publish a consultation paper on that, as Sir Richard Scott recommends.

We have already undertaken to consider further and very carefully Sir Richard's comments on the use of wartime export control legislation. We accept the principle of the need now for greater supervision by the office of the Attorney-General of Customs and Excise prosecutions in relation to export control matters, and I shall say more on that. We also accept many of his other recommendations.

Mr. Menzies Campbell: Will the Secretary of State give way?

Mr. Lang: If I give way now to the hon. Gentleman, I shall not be able to give way to him later.

Mr. Campbell: Does the Minister accept the Scott report's central conclusion, which was that policy was changed and that the change was deliberately kept from Parliament?

Mr. Lang: No, I do not; there is a difference between the Government and Sir Richard on that matter. I accept his report's two central conclusions, on the question of secretly arming Saddam Hussein and on the question of gagging the courts and risking the imprisonment of innocent men.

I should like to address the recommendations that I have mentioned, including, in particular, the issues of openness in government and accountability to Parliament.

Mr. Gerald Kaufman (Manchester, Gorton) *rose—*

Mr. Lang: No, I must make some progress, if the right hon. Gentleman will allow me to do so.

As I said in my statement, there is a continuing line of criticism running through the report of the conventions—which are long established in the House—whereby successive Governments have undervalued, as Sir Richard Scott sees it, the public interest in the disclosure of information. The Government have a good record of improving openness in government, and the debate on how much further openness in Parliament might go should be seen in that context. We have, for example, introduced or supported numerous measures that, for the first time, open up specific areas of government, even the most sensitive, as with the Intelligence Services Act 1994. More generally, we published the first White Paper on Open Government in 1993, and the code of practice that it proposed a year later.

As a result of all those measures, and of other citizens charter initiatives—which was another first for the Government—much more information is now released, whether on the background to Government decisions, on medical and other records, or on school, hospital and local government performance data. More than 48,000 previously confidential public records have now been released.

The new departmental Select Committee system was introduced under this Government, in 1979, as a major step towards more open and accountable government. We have avowed, for the first time, the Secret Intelligence Service, put it on a statutory footing and made it subject to a statutory oversight committee. The Government have also published—they have been the first to do so—detailed lists of ministerial cabinet committees and "Questions of Procedure for Ministers", which are causes dear to the heart of the right hon. Member for Chesterfield (Mr. Benn), to whom such openness was denied by the previous Labour Government.

Closer to the issues of foreign policy and export controls, in 1991 my right hon. Friend the Secretary of State for Social Security, who was then my predecessor at the Department of Trade and Industry, took the

unprecedented step of publishing the detailed lists—70 pages in all—of the exports licensed for Iraq between 1987 and 1990.

Despite the Government's good record, I hope that we can go further down the route of open government—further, as we have already gone, than in the traditional answer, which I quoted to the House 10 days ago, to questions on defence sales when answered by the Labour Government in the 1970s. The right hon. Member for Bethnal Green and Stepney (Mr. Shore) then said:

"It has been the policy of successive Governments not to reveal information on the supply of arms to individual countries".—*[Official Report*, 10 June 1974; Vol. 874, c. 396-97.]

We hope to go further, too, than the answer given by the hon. Member for Oldham, West (Mr. Meacher), who said:

"the list of recipient countries is not published because defence purchases are regarded as confidential".—*[Official Report*, 20 December 1976; Vol. 923, c. 26.]

Mrs. Helen Jackson (Sheffield, Hillsborough): A year ago, I was given a misleading answer to a parliamentary question. Since then, and after a great deal of pressure from my right hon. Friends on the Labour Front Bench, I have received an apology, which was printed in *Hansard* on 9 February. Why is it that, when Sir Richard Scott and the Government recognise that so many misleading and false parliamentary answers have been given, no apology has yet been made to any of the hon. Members concerned?

Mr. Lang: Sir Richard Scott has identified answers that he concluded are misleading, but he has also recognised that they were given in good faith by Ministers who thought that they were accurate.

Mr. Peter Shore (Bethnal Green and Stepney): I am grateful to the right hon. Gentleman for having the courtesy to inform me that he was likely to mention my name. I am inclined to think that, in recent days and weeks, no ministerial speech is complete without some mention of the fact that, when I was the Secretary of State for Trade, I stated clearly and with agreement the doctrine that we did not give information about exports of defence and weapons equipment to other countries. That has made good sense, but if I may say so, that is not the issue. The issue—the basic issue—is whether we should have been supplying the amounts of defence-related equipment that we did to the two most odious regimes in the world.

Mr. Lang: That is an issue to which I shall come shortly. At the moment, I am addressing the question of openness in government and the conventions in the House that have been observed by successive Governments, including the ones of which the right hon. Member for Bethnal Green and Stepney was a Member.

Dame Elaine Kellett-Bowman (Lancaster): Following on from the intervention of the hon. Member for Sheffield, Hillsborough (Mrs. Jackson), is my right hon. Friend aware that I was sent a letter by my right hon. Friend the Member for Bristol, West (Mr. Waldegrave) when he was a Foreign Office Minister? Is he further aware that I was not in any way misled by that letter, and that I wrote to inform Sir Richard Scott that that was the case? On 4 May, the Minister told me that the guidelines were applied on a case-by-case basis in the light of prevailing circumstances, including the ceasefire.

Those words were not tablets of stone, and should not be applied in a mechanical way. It would be madness to expect guidelines to be so imposed. Although the Government remain committed to those guidelines, I was not misled, and I do not see why anyone should say that I was.

Mr. Lang: I am most grateful to my hon. Friend for making that point clear.

"Erskine May", the standard authority on the conventions and procedures of this House, sets out—

Mr. Mike O'Brien (North Warwickshire): Will the right hon. Gentleman give way?

Mr. Lang: No, I must make progress.

"Erskine May" sets out a number of subjects on which successive Administrations have declined to answer questions on grounds of public policy. At present, those include discussions between Ministers, or between Ministers and their official advisers; the proceedings of Cabinet, or its Committees; security matters; operational defence matters; and details of arms sales to particular countries.

Here I come to the particular point that Sir Richard Scott has raised in relation to parliamentary questions on the sale of arms or defence-related equipment. He said that the long-standing practice should be re-examined. The Government are content to do this and my right hon. Friend the Chancellor of the Duchy of Lancaster has today placed in the Library of the House a document setting out the current position in relation to informing Parliament on the export of arms, together with an explanation of how that practice has evolved.

That is an important step forward and I hope hon. Members will find that document a useful basis on which to take the discussion forward. Serious issues are involved. The Government's policy on defence sales is based on a respect for the right of other countries, and sovereign states, to protect their independence and to exercise their right to self-defence. That right is recognised explicitly by article 51 of the United Nations charter.

The countries to which we export arms have a legitimate right to maintain the confidentiality of the strength of their armed forces and the equipment they have available. Strategically, the export of defence equipment benefits our own defences through reducing the overall cost of equipment.

At the same time, the export of defence equipment is beneficial to the health of the British economy. Total defence expenditure, including overseas sales of equipment, provides employment for more than 400,000 people in industry in this country. And our success in overseas defence markets also helps our much bigger and broader export trade in normal commercial goods. No one should understate the importance of jobs in considering those issues.

Despite our economic interests—

Mr. Mike O'Brien: Will the right hon. Gentleman give way?

Mr. Lang: No, I have a lot of ground to cover.

[Mr. Lang]

Despite our economic interests, the Government maintain a strict policy on the control of defence exports—stricter than any other country, even though that involves denying to British firms valuable overseas markets, involving not just the sale of weapons for defence, but non-lethal equipment and potentially dual-purpose goods, which has a knock-on disadvantage to purely commercial civilian export opportunities, all of which our international competitors have no hesitation in exploiting.

Mr. Robert Jackson (Wantage): My right hon. Friend is determined to do justice to Sir Richard Scott. I have looked at the Franks report on the Falklands, a matter of war and peace; I have looked at the inquiry on Aberfan, which involved the death of large numbers of school children and looked at a variety of other important recent tribunal reports. All of them came out at less than 150 pages. Does my right hon. Friend think that the public might be entitled to feel that there has been a certain loss of sense of proportion concerning the Scott report?

Mr. Lang: It is not for me to judge the requisite length or content of a report. The Government carefully and deliberately gave Sir Richard Scott an entirely clear hand as to how he should go about preparing his report.

Sir Richard Scott has recognised the potentially divergent and conflicting policy objectives in relation to employment and trade as well as foreign policy and humanitarian considerations. Those are conflicting issues with which all Governments have to wrestle. Sir Richard himself recognises that the moral case for refusing to allow defence exports to a particular country has to be set against the damage to British economic interests.

As the publication of the document placed in the Library shows, the Government are willing to play their part in public debate about the issues raised and would welcome the views of hon. Members and others on this issue, including in particular those of the opposition parties. In the light of those comments, we will consider what changes might be made, and bring forward any specific proposals for discussion in the House.

On a further important point on openness, before I turn to the report's other recommendations, I refer to the question of accountability, which has been raised in particular in relation to Government agencies, on which the Public Service Select Committee is currently taking evidence. If that Select Committee, which is currently undertaking an inquiry into these matters, were to be content to consider the question of accountability and responsibility more widely, the Government would propose to submit their views on the issue to it. I hope that the Select Committee will be willing to take up that opportunity and, in due course, to put forward its considered proposals.

Thus, in addition to being content that the parliamentary convention that the Government do not answer questions about exports of arms and defence-related goods should be reviewed in the light of modern circumstances, as Sir Richard recommends, the Government are also willing to consider positively Sir Richard Scott's wider views about ministerial accountability and responsibility. I hope that the House will welcome those proposals. That approach is already in marked contrast to the approach of previous Governments.

Mr. Allan Rogers (Rhondda): The Secretary of State said that the Government have a long, well-established record of controlling arms exports. Why is it stated, on page 873 of the Scott report, that only seven out of 26 export licences to Iraq were actually seen by Lieutenant-Colonel Glazebrook in the Ministry of Defence? Is that the form of control that the Government exercise?

Mr. Lang: The control of the licences lay in the approval of some 76,000 export licence applications that came before the appropriate officials during 1988-89.

A further major step forward in making ministerial accountability transparent was taken by the Prime Minister in May 1992, when he decided to publish, as I have already mentioned, the guidance for Ministers known as "Questions of Procedure for Ministers". That had been a classified document under previous Administrations.

The section of "Questions of Procedures for Ministers" to which Sir Richard Scott refers states that Ministers have the duty to give Parliament, including Select Committees, and the public, as full information as possible about the policies, decision and actions of the Government. There are, and have long been, a number of conventions and accepted reasons why full information cannot be made public and therefore cannot be given to Parliament. As Sir Richard says in his report,

> "It is generally accepted, and rightly so, that there have always been and always will be some subjects in respect of which full information, or sometimes any information cannot be given".

Those include, inter alia, matters that are sub judice, commercially confidential information, and sensitive security and foreign policy matters.

That is recognised now even by the Labour party in its new guise as an advocate of open government. I am aware, of course, that concern about freedom of information derives in some cases more from genuine conviction than simple political opportunism. For example, my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has on numerous occasions set out his views on this issue, which I know he has held with consistency and great sincerity.

The question of a full-blown Freedom of Information Act is one that the Government have had the opportunity to examine in considerable depth over several years, both in the context of responding to the Right to Know Bill introduced by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) and in formulating our "Open Government" White Paper in 1993.

Several hon. Members *rose—*

Madam Speaker: Order. I regret interrupting the right hon. Gentleman. It is apparent that the Secretary of State, at this stage, is not willing to give way. Therefore, hon. Members should be aware of that and should not persist at this time.

Mr. Lang: We have become persuaded as a result that that sort of approach—a Freedom of Information Act—is not the right way towards a fundamental opening up of government.

Nor have recent events changed our view on that. The Bill introduced by the hon. Member for Stoke-on-Trent, Central, in common with all overseas countries' freedom

of information regimes, would have exempted a number of classes of material from disclosure, including policy advice. All of them tend to impose a legalistic approach, which is more inflexible in its application and much more expensive to those who use it and which risks undermining the role of Parliament and accountability to the House. I believe that that is something about which we should always be careful. But the debate over the alternatives should continue and the Government will be willing to participate.

Mr. Donald Anderson (Swansea, East): The Minister is trying to distract the attention of the House from Ministers' culpability by introducing a rather academic screed on accountability. Will the right hon. Gentleman return to Ministers and set out the precedent for a Minister remaining in office when, as with the Attorney-General, he has been found personally at fault by an official inquiry?

Mr. Lang: The hon. Gentleman is wrong. I am not seeking to distract the House about the central issues. Now that the two central charges levelled by the Labour party have been disproved and dismissed by the report, the essential underlying theme of the report is about openness and accountability to the House. These are deeply important issues that the House should have the opportunity to address.

Mr. Robin Cook (Livingston): Will the Minister give way?

Mr. Lang: No. I will not give way to the hon. Gentleman. Well, I will give way to him if he comes to the Dispatch Box to apologise for his behaviour over the past three years.

Mr. Cook: On a point of order, Madam Speaker.

Mr. Lang *rose—*

Madam Speaker: Order. I am trying to deal with a point of order.

Mr. Cook: The President of the Board of Trade referred to a paper that has been deposited in the Library. We have just been advised that the paper is subject to an embargo until the right hon. Gentleman resumes his place. It is proper for the Minister to refer to a paper deposited in the Library if that paper is not available to Members calling at the Library? Should not the President of the Board of Trade be willing for the paper to be circulated so that he can be questioned on it while he is on his feet?

Mr. Lang *rose—*

Madam Speaker: Order. I intend to respond to the point of order. I have no doubt that the President of the Board of Trade will provide information to the House.

It is entirely for the right hon. Gentleman to decide what papers he puts in the Library and what embargo he puts on them. Perhaps he might now enlighten the House about the matter.

Mr. Lang: I had no part in the placing of any embargo. I would be entirely content for the paper to be available at once to Members.

The Scott report makes important recommendations concerning the role of Customs and Excise, to which I said I would return. Lack of co-ordination and guidance here lay at the heart of some of the criticisms that Lord Justice Scott makes, with hindsight, on the way in which the Matrix Churchill trial was pursued by Customs and Excise.

The report first addresses possible changes—

Several hon. Members *rose—*

Madam Speaker: Order. The House must come to order to hear what the Secretary of State has to say.

Mr. Peter L. Pike (Burnley): On a point of order, Madam Speaker. It appears that the document that has been referred to, which has been placed in the Library, is being passed along the second Bench on the Government side of the House. That seems most inappropriate.

Madam Speaker: I am not aware of what is passing along the second Bench on the Government side of the House. I am interested in what the Secretary of State is saying, as the House should be.

Mr. Lang *rose—*

Mr. Nigel Spearing (Newham, South): On a point of order, Madam Speaker. Would it be in order, the Secretary of State having said that he would be content for Members to obtain copies of the paper, for the right hon. Gentleman to tell us whether he has distributed the document to the press or any other sections of the media?

Madam Speaker: It is for the Secretary of State to give what information he wants to the House.

Mr. Lang: I have not given the document to anybody. It has been placed in the Library. It should have been placed there at the beginning of my speech.

Mr. Alan Williams (Swansea, West): Further to that point of order, Madam Speaker. I accept entirely the point made by the Secretary of State, but you indicated in your ruling that it is for the Minister to determine whether the document should be the subject of an embargo. A document has been placed in the Library which should be available to Members. The Minister has said that he has not put an embargo on it, but someone has. Will you, Madam Speaker, as protector of the House, ascertain exactly who is responsible for the embargo?

Madam Speaker: I am curious as to what embargo has been placed on it and who has done that. The Secretary of State says that he has not placed an embargo on that paper, and I accept that.

Mr. Lang: I am addressing the question of Customs and Excise. The report addresses possible changes to the Customs and Excise Management Act 1979 to clarify the various powers and definitions. In addition to these and other specific legal provisions, Sir Richard recommends a number of other changes to internal Customs and Excise procedures. As he recommends, there will be a review of

[Mr. Lang]

the relationship between the Customs solicitor's office and the Customs investigation division. Sir Richard's recommendations relating to customs legislation and internal procedures are largely accepted by the Government; and we have asked for them to be implemented subject only to further consideration of some detailed technical legal matters. We will report back to the House on the changes that are being made once the implementation plans are finalised. I hope that that, too, will be welcome to the House.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Will the Secretary of State give way?

Mr. Lang: No, I must make some progress.

The report also considered the position of Customs and Excise as an independent prosecuting authority, a role that has remained unchanged for very many years. It recommends the introduction of a formalised system of supervision by the Attorney-General of export control prosecutions. At the same time, Sir Richard affirms the important constitutional principle that a prosecuting authority should be independent and free from political direction. He considers the analogy with the Crown Prosecution Service and the Director of Public Prosecutions, both of which are subject to the superintendence of the Attorney-General, whereas the Customs and Excise prosecuting authority is not. Sir Richard notes that, acting in that capacity, the Attorney-General exercises a quasi-judicial role. His actions and decisions are not, for example, subject to Cabinet collective responsibility.

Although the analogy that Sir Richard draws with the CPS and the Serious Fraud Office is not exact, the Government accept that there are benefits in his recommendation: that in future the role of the Attorney-General should include the exercise of increased supervision of Customs and Excise prosecutions in relation to export control matters.

Mr. David Ashby (North-West Leicestershire): Does my right hon. Friend accept that, in this instance, Customs and Excise looked as though it was out of control—and probably was—because it is not responsible to anyone? Is not it time that we got rid of it and amalgamated it with the police and the Crown Prosecution Service so that it would be subject to proper controls?

Mr. Lang: That is not what Sir Richard recommends, but perhaps my hon. Friend will have an opportunity to advance his view during further consideration of the matter.

The Government are urgently developing proposals on the precise nature and scope of the increased supervision, and my right hon. and learned Friend will be reporting further on that to the House as soon as possible.

In relation to the use of intelligence by Government Departments, Sir Richard makes it clear that he does not feel qualified to make recommendations on how the various systems and procedures might be improved. He acknowledges that a number of improvements have been made and sets out a number of areas in which he considers that problems existed.

Since 1992, major reviews have taken place in the Foreign and Commonwealth Office, the Department of Trade and Industry, the Ministry of Defence and Customs and Excise. As a result, modern information technology systems have been introduced and new internal distribution arrangements have been adopted. In addition, the requirements of users are now more fully reflected in the intelligence-gathering process.

Sir Richard also makes a procedural recommendation, which he has not published for security reasons, concerning intelligence personnel, which will be discussed with the chairman of the parliamentary Intelligence and Security Committee. The Government also propose to inform the Intelligence and Security Committee, chaired by my right hon. Friend the Member for Bridgwater (Mr. King), of other improvements that have been made. I have no doubt that that Committee, which was specially set up to deal with such matters, will want to be satisfied, and in due course to reassure the House, that an adequate response has been made to Sir Richard's observations.

Mr. Foulkes: I am grateful to the President of the Board of Trade for giving way. I congratulate him on accepting a number of Sir Richard Scott's detailed recommendations, but if Sir Richard has reached the correct conclusion on all these matters, can he explain to the House why the Government believe that, on the specific allegations relating to the Chief Secretary to the Treasury and the Attorney-General, Sir Richard reached the wrong conclusions? Is that not a curious comparison?

Mr. Lang: It would be very curious if the Government did not exercise their judgment on all the recommendations and criticisms in Sir Richard Scott's report, and that is what we have done.

Let me now turn to prosecution procedures and public interest immunity. On the question of prosecution procedures, Sir Richard notes that the Criminal Procedure and Investigations Bill is before Parliament, and that his proposals in that regard will have to be considered in the light of whatever legislation is eventually enacted. In relation to public interest immunity, Sir Richard has made a range of detailed proposals. In respect of his report, the Government are clear that the legal advice given by my right hon. and learned Friend the Attorney-General was correct at the time of the Matrix Churchill and other trials. His view is supported by a range of decisions in the higher courts; in addition, eminent lawyers—including a current Law Lord and a Master of the Rolls—have made clear their agreement with it. But Sir Richard's concluding chapter also focuses on suggestions for the future of this judge-made and evolving legal procedure.

Mr. Michael Stephen (Shoreham): Has there not been a wicked deception of the British people? *[Interruption.]*

Madam Speaker: Order. Come along.

Mr. Stephen: Has there not been a wicked deception of the British people by the press and the broadcasting media, who for the past three years have referred to public interest immunity certificates as "gagging orders"? They are no such thing. The effect of a public interest immunity certificate is to bring documents out of the archives of the

Department involved and place them before a judge, so that he can decide whether they should or should not be admitted in evidence.

Mr. Lang: My hon. Friend is right. The first point that I want to make on the subject is that the law has moved on significantly as a result of the House of Lords decision in 1994 in ex parte Wiley. That has already introduced into current practice a number of the points made by Sir Richard. As a consequence of that decision, Ministers can now disclose PII documents without the prior approval of the court when they consider it to be in the overall public interest.

Mr. Alex Carlile (Montgomery): Will the right hon. Gentleman give way?

Mr. Lang: No, not now. I have given way a great many times, and I still have a good deal of important information to divulge to the House.

The second point that I should like to make clear is that, contrary to the Opposition's assertions, PII claims have been made in criminal cases both before and since the Matrix Churchill trial, and have been upheld in the courts. The abandonment of PII claims in criminal cases, which I understand that the Opposition propose, would result in cases against serious criminals and terrorists having to be dropped. That would be necessary, for example, to protect sensitive sources of information, and those whose lives might otherwise be at risk. Moreover, PII applies not only to Government documents and confidential police information but to the work of other agencies, such as the National Society for the Prevention of Cruelty to Children, in relation to child abuse cases.

The law on public interest immunity in civil and criminal cases is made by the courts, and Sir Richard Scott does not consider legislative intervention necessary or, at present, desirable. The Government, however, will consider his recommendations in the light of developing case law—in particular, his view that the time is opportune for a collective reappraisal by Ministers. As part of that consideration, the Government would welcome the views of hon. Members and others on future developments in the use of PII certificates.

Mr. D. N. Campbell-Savours (Workington): Will the right hon. Gentleman answer a question that I have been asked by a number of my constituents? Why did the Attorney-General refuse to pull the prosecution—to end the trial—when he knew that Henderson was working for MI6? Scott says that he could have done so.

Mr. Lang: The matter is not one for my right hon. and learned Friend the Attorney-General. The trial was conducted properly and fairly. All the appropriate documents were placed before the judge; the judge commented on them and said that he was satisfied, and three defence counsel concluded that a fair and proper trial had taken place.

Mr. Alex Carlile: On a point of order, Madam Speaker.

Mr. Lang: The report devotes—

Madam Speaker: Order. I have yet another point of order.

Mr. Carlile: Is it right for the President of the Board of Trade to assert to the House that it is not possible for the Attorney-General to pull a trial, as it was put, when it is the Attorney-General and the Attorney-General alone who has the right to stop criminal proceedings before they reach judgment?

Madam Speaker: That is not a point of order, but a point of argument.

Mr. Lang: The report devotes two chapters of recommendations to export control powers and licensing procedures. Before I come to those recommendations, I should like to cover, as I did in my statement, our policy regarding the export of defence equipment to Iran and Iraq.

The Government's policy was to remain neutral in the Iran-Iraq war.

Mr. Campbell-Savours: On a point of order, Madam Speaker. Is it possible for the Attorney-General to come to the Dispatch Box to give a ruling on the point made by me and the hon. and learned Member for Montgomery (Mr. Carlile) because it is important and significant in this whole affair?

Madam Speaker: The Secretary of State is at the Dispatch Box and I am sure that he is capable of responding to the points that have been made.

Mr. Lang: Thank you, Madam Speaker. I understand that points of order are for you, which is why I did not respond to the previous one, but I am sure that if the hon. and learned Member for Montgomery (Mr. Carlile) catches your eye, he will pursue his point.

Dr. Keith Hampson (Leeds, North-West): Will my right hon. Friend give way?

Mr. Lang: If my hon. Friend will forgive me, I must make progress.

The Government's policy was to remain neutral in the Iran-Iraq war. As Sir Richard recognises, no lethal weapons were sold to either side and the Government took vigorous measures to prevent the export of non-lethal goods that could have prolonged or intensified the conflict. As the House knows, a set of guidelines was introduced to assist in the application of that policy, which was far stricter than that of our main international competitors. The guidelines were exactly that. They were for guidance, essentially for internal use, to assist officials in dealing with export licence applications. They had no legal basis and were not intended to set out the complete policy. As Sir Richard Scott acknowledges in his report:

"I would readily accept that, in relation to defence sales to Iran and Iraq, the Guidelines were not, and were never intended to be, an exclusive exposition of Government policy".

Mr. Spearing: The President of the Board of Trade has made it clear that the guidelines were not necessarily related specifically to policy, which was a different matter. Why is it then that, in paragraph D4.3, Sir Richard quotes a statement included in letters by Ministers on four occasions that

"The Government have not changed their policy on defence sales to Iraq or Iran"?

[Mr. Spearing]

Does not the President of the Board of Trade agree that all the evidence clearly showed that the Government had?

Mr. Lang: I do not accept the hon. Gentleman's point. On the question of guidelines, let me quote the author of a different guide on guidelines, who said:

"They must not be allowed, by an over-rigid application that fails to take into account the circumstances of each case, to become a constraint on effective and sensible case management."

Those are the words not of myself or the Government. Those are the words in a preface to the Chancery guide written by Sir Richard Scott himself.

My point is that Ministers and officials in all three Departments believed—and Sir Richard Scott accepts—that they were applying the Government's policy on the export of defence equipment in a way that remained within the guidelines announced by the then Foreign Secretary in 1985, with all their inherent flexibility. While honest opinions can and do differ—

Mr. Kaufman *rose—*

Mr. Barry Sheerman (Huddersfield): On a point of order, Madam Speaker.

Madam Speaker: I think that it is a point of frustration, but either way.

Mr. Sheerman: The Secretary of State has been on his feet for 37 minutes. Support for parliamentary democracy in this country is ebbing and haemorrhaging away every second that he speaks. Will you, Madam Speaker, direct him to answer the main charges of Scott before it is too late?

Madam Speaker: That is not a point of order.

Mr. Lang: The central tenet of our parliamentary democracy is freedom of speech. I have given way many times in this debate. I have a great deal of information to lay before the House and I wish to do that so that the debate can continue.

Mr. Kaufman *rose—*

Madam Speaker: Order. The right hon. Gentleman must resume his seat. The Secretary of State has indicated that he is not giving way at the moment. Is that correct?

Mr. Lang *indicated assent.*

Madam Speaker: The right hon. Member for Manchester, Gorton (Mr. Kaufman) must therefore resume his seat.

Mr. Lang: Officials in all three Departments believed, and Sir Richard Scott accepts—

Mr. Kaufman: On a point of order, Madam Speaker—*[Interruption.]*

Madam Speaker: Order. I have yet another point of order.

Mr. Kaufman The President of the Board of Trade gave way to my hon. Friend the Member for Newham, South (Mr. Spearing) and purported to give a response to him in which he deliberately misinformed the House. It is essential that the House have a chance—

Madam Speaker: Order. I am sure that the right hon. Gentleman will want to rephrase what he has said. I am sure that he will do so—*[Interruption.]*

Mr. Kaufman: Yes, Madam Speaker. Of course I will rephrase my point of order in response to what you have said. The President of the Board of Trade gave a response to my hon. Friend in which he will have misinformed the House unless he allows that to be corrected by giving way to me.

Madam Speaker: That is what a parliamentary debate is made of. Thank you.

Mr. Lang: I look forward to listening to the right hon. Gentleman's speech.

Mr. Kaufman *rose—*

Hon. Members: Give way.

Mr. Lang: No.

Madam Speaker: Order. I require the right hon. Member for Gorton to resume his seat.

Mr. Lang: As I have said, we will be placing in the Library a document that sets out our current approach to informing Parliament about our policy on arms sales. In the light of comments that we receive, we will bring forward any specific proposals for discussion in the House. I am also placing in the Library a note on how that policy operated between 1980 and 1990.

I return to Sir Richard Scott's recommendations on export controls. The Government accept that the current export control powers and procedures should be reviewed and that there should be wide consultation in the course of such a review. That review will take into account the points made by the report. We will then produce a consultation paper covering those points, as Sir Richard Scott recommends. I should make it clear that the Government are committed to an export control system that is easy for business to use and understand but allows the Government to take restraining action where it is necessary for wider policy reasons. I am sure that the House will approve progress in that area.

It is important to put the issue of defence equipment sales and the operation of those guidelines into clear perspective. Let it not be forgotten that the whole debate on guidelines is not about the sale of arms such as guns, missiles, bullets and bombs, but about non-lethal defence equipment. Moreover, the issue is not about the sale of such equipment by the Government, but about the steps taken by the Government to control sales by manufacturers and others to unacceptable destinations. The details of the export licences to Iraq in the crucial years have all been published.

I invite the House to contrast that point with the policy pursued by Labour Governments in the 1960s and 1970s, when the issue was not about non-lethal equipment but the

sale of lethal weapons. It was not about the Government controlling such sales. Indeed, the Government helped to do the selling.

In 1966, the Ministry of Defence, under the then Secretary of State for Defence, Lord Healey, set up its own defence sales organisation tasked not with the control of overseas defence sales, as this Government's guidelines have sought to do, but with the specific purpose among others of organising sales, campaigns and presentations and of negotiating major deals—deals be it noted not in spare parts for microprocessors or field telephones, but in lethal weapons. At what countries did the Labour Government direct their sales campaign? I have done a little research and found that in 1975, 1976 and 1977, during the run-up to the Iran-Iraq war, British defence sales to Iran averaged more than £50 million a year, including the sale of lethal weapons.

Still more interesting is the previous Labour Government's record at the same time with another country: Argentina. I have discovered that the previous Labour Government helped to secure contracts to sell to Argentina—again, not a country renowned at the time either for its democracy or its human rights record—such choice consignments as 42 Sea Dart surface-to-air missiles, 120 Blowpipe surface-to-air missiles and two Lynx helicopters. Those are not spares for radar sales or metal detectors; they are weapons of war that were sold to the Argentine dictatorship.

If we go back a little further, we find that Labour Governments were selling to Argentina two type 42 destroyers and—direct, at their own hands—eight Canberra bombers. There we have it: destroyers, missiles, helicopters and bombers—it is a case of "Don't fly for me Argentina". Those lethal weapons were sold direct by a Labour Government. Is not the real contrast between Labour and ourselves that in the Gulf war against Iraq, British forces risked facing no British weapons in the hands of the enemy, but in the Falklands war against Argentina, they did? There can surely be no more sickening example of hypocrisy than that—Labour saying one thing and doing another. *[Interruption.]*

There remains the unfinished business of the hon. Member for Livingston (Mr. Cook), who has been shown by the Scott report to have systematically misled the House and the country over three years with the repeated charges that we secretly conspired to arm Saddam Hussein with lethal weapons and that we gagged the courts to suppress the evidence.

Mr. Kaufman: On a point of order, Madam Speaker. As I heard it, the right hon. Gentleman accused my hon. Friend the Member for Livingston (Mr. Cook) of having misled the House. If that is so, surely he is culpable.

Madam Speaker: If there were not so much noise, we could all hear precisely what is being said. Is it a fact that the Secretary of State used those words? *[Interruption.]* Order. I want to hear the Secretary of State, not the Opposition.

Mr. Lang: Yes it is, Madam Speaker, and if you rule that to be unparliamentary I shall withdraw the words "misled the House", but I shall leave in place the words "misled the country". I shall do so because for three years the hon. Gentleman went around the country accusing the Government of secretly arming Saddam Hussein and of attempting to gag the courts. Those two serious charges are completely rejected by the report and the hon. Gentleman now tries, vindictively and contemptibly, to shift his ground in order to continue the odious smear campaign. He shows a standard of behaviour that renders him unfit to be trusted by either the House or any foreign country even in the shadow post of Foreign Secretary. The House continues to await and demand an apology.

The Government welcome their acquittal by the Scott report of the two serious charges that caused the inquiry to be set up. We accept, as I have said today—and, indeed, in my statement 10 days ago—that there have been mistakes. There have been shortcomings and there is a need for improvement in several areas. I have today mapped out a number of ways in which the House can proceed. I have done so in a positive and forward-looking spirit, recognising that long-established conventions and practices of the House and elsewhere need to be looked at in a fresh light. I invite the House to respond in that spirit and to support the Government in the Lobby tonight.

4.22 pm

Mr. Robin Cook (Livingston): I shall respond in a moment to the Secretary of State's purple peroration, but I shall first comment on the announcements that he has made today. That need not detain the House for long, because the length of the passage in the right hon. Gentleman's speech cannot conceal the shortness of the specifics in those proposals.

I shall respond on three counts. First, we welcome the fact that Customs is to have supervision of the prosecuting role. In the light of the grave criticisms by Sir Richard Scott of the conduct of the Matrix Churchill trial, it would have been astonishing if the right hon. Gentleman had not proposed changes to the prosecuting role of Customs.

Secondly, I agree with the Government that we require a review of ministerial accountability. After all, one of the key conclusions in the closing section of the report is that, during the inquiry, example after example has come to light of the failure of ministerial accountability. What I find surprising is that, having had 18 days to study the report, the right hon. Gentleman could still produce no proposal as to what might be done to strengthen ministerial accountability.

Today, the one initiative that the right hon. Gentleman announced was that the Government will give evidence if the Select Committee holds an inquiry into ministerial accountability. I would hope so—after all, it is their duty to give evidence to Select Committees if they are asked to do so. However, the initiative does not shed any light on what single proposal they will make in that evidence to avoid us ever again having to debate a report that, in its closing chapter, details seven specific cases in which ministerial accountability was broken.

Mr. Nicholas Budgen (Wolverhampton, South-West) *rose—*

Mr. Cook: I shall finish my point, and then give way to the hon. Gentleman.

Thirdly, we shall certainly consider the Government's paper on parliamentary questions on arms exports.

Mr. Budgen *rose—*

Mr. Cook: I will give way to the hon. Gentleman in a moment—he should relax; his time will come.

[Mr. Cook]

I have in front of me the paper that has been deposited in the Library, and I shall share its conclusion with hon. Members:

"This note summarises the position in relation to the release of information on defence related exports and has been prepared in order to assist further discussion on this subject."

Not a single proposal is contained in the document. We shall enter into the spirit of these discussions as fully as possible, but these discussions would have been assisted further if the paper had contained a single idea.

Mr. Budgen: Does the hon. Gentleman agree that it would be extremely difficult to lay down any rules for ministerial accountability, because, essentially, it is a question for the House, and a question as to how much the House wants information? For instance, as far as negotiations with the IRA were concerned before the ceasefire, the House came to a misunderstanding as to the state of discussions between the Government and the IRA. However, when my right hon. Friends the Prime Minister and the Secretary of State for Northern Ireland came to this House, it was pleased to accept a slightly changed expression of those relationships. Is that not an example of how the House decides what information it wants?

Mr. Cook: At a later stage in my speech, I shall return to the question whether it is justifiable at any stage not to share information with the House. I cannot accept for one moment the hon. Gentleman's claim that it is impossible to make any rules about ministerial accountability. Indeed, the Government keep issuing rules about ministerial accountability. In relation to those rules, Sir Richard Scott states in chapter 8 of section K:

"Paragraph 27 of Questions of Procedure for Ministers identifies as one of the facets of Ministerial accountability to Parliament 'the duty to give Parliament, including its Select Committees, and the public as full information as possible about the policies, decisions and actions of the Government, and not to deceive or mislead Parliament and the public'."

Then Sir Richard Scott—whom the Government appointed to judge on this point; he was their choice—said:

"In the course of the Inquiry example after example has come to light of an apparent failure of Ministers to discharge that obligation."

The right hon. Gentleman' commitment to openness was a lot less convincing when he ruled out a freedom of information Act. Secrecy made this scandal possible. The five volumes of the Scott report provide the firmest foundation yet of a case for a freedom of information Act. There were never better witnesses for a freedom of information Act than the long parade of officials and Ministers who queued up to explain to Sir Richard Scott that the public interest was best served by not letting the public know what they were deciding.

Mr. David Mellor (Putney): Does the hon. Gentleman accept that those who seek to hold Members of the Government accountable must expect to be held accountable themselves? The hon. Gentleman said:

"First, they armed Saddam; secondly, when he used those arms against a British ally, they covered up the fact that they had provided the arms; and thirdly, as the cover-up unravelled, rather than own up, they were willing to see three executives of Matrix Churchill go to prison."—[*Official Report*, 23 November 1992; Vol. 214, c. 638.]

Is the hon. Gentleman aware that not a word of that is true, and will he now withdraw it?

Mr. Cook: No. The right hon. and learned Gentleman is wrong on every single count, and I shall demonstrate that all those charges were justified.

The right hon. and learned Member for Putney (Mr. Mellor) has echoed the allegation made by the President of the Board of Trade. What made the latter's speech so remarkable was the absence of any acceptance by any Minister of any responsibility for the errors set out in the report.

Confronted with those errors and five volumes of supporting evidence, the President of the Board of Trade and the right hon. and learned Member for Putney have produced the novel constitutional principle that it is the Opposition's duty to accept responsibility and resign. Every time they produce it, a wave of hilarity crosses the nation and drowns them.

Hon. Members: Answer the question.

Mr. Mellor *rose—*

Mr. Cook: I will answer the question.

The Government are fond of lecturing the rest of the nation on its need to accept responsibility. Parents are held responsible for actions; teachers are held responsible for the performance of their pupils; local councillors are held legally and financially responsible; yet, when it comes to themselves, suddenly, not a single Minister can be found to accept responsibility for what went wrong.

Sir Peter Hordern (Horsham) *rose—*

Mr. Mellor *rose—*

Mr. Cook: I will not give way. I shall answer the right hon. and learned Gentleman, and he will not like the answer.

In the past week, several right hon. and hon. Gentleman, of whom he is only the latest, have expressed their version of Labour's charges against the Government. I have no doubt that they are trying to be helpful, and I am grateful for their assistance, but I hope that they will forgive me if I rely on the charges that the Opposition actually made. *[Interruption.]* Yes, they were all set out in the debate. They were in the motion that I moved three years ago, on the last occasion that the House debated the issue. There were four charges, not three. I shall deal with each of those four charges, and demonstrate how Sir Richard Scott's report convicts the Government on every one.

The first charge in the motion was that the Government had acted

"in clear breach of the Howe Guidelines of 1985".—[*Official Report*, 23 November 1992; Vol. 214, c. 631.]

Sir Richard returns a verdict of guilty. You can tell, Madam Speaker, the importance that he attaches to the conclusion, because, like all his key findings, it is expressed as a double negative:

"It is clear that policy and defence sales to Iraq did not remain unchanged."

Indeed, Sir Richard reserves the most scathing passages in his report for those witnesses who tried to argue that the guidelines had not changed. The Chief Secretary submitted that the guidelines were not changed, but were only interpreted more flexibly. Sir Richard dismisses his view as one that

"does not seem to me to correspond with reality".

For good measure, Sir Richard quotes a minute that says:

"Mr. Waldegrave is content for us to implement a more liberal policy on defence sales".

That minute was from what was then the private office of the Chief Secretary. It was signed by his private secretary. Sir Richard observed:

"Mr. Waldegrave did not find the expression jarring at the time. He did not do so for the reason that the words, 'a more liberal policy', describe in ordinary and simple language the reality of what he and his colleagues were discussing."

When he made his statement to the House, I asked the right hon. Gentleman whether the Government accepted—

Mr. Mellor *rose—*

Mr. Cook: I shall answer all three questions.

I asked the right hon. Gentleman whether the Government accepted all the conclusions of the Scott report, and he replied:

"Yes, the Government accept the conclusions".—[*Official Report*, 15 February 1996; Vol. 271, c. 1148.]

To avoid all doubt, I shall refer to the statement that he made to the House, which appears in the *Hansard*. Let us hear what he said one more time. I ask to hear it again because, while the right hon. Gentleman was telling me on the Floor of the House that the Government accepted the Scott report's conclusions, his information officers were in the Press Gallery handing out a press pack. It claimed that the Scott report exonerated Ministers, and it stated:

"There was no change of policy in 1989".

As a press guide to the conclusions of the Scott report, that was flatly untrue.

Can the President of the Board of Trade confirm whether the Government accept those conclusions? Do they accept the conclusions, or, when the right hon. Gentleman said, "Yes, we accept the conclusions," did he mean that the Government accept only those conclusions that support their position? If the right hon. Gentleman will not tell us, what about his boss?

Mr. Mellor *rose—*

Mr. Cook: I give the right hon. and learned Gentleman an undertaking that I shall give way towards the end of my speech, because, by then, every single one of his charges will be nailed. At the moment—*[Interruption.]*

Madam Speaker: Order.

Mr. Cook: At the moment, I am playing some bigger fish.

What about the right hon. Gentleman's boss? When he set up the inquiry, the Prime Minister wrote to me and said:

"Whether Ministers themselves breached their own guidelines is one of the things that will be established by the inquiry".

That fact has been established. Will the Prime Minister accept that Ministers broke their own guidelines? He told me that the inquiry was set up to investigate that issue, so will he now accept the result?

Upon reading the Scott report, I am unclear why an inquiry was needed to establish whether the guidelines were changed. In the week that the Prime Minister set up the inquiry, he was minuted by his private secretary, whose remarks appear in paragraph D4.51 of the report. He told him:

"as Chancellor of the Exchequer you knew that the Government had decided to change the guidelines".

In his evidence to the Scott inquiry, the Prime Minister said:

"One of the charges at the time"—

Mr. Lang: The hon. Gentleman may want to assist the House by pointing out that that occurred in July 1990, which was long after the time in question. It was a decision taken by a Committee presided over by the Foreign Secretary, about which my right hon. Friend, the then Chancellor and present Prime Minister, was subsequently told. That recommendation was not passed on to the Prime Minister for approval, because the imminent invasion of Kuwait by Iraq ruled it out. The matter was not proceeded with.

Hon. Members: Withdraw.

Mr. Cook: The right hon. Gentleman should listen to what he has just said: the month before Saddam Hussein invaded Kuwait, the Government were willing to relax the guidelines still further.

Mr. Kaufman: As the President of the Board of Trade has intervened inaccurately—to describe it in friendly terms—upon my hon. Friend, we should draw attention to the fact that Mr. Wall's statement to the Prime Minister—

"as Chancellor of the Exchequer you knew that the Government had decided to change the guidelines"—

was dated 13 November 1992. In that submission to the Prime Minister, his private secretary said:

"the Howe Guidelines of 1985 were amended by Ministers in December 1988 but the amendment was never announced to Parliament".

That is why, knowing those words, the President of the Board of Trade was too timorous to give way to me.

Mr. Cook: My right hon. Friend is absolutely right. The nub of the memorandum is: why did the Prime Minister and others feel able to tell the House that the guidelines had not been changed when they had that evidence?

I return to the right hon. and learned Gentleman's other charge, about the Government arming Saddam Hussein. It was in our motion, which said:

"British servicemen may have been exposed to fire from shells and rockets made in munitions factories equipped by Britain".

Sir Richard's report reveals that, three years before the Gulf war, there were intelligence reports that Iraq had placed multi-million pound orders with four British companies, including Matrix Churchill, to equip its armaments factories at Nassr. The same intelligence

[Mr. Cook]

reports warned that annual production targets for Nassr were 10,000 missiles, 150,000 artillery shells, 100,000 mortar shells and 300,000 fin-stabilised shells.

Mr. David Shaw (Dover): They were not British.

Mr. Cook: The hon. Gentleman says that they were not British. They were made on British machines. That is what I am reading out.

Mr. Shaw: That is not the same.

Mr. Cook: The hon. Gentleman says that it is not the same, but it was never our case that Saddam Hussein would shove the machine tools down gun barrels and fire them at his enemies. Our case was always that he would use those machine tools to turn out shells, some of which may well have been fired at British forces in the Gulf war.

Sir Richard paints a scandalous picture of the failure of intelligence reports by Whitehall to reach those who needed information—although, once again, no Minister will accept responsibility for that departmental failure—but enough information did reach Ministers to ring alarm bells, if they had wanted to hear them.

Mr. Phil Gallie (Ayr): Can the hon. Gentleman help me on this point? He said that British companies had sold machines to Iraq. I heard him make the statement that they had secretly sold arms to Saddam Hussein. It does not refer to anyone having secretly sold machines to Saddam Hussein. It referred to secretly selling arms. The hon. Gentleman has a reputation for propagating porkies, so will he answer that question?

Mr. Cook: I have to say to the hon. Gentleman that to claim that selling machine tools that produced the shells that went into those gun barrels was not arming Saddam Hussein is—to borrow a word from Sir Richard Scott—sophistry. Perhaps I should explain to the hon. Gentleman that sophistry means a plausible answer that, on further investigation, is plainly misleading.

Sir Timothy Sainsbury (Hove): Will the hon. Gentleman give way?

Mr. Cook: No. I must continue with my speech. [HON. MEMBERS: "Give way."] Perhaps I should give way to the right hon. Gentleman, as he was one of those who came to the Dispatch Box and repeatedly denied that there had been a change in guidelines.

Sir Timothy Sainsbury: Will the hon. Gentleman have the grace to admit that, if anything in the entire episode lacks credibility, it is his suggestion that, when he said that the Government had armed Saddam Hussein, he was trying to do anything other than give the impression that lethal weapons had been sold?

Mr. Cook: I have it here. The motion that I moved in the House three years ago stated:

"British servicemen may have been exposed to fire from shells and rockets made in munitions factories equipped by Britain".

That has consistently been our argument. Moreover, they knew where those machine tools were going as early as February 1989. The right hon. Gentleman shakes his head, but it is in paragraph D6.94.

In February 1989, when he was in the very act of negotiating change in guidelines with his colleagues, the Chief Secretary was given a minute that told him:

"The Iraqis intended to use"

Matrix Churchill

"to supply machinery for the new armaments and munitions factories of the Nassr and Hutteen State Establishments".

They knew what they were approving, and the knowledge went much higher than the Chief Secretary. It would be unfair if he were left to take the rap.

A year earlier, an intelligence digest warned the then Prime Minister that Matrix Churchill

"has been heavily involved [in the supply of equipment to Iraq for use in arms production]".

The problem was that Ministers kept turning a deaf ear to the alarm bells. When the Chief Secretary was warned that some of the machine tools might go into the Iraqi nuclear programme, he replied that screwdrivers are also required to make hydrogen bombs.

After the Gulf war, the International Atomic Energy Agency found 30 Matrix Churchill lathes in Iraqi nuclear plants. Faced with that evidence, how dare Ministers still claim that they did not arm Saddam Hussein?

The right hon. Gentleman played the trade card and justified the decision to equip Saddam's armaments factories on the commercial grounds that it was good for business. Perhaps one of the Conservative Members can help me. After all, they claim to be the party of business. Could one of them explain to me how it can be good for business to approve a contract for which one does not get paid?

That is what happened. Saddam did not pay for the machine tools that went into his factories—we did. The British taxpayer has been left with a bill for about £700 million for our total exports to Iraq. Incurring a bad debt of £700 million would surely be enough to get someone sacked from any organisation in Britain except the Conservative Government.

Mr. Bill Walker (North Tayside): Will the hon. Gentleman tell the House, on which weapons sales—and I mean weapons sales, including the destroyers sold by the former Labour Government—were debts not paid? Can the hon. Gentleman answer that? He should think very carefully before he does so.

Mr. Cook: As Ministers are for ever saying, not without notice. But one cannot find any example in the history of export credit guarantees of such a vast debt with one country. That debt was the direct result of ministerial decisions to increase export credit guarantees to Iraq, and to allocate one fifth of the total for defence sales.

The last of those decisions was in September 1988, when export credits to Iraq were increased by £340 million, despite mounting evidence that Iraq did not have the cash to service existing credits. Sir Richard notes:

"The Chief Secretary endorsed the proposed new offer".

The Chief Secretary in question is, of course, the current Prime Minister.

When Lord Howe gave evidence to the Scott inquiry, he explained that the decision to give no publicity to the change in guidelines was that the decision might appear cynical to the public. For once, I must defend Ministers. I would acquit them of the charge of cynicism. What I find striking about their attitude is its naivety and the innocence with which they believed that if they armed a brutal dictator, he would use his military capacity in manner consistent with HMG's foreign policy and would pay all invoices on time. Their policy was both a strategic blunder and commercial disaster. It is no wonder they wanted to keep it quiet.

Mr. Richard Needham (North Wiltshire): Will the hon. Gentleman give way?

Mr. Cook: I shall return to the points raised by the right hon. Member for Hove (Sir T. Sainsbury), as I have another of his charges to answer. I am glad that I have his support.

I come to the third charge that we laid against Ministers three years ago—that

"hon. Members were persistently misled by assurances that the Guidelines were being observed".

Sir Richard's conclusion is set out at the end of 600 pages in which he examines the Government's conduct of arms exports to Iraq. The final sentence records:

"Parliament and the public were designedly led to believe that a stricter policy . . . was being applied than was in fact the case."

In short, Parliament was misled, and was designedly misled.

Mr. Mellor: Will the hon. Gentleman give way?

Mr. Cook: Of course.

Mr. Dennis Skinner (Bolsover): Is he still here?

Mr. Mellor: I am still here, and I will be here for a long time yet.

The hon. Member for Livingston (Mr. Cook) has invented the third point. He has dealt with the question—typical of him—that arms are to be equated with multi-use machine tools. The third charge that I quoted from the hon. Gentleman's speech on 23 November 1992 was:

"as the cover-up unravelled, rather than own up, they were willing to see the three executives of Matrix Churchill go to prison."—[*Official Report*, 23 November 1992; Vol. 214, c. 638.]

That is an outrageous slur, and nothing in Scott gives the hon. Gentleman the right to maintain that accusation. He should withdraw it.

Mr. Cook: I hope that the right hon. and learned Gentleman will not be stretched too far if I ask him to count up to four. I said that there were four charges in our motion, and I will come to that charge. The right hon. and learned Gentleman did not do our charge sheet sufficient justice when he left out this charge, so let us make sure that we get it on the record.

Sir Richard concluded that the failure to inform Parliament of the truth was deliberate, and was the inevitable result of the agreement among three junior Ministers that no publicity would be given to the decision. Let us try them out again. Will the Secretary of State tell us whether the Government accept that conclusion?

Perhaps the Prime Minister would like to answer. Three years ago, the Prime Minister told the House:

"The suggestion that Ministers misled the House is a serious and scurrilous charge and has no basis whatsoever in fact."—[*Official Report*, 17 November 1992; Vol. 214, c. 136.]

The suggestion does have a firm basis, in the five volumes beside me. I agree with the Prime Minister that it was a serious charge. Will he now accept that, far from being scurrilous, it was entirely accurate? [HON. MEMBERS: "Answer."] Suddenly, we have a row of limpets stuck to the Treasury Bench.

Where does that leave the Chief Secretary? In the six months after the guidelines were changed, the Chief Secretary signed not one or two, but 30, letters to Members of Parliament denying any change in the guidelines. The matter should concern not only Opposition Members, because 23 of those letters went to the Chief Secretary's colleagues on the Tory Benches—to each of them he refused to admit any change in the guidelines.

Sir Richard observed that the Chief Secretary

"knew, first hand, the facts that . . . rendered the 'no change in policy' statement untrue."

Of course the right hon. Gentleman was in a position to know at first hand—he was at the meetings at which the changes in the guidelines were changed.

Sir Richard's summing up is damning. He concluded:

"Government statements . . . consistently failed . . . to comply with the . . . Questions of Procedure for Ministers and, more important, failed to discharge the obligations imposed by the constitutional principle of Ministerial accountability."

The desk officer for Iraq who drafted those letters for the Chief Secretary knew that they were untrue, and he said so to the Scott inquiry. That desk officer resigned from the foreign service, rather than be obliged to continue drafting them. Tonight, the House must judge whether he is the only person who should resign over the misleading of Parliament.

I come to the last of the four charges in our motion of three years ago. We said that the Government were willing

"to see citizens put on trial for exports at which Ministers had connived and to put their liberty at risk by attempting to prevent the disclosure of documents crucial to their defence".—[*Official Report*, 23 November 1992; Vol. 214, c. 631.]

Section G, in which Sir Richard considers the conduct of the Matrix Churchill case, is one of the longest in his report. Anyone who has read it in its entirety will know that it is not we who should apologise in the light of Sir Richard's conclusions.

He concluded that the Matrix Churchill case should never have been brought to court, and that the claims of public interest immunity that were made in the course of it ought to have had no place in a criminal trial. Sir Richard sums up that the Government's attitude

"to disclosure of documents to the defence was consistently grudging. The approach ought to have been to consider what documents the defence might reasonably need and then to consider whether there was any good reason why the defence should not have them. The actual approach . . . seems to have been to seek some means by which refusal to disclose could be justified."

[Mr. Cook]

Not every means by which refusal was justified appears to have impressed Sir Richard. The claim by the then Minister of State, Foreign and Commonwealth Office, in his PII certificate that disclosure would cause "unquantifiable damage" to the public interest is dismissed by Sir Richard as "risible". Perhaps that is not surprising, as the Minister hardly helped himself at the inquiry by claiming that the word "unquantifiable" could have meant unquantifiably small, not necessarily unquantifiably large.

Mr. Donald Anderson: Does my hon. Friend agree that not only could the Attorney-General have stopped the prosecution at any time in the light of his knowledge of all the facts, but that the Government were quite prepared effectively to leave the guilt or innocence of the three Matrix Churchill executives to the robustness or otherwise of the trial judge? It happened that Judge Smedley was a robust judge and stood for justice. Another judge might have been less strong.

Mr. Cook: My hon. Friend draws attention to one of the Government's defences—that, in laying the public interest immunity certificates, they were only bringing the documents to the attention of the trial judge. However, there is the awkward matter of the second certificate, signed by the then Secretary of State for Trade and Industry. His first certificate contained a list of the documents covered by it. The second certificate, which was used at the trial, omitted that list. The minute to the Secretary of State that accompanied the doctored certificate stated that to retain the words

"might increase the risk that the judge will call for copies of the documents."

Having seen those documents, Sir Richard observed that it was "very obvious" that any defence counsel

"would give his (or her) eye teeth for them."

There is no need to ask the right hon. Gentleman whether he accepts those conclusions. From the moment of publication, the whole Government have been loud in their complaints that the Vice-Chancellor of Chancery Division does not understand the law. They were led by the right hon. Gentleman in his statement to the House that the Government's interpretation of the law was supported

"by such distinguished judges as Lord Scarman."—[*Official Report*, 15 February 1996; Vol. 271, c. 1141.]

The force of that argument was somewhat blunted, when Lord Scarman wrote to *The Times* five days later:

"The Attorney-General was wrong . . . the Attorney-General was under a duty to advise the Crown that in this case justice required immediate disclosure and an end to the prosecution."

Sir Ivan Lawrence (Burton): I know that the hon. Gentleman would not want to mislead the House about the effect of the contents of the documents in question. If they were so essential to the defence, can the hon. Gentleman explain why the trial did not stop immediately following their disclosure, but continued for five weeks, until the evidence given by Alan Clark was heard?

Mr. Cook: Anybody who has read the transcript of the trial knows that the prosecution case collapsed under the cross-examination of Alan Clark, when his evidence in chief was plainly inconsistent and unsustainable against the documents then obtained by the defence.

Sir Ivan Lawrence *rose—*

Mr. Cook: The hon. and learned Gentleman should read the transcript.

Sir Ivan Lawrence *rose—*

Mr. Cook: The hon. and learned Gentleman has lost his point, but he must not lose his rag.

There is a large problem with the Government's response. Sir Richard was the distinguished judge whose opinion the Government sought. Now that they do not like it, it is a bit rich to tell us that that opinion is not worth having, because Sir Richard is not distinguished enough.

The self-serving nature of this complaint can readily be understood if the House contemplates, just for a minute, what Ministers would be saying about Sir Richard Scott if he had told them what they wanted to hear. Then we would be told how conclusive his opinion was; how it was the product of three years' careful research and examination of all the legal judgments; how it was made on the authority of a long and respected career on the Bench.

Those facts are all still true. After three years' exhaustive research, Sir Richard concluded that there was no legal authority for the type of class claims for public interest immunity made in the Matrix Churchill trial. He also recommended that such class claims should never again be made in a criminal trial.

Mr. Stephen *rose—*

Mr. Cook: Not again; the hon. Gentleman has had his chance.

I note that there was one recommendation that the President did not endorse in his speech. I understand why. Although Sir Richard makes a compelling case in the interests of justice for his recommendation that class claims for PIICs should not be used again in criminal trials, the Government dare not announce that they accept it, because to do so would be to concede that they were wrong in the Matrix Churchill case.

Mr. Neil Hamilton (Tatton): May I take the hon. Gentleman back to the charge levelled by my right hon. and learned Friend the Member for Putney (Mr. Mellor), which the hon. Gentleman himself has described as the fourth charge in the Opposition's indictment, and from which he has moved somewhat in the course of his speech?

I do not know whether the hon. Gentleman's attention span faltered before he reached the last paragraph of volume III of Sir Richard Scott's report, but if I read it to him perhaps he would like to answer it:

"I must refer to the charges . . . that the Ministers who signed the PII Certificates were seeking to deprive defendants in a criminal trial of the means by which to clear themselves of the charges."

Sir Richard comes to this conclusion, in the very last sentence of volume 3:

"The charges to which I have referred are not, in my opinion, well founded."

Would the hon. Gentleman now withdraw his allegation?

Mr. Cook: I accept that paragraph in its entirety. Will the hon. Gentleman do likewise? Will he accept the passage in the middle of that paragraph which has been omitted from the central office crib sheet, but which states that the legal advice that Ministers received

"had no authoritative precedent in a criminal trial."

If Conservative Members are going to rely on the idea that Ministers acted only on legal advice, they must accept that that legal advice was wrong, and that it was given to them by another Minister.

Mr. Neil Hamilton *rose—*

Mr. Cook: No. The hon. Gentleman has had his chance—

Mr. Hamilton: On a point of order, Madam Speaker. The hon. Gentleman asked me a question. I now seek an opportunity to answer it.

Madam Speaker: The hon. Gentleman has been here long enough to know that the Member at the Dispatch Box is unlikely to give way now.

Mr. Cook: Not all Ministers acted on that legal advice. There was one shining example to all the rest of them. The Deputy Prime Minister has been very free in bandying my name around every studio that would let him in over the past week. I have given his comments careful consideration. I have concluded that what would hurt him most would be if I were to praise him. Let me now do so.

I praise the right hon. Gentleman willingly, because he was the first person to introduce the term "cover-up" to the discussion.

Two years before anyone else thought of the term, the Deputy Prime Minister objected to the attempt to withhold documents because

"it would look as though he had been engaged in an attempted cover-up".

I praise the right hon. Gentleman deservedly, because his reluctance to claim public interest immunity is praised by Sir Richard Scott as showing

"an instinct for the requirements of justice that was fully justified and corresponded with the legal principles correctly understood".

The right hon. Gentleman is a collector of titles. To his roll call of Deputy Prime Minister and First Secretary of State, perhaps we should now add Attorney-General-in-Chief. Certainly there should be a vacancy to fill. Some Conservative Members know that, even if they will not vote for it tonight. The hon. Member for Coventry, South-West (Mr. Butcher) illustrated their thinking with the helpful headline in the *Coventry Evening Telegraph*:

"Sack Lyell—but not yet".

It must be a comfort to the Attorney-General to know that he has that quality of support behind him.

The Deputy Prime Minister (Mr. Michael Heseltine): Why should anybody trust the hon. Gentleman's judgment against the views of the Attorney-General, when two of the defence counsel acting in the Matrix Churchill case thought that the Attorney-General was right?

Mr. Cook: I regret having to correct the Deputy Prime Minister while trying to achieve a spirit of unity with him, but this is a debate based on the five volumes of the views of Sir Richard Scott. [HON. MEMBERS: "Answer."] That is the answer. Sir Richard Scott finds the Attorney-General personally at fault for failing to convey to the court the reservations expressed by the Deputy Prime Minister.

Mr. Nigel Evans (Ribble Valley): Stop dodging the question.

Mr. Cook: I am not dodging it. I am arguing closely from the five volumes in front of me. It is the Attorney-General who is dodging. Three years ago, on the day the inquiry was announced, the Attorney-General said:

"There could be no better way of examining whether ministerial responsibility should be pinned in any particular area".

Well, Sir Richard has certainly pinned ministerial responsibility in this area. He has concluded that the Attorney-General bears "major responsibility" for the inadequate instruction of the prosecuting counsel. Now that responsibility has been pinned on him by the inquiry that he appointed, will he accept it? Will he recognise that the Government should never have put on trial a man who was an agent of our security services and who had been the prime source of our intelligence on Iraq?

The Deputy Prime Minister: The Attorney-General advised me and my colleagues that the judge would consider the documents, and, if they were necessary for the defence, would order their release. The Attorney-General was proved right. Two of the defence counsel said that he was right. The hon. Gentleman has been attempting to wriggle out of the charges he originally made, but the hollow and synthetic allegations he has been publishing across the country for three years have now been exploded in his face.

Mr. Cook: I regret having to be combative with the Deputy Prime Minister, but at least we have got him to his feet. It would perhaps have been helpful if the Prime Minister had risen to his. May I remind the Deputy Prime Minister of what he told Sir Richard?

"I had been assured that my certificate would send a clear message to the judge."

The right hon. Gentleman was then asked:

"Do you think a clear message of the kind you were intending was sent to the judge?"

The Deputy Prime Minister replied:

"No, and it should have been."

It is this failure for which Sir Richard holds the Attorney-General personally at fault. Yet tonight, no one is going to accept responsibility—no one is going to go. As the Secretary of State said a week ago, there are to be no regrets, no resignations. This is not just a Government who do not know how to accept blame: they are a Government who know no shame. That is an appropriate judgment from which to approach how we should each vote tonight.

Last week, I again heard the Deputy Prime Minister on the "Today" programme, gently remonstrating with the presenter, as is his style. He said:

"You keep looking at it in terms of will the Government be defeated. That isn't the way to look at it. You ought to rejoice we live in a democracy."

[Mr. Cook]

I must confess that I was a bit surprised to hear that subconscious echo of his old opponent in the invitation to us all to rejoice—but, once again, I find myself in agreement. Conservative Members should heed his advice. They should not think of tonight's vote in terms of whether it is a defeat for the Government; they should look on it as a vote that will decide the quality of the democracy in which we live. They should remember Sir Richard's summing-up. In his final chapter, he said:

"A failure by Ministers to meet the obligations of Ministerial accountability undermines the democratic process".

The first function of Parliament is to hold the Government to account. The first duty of hon. Members is to defend the rights of Parliament against any Government who threaten those rights. That is why Parliament cannot allow the current Government to ignore the findings of the Scott report: hon. Members were designedly misled, and Ministers consistently failed in their duty of accountability to the House.

Of course the hon. Members on the other side of the Chamber were elected as Conservative Members, but that does not lessen their obligation to defend the rights of Parliament. On the contrary, there was a time when insisting on individual responsibility and upholding the sovereignty of Parliament would have been seen as conservative values.

Tonight Parliament has the opportunity to insist that Ministers must accept responsibility for their conduct in office and to assert that the health of our democracy depends on the honesty of Government to Parliament. That is what we shall vote for tonight. Of course Conservative Members have enough votes to defeat us. If they vote to reject those principles, however, they will demonstrate not only that the two Ministers who have been most criticised in the Scott report should leave office, they will convince the public that this is an arrogant Government who have been in power too long to remember that they are accountable to the people, and that the time has come when the people must turn them all out of office.

Several hon. Member. *rose—*

Madam Speaker: Order. Before I call the next hon. Member to speak, I should say that the right hon. Member for Swansea, West (Mr. Williams) has asked me to inquire about a document in the Library that was said to be embargoed. I have made some inquiries about it. The document was sent over to the Library from the office of the Chancellor of the Duchy of Lancaster. There was no intention whatsoever to embargo that document; it was to be made available to hon. Members immediately, as the accompanying letter says.

Several hon. Members *rose—*

Madam Speaker: Will hon. Members allow me to finish, please?

"Embargo" was written on a brown paper envelope that was with the document. I believe that that word was written by someone who is not in a very high position— *[Interruption.]* I believe that there was no intention whatsoever to embargo the document.

5.13 pm

Mr. Douglas Hurd (Witney): The hon. Member for Livingston (Mr. Cook) has been telling the House about the Scott report for three years now. It sometimes seemed to us that he got not three hours' notice but about three years' notice of the Scott report. He seemed to have very extensive inside information about what it would contain. My right hon. and learned Friend the Member for Putney (Mr. Mellor), however, is quite right. What the hon. Gentleman has constantly predicted is not what has occurred.

The hon. Member for Livingston has constantly predicted that the Scott report would show a conspiracy of Ministers to do two indefensible things: to arm Saddam Hussein in secret; and, in that cause, to allow innocent men to be sent to prison. That is not what the Scott report has revealed. The hon. Gentleman has shown us an elegant sideways movement, so that he can claim that what he now alleges is what he has always alleged.

On the point about conspiracy to arm Saddam Hussein, what the hon. Member for Livingston said is wholly characteristic, because he omits—it is crucial—to say what Sir Richard Scott said about the conduct of my right hon. Friend the Chief Secretary. He said that if my right hon. Friend, when considering the licence for Matrix Churchill, had known the current intelligence about the destination of the lathes for export, he would not have approved the licence.

That movement is typical of what has happened to the accusations. What starts as an accusation of conspiracy becomes a criticism of the circulation of defence material. My right hon. Friend the President of the Board of Trade has acknowledged—as anyone would acknowledge—that there is a problem. The problem has already been addressed to some extent, and it can be further addressed. However, a problem about the circulation of intelligence material to Ministers of State is light years away from the accusation that the hon. Gentleman persists in making, that my right hon. Friend was in some way privy to a secret decision to arm Saddam Hussein. Exactly the same movement has occurred, as I shall seek to show, on the question of sending innocent men to prison.

I have no particular axe to grind in this matter. [HON. MEMBERS: "Oh?"] No; Sir Richard Scott deals very reasonably with my difference of opinion with him about Jordan. He did the Home Secretary and me a favour by once more correcting the sloppy and inaccurate press reporting about the PII certificates that we signed on the Ordtech appeal, which once again showed that the certificates were upheld by the court and not repudiated by them.

Mr. Giles Radice (North Durham): Will the right hon. Gentleman give way?

Mr. Hurd: I do not wish to give way.

Nevertheless, I find the Scott report—I speak entirely for myself—a disappointing document. Sir Richard has been timid in one important matter in which he could have been bold and, in other passages, partly through ambiguity, he has allowed the Opposition and the press to convey to the country an impression of policy making that I know to be wrong.

Sir Richard makes an immense analysis of the PII certificates—I obviously do not have time to follow it—and I believe that there are three conclusions be drawn

about them. The first conclusion is that there is a need for such certificates—the hon. Member for Livingston did not deny it—in both criminal and civil trials. There will be occasions on which it is right for a Minister to point out to a judge that the documents in question would, if published in their existing form, cause harm to the servants or interests of the Crown. Sir Richard may be right in saying that, in criminal cases, there should not be a class objection but only an objection as regards a particular document and its contents. The inquiry can look into that.

The second conclusion is that there is no such thing as a gagging order, and that there has been no such thing as a gagging order since the Conway *v.* Rimmer case, in 1968. Ever since then, the law has been clear, and as my right hon. and learned Friend the Attorney-General explained it to the Ministers in question. A Minister can give a view about the document; he is competent to do that and he ought to do that. What he cannot do is to give a view on the trial—on the question of the influence of that document or its publication on the guilt or innocence of those involved in the trial. That is not a matter for a Minister; it is a matter for the judge. Only the judge can see the total picture and decide whether and, if so, in what form the document should be released.

Mr. Rupert Allason (Torbay): Will my right hon. Friend give way on that very point?

Mr. Hurd: No, although I am sure that it is on that very point. Madam Speaker, I am sure that my hon. Friend will have a chance to catch your eye.

That is the doctrine of Conway *v.* Rimmer, in 1968. That is the doctrine that the Attorney-General explained to the Ministers and, in my view, it must be right.

My third conclusion is more controversial. I am driven to the conclusion, from some experience in this subject, that we need legislation on it. I am not happy about the latest judgment, the Wiley judgment after the Matrix Churchill case. With the best of motives, the judges in the Wiley case have invited Ministers back on to that treacherous ground of performing a balancing act. They have invited Ministers to balance the merits or demerits of publishing the document against the interests of the trial. I do not think that Ministers should have anything to do with that balancing act.

Sir Richard Scott believes as a judge—in this he is too timid—that the matter should be left to waft from trial to trial on some flying carpet of case law. I do not believe that. One can hardly open the pages of *The Times* or *The Daily Telegraph* these days without reading about some distinguished judge or Queen's Counsel trying to blow the flying carpet in the direction that he favours. That judgment is not guidance that Ministers can successfully operate. Several of us have had rueful experience of that. I believe, reluctantly, that we need legislation to make matters clear and I hope that the review will lead to that conclusion.

On the second question about the portrait of policy making that emerges from the report, I cannot spend much time on the question whether paragraph (iii) of the guidelines was altered, modified or changed or whether the guidelines were more flexibly interpreted. I have read the essential papers on that point three times now. I read them in 1992, when it first became controversial; I read them in 1994, before I gave evidence to the inquiry; and I read them in the report itself. I can see that different officials described what happened in the spring of 1989 in different ways, and clearly, in practice, it did not seem to them at that time that the difference between one phrase and another was crucial. It had nothing to do with the Matrix Churchill trial or the guilt or innocence of those involved.

On that particular point I rest my case on two things: first, my absolute confidence, derived over several years of working with him, in the integrity of my right hon. Friend the Chief Secretary; and, secondly, the fact that when in July 1990 the Prime Minister of the day asked me to review the guidelines, what we then reviewed were the original Howe guidelines, without reference to any changes of interpretation or modification that might have occurred in 1988 or 1989. We believed that the Howe guidelines held the field and that it was they that fell to be reviewed.

The fundamental problem is that Sir Richard Scott set himself to reconstruct a set of discussions among Ministers and officials on a specific, narrow point of policy four or five years after those discussions took place. He made the effort, he tried and in my view he failed to reconstruct those discussions successfully. The fault may lie less with the report itself than with the interpretation of it that has been current in the press ever since.

The issue of arms to Iraq has been dealt with. There were no arms to Iraq authorised by the Government in the normal sense of that word. There were no gagging orders. I do not believe that the House has been misused. I do not believe that, as my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) has said, we expect Government to make impossible the task of government. My worry about the report is that the interpretation of it is casting a slur on the way in which policy making in this country is carried out. That does harm to the House and to all those who strive or who may in the future seek to strive to carry out effective policy for this country. I hope that the House will avoid that trap.

5.23 pm

Mr. Tony Benn (Chesterfield): I opposed the establishment of the Scott report because I thought it was totally wrong that political matters should be handed to a judge who knew nothing about administration. That had the effect of depriving the House of Commons of its proper function, which is to hold Ministers to account.

Having had some experience of ministerial office, I am also of the view that on matters of arms sales all Ministers know what is happening all the time because they are fully briefed. Whatever Lord Justice Scott might or might not have said, I do not believe for a moment that Ministers were in any doubt as to what they were doing by keeping the House in the dark. I cannot interpret the Attorney-General's motive in seeking public immunity certificates except that it must have been done with a view to putting to the judge the case for suppressing relevant documents.

I want to turn my mind to something else that has hardly been touched on. What would we have achieved if two Ministers resigned? I think that they both should resign, and I think that public opinion is now totally persuaded of the case against them recapitulated so devastatingly by my hon. Friend the Member for

[Mr. Tony Benn]

Livingston (Mr. Cook). We should now, however, ask ourselves where those resignations lead us. Whether we call them arms for Iraq or non-lethal equipment, the fact is that the British Government authorised the supply of equipment for Iraq that was designed, ordered and purchased to strengthen Iraq's military machine.

It has been suggested that in a high-tech war the only lethal weapon is a gun that fires a bullet, but everyone knows that is not so. Just look at the list that even *The Daily Telegraph* extracted from the report. The equipment sold included high-tech communications equipment; aircraft engines; flight simulators; armoured vehicles; tank helmets; artillery parts; mortar-locating radar; battlefield surveillance; night vision goggles and laser rangers. Was that not equipment to strengthen Saddam Hussein? What a pretence to argue about non-lethal weapons. Two hundred and seventy export licences were granted, worth £400 million, and the idea of whether the equipment was lethal or not is absolutely irrelevant to the question that the House is considering.

I am sorry that another matter has not been discussed so far in the debate. What else have the Government done to Iraq? What happened throws a completely new light on the Gulf war. During the debate on the Gulf war, in which I participated, having asked for the House to be recalled, I warned that there would be hundreds of thousands of casualties. There were between 200,000 and 250,000 Iraqi casualties in that war caused by the high-tech weapons used by the allies against Iraq. Since then, we have seen the impact of sanctions on Iraq. I cite United Nations figures, which are more important than the future of two Ministers, because I think they will all be out of office soon.

According to the figures published by the UN mission to Iraq, more than 4 million people, a fifth of Iraq's population, are at severe nutritional risk; 2.4 million children under five, some 600,000 women or nursing mothers, and destitute women, as well as hundreds of thousands of elderly, are at risk. The incidence of malnourishment and stunted growth within newborn children has risen by 23 per cent. and 70 per cent. of pregnant women in Iraq suffer from anaemia. The following figures sum it all up: there were 110,000 aerial sorties which dropped 850,000 tonnes of explosives—the equivalent of seven and a half Hiroshimas—on Iraq, and more than half a million Iraqi children have died because of sanctions.

Not only did the Government agree to the sale of equipment to one of the most ruthless dictators in the world, but then, by going along with the sanctions, they have imposed something that I believe makes them almost an accessory to genocide in Iraq. That goes far beyond the future of two Ministers.

I do not want to detain the House, but we should look at another aspect of the matter—the arms trade. If we do not discuss the international arms trade, we will be betraying many people outside the House who are concerned about it. I have looked up the figures, which reveal that, in 1994, $22 billion-worth of arms were sold in the world. The developing world bought $12.5 billion-worth. Britain is the fourth largest supplier of arms—$6 billion-worth—and we subsidise them to the extent of £1 billion a year, which is £12,500 for everyone working in the arms industry.

If we consider the recipients of those arms, we see that, between 1990 and 1994, Saudi Arabia bought £9 billion-worth of weapons. What is the record of human rights in Saudi Arabia? Turkey, with a hideous record of repression against the Kurds, bought £7.8 billion-worth. Iran bought £3.2 billion-worth and Indonesia, where 200,000 people in East Timor have been killed, bought £2.3 billion-worth. We are now selling Hawk aircraft to Indonesia, with the East Timor question still before us.

It is not surprising that the Bishop of Coventry with two other bishops wrote to *The Times* the other day to point out that 4 million civilians have been killed in conflicts in the past four years, and the world's arms manufacturers very often supply arms to both sides of a conflict. On a religious programme yesterday, it was pointed out that 85 per cent. of all the weapons sold in the world are sold by the five permanent members of the Security Council. I recall, as a young man coming back from the war, reading the first words of the charter of the United Nations:

"We, the peoples of the United Nations, determined to free humanity from the scourge of war which twice in our generation has brought untold suffering to the peoples of mankind".

Eighty-five per cent. of weapons are sold by Security Council members that are supposed to be part of the United Nations to preserve peace.

When these weapons are used, Governments demand a ceasefire. During the ceasefire, the arms manufacturers pour in to find out which weapons worked best so that they can sell more of them. That happened in the Falklands war. As soon as that war was over, the Exocet missile became the most popular missile in the world because it sank HMS Sheffield. The utter hypocrisy of Governments who supply weapons in that way is what is at stake, not just the careers of the Ministers.

I recognise—the point has been made, and my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) may speak shortly—that all Governments have supplied weapons. During the cold war, those weapons were supplied allegedly to protect us from communism. Now, as in the multiplicity of conflicts that have occurred, the weapons are fuelling world conflicts that are now motivated by nationalism, religious fervour and other factors. There is a terrible danger that those arms supplies will precipitate even more such conflicts.

I believe that those engaged in the arms trade are accessories to genocide. I do not acquit anyone who has been responsible for that. I believe that Parliament has a duty to control the sale of arms. There is nothing more important than that there should be proper supervision by Parliament of what weapons are sold and to whom.

I also believe that we must recognise that, in taking Sir Richard Scott's report as a solution, we have abdicated our responsibility. That is not only the fault of the Government or of the Ministers, because the House of Commons should never have agreed to subcontract such decisions to somebody who knew nothing about politics and nothing about how Government worked. We are now spending our time crawling over every dot and comma of some judge's report. We should take our own responsibility, because on that the peace of the world may hinge.

5.32 pm

Mr. Tom King (Bridgwater): It is interesting that I follow a member of a former Government who approved sales of lethal arms to Iran, but we refused to supply lethal arms. That Government also refused to publish guidelines on arms exports, but we supplied such guidelines.

My interest is most marked in the last comments by the right hon. Member for Chesterfield (Mr. Benn), in which he totally undermined the position of the hon. Member for Livingston (Mr. Cook) by criticising Scott for knowing nothing about politics and government. The hon. Member for Livingston leant heavily on the Scott report as part of his evidence.

My interest in these matters goes back to 1982 when I led a Department of the Environment mission to Baghdad, where I met Saddam Hussein. I saw then the efforts that were being made by all countries to export to Iraq. Many people have forgotten the background to some of these issues. At that time, the Department of Trade and Industry and other trade ministries had identified Iraq as a most interesting trade prospect. There were some question marks about the regime, but the debates and comments on the report have reeked of hindsight. I remember how many British companies were working on sensible, good projects in Baghdad, including attempts to improve the water supply, to tackle sewerage problems and to build decent housing to improve the condition of the people. At that time, there was a major campaign in Iraq to spend the funds from their oil reserves.

I later saw Saddam Hussein in a different light. I witnessed the super-gun affair and the web of deceit that was created, so I found the Scott report very interesting reading. I envied Sir Richard Scott because he was able to freeze the frame and examine every detail of the events of that time. The Government work in real time and have about 400 different problems to deal with at the same time. Before people lampoon hard-working officials and civil servants who gave evidence, they should remember how many other problems and challenges were on officials' plates. Officials were trying to cope with many problems and sometimes they could not give smart and accurate answers to every question. But I have no doubt—from my personal experience, which is all that I can put before the House—about the overwhelming sincerity and commitment of those officials who genuinely try to work as Parliament and the country would wish.

I accept that mistakes were made and I applaud my right hon. Friend the President of the Board of Trade for recognising that. Those mistakes must be addressed, but I must tell the hon. Member for Livingston and his right hon. and hon. Friends that acting like a political lynch-mob does no service whatever to the serious issues that need to be addressed.

I will pass quickly over the issue of public interest immunity certificates—I have signed them in my time in the strong belief that the principles that the Attorney-General laid down were correct. If there are problems with that—and I know that the position has changed—I leave it to the judges, because the law is judge-made, to sort out the fairest basis for the future. I have no doubt that that needs tackling.

I believe that Customs and Excise got off lightly in some aspects of the report. Everybody knows that the Attorney-General was not directly responsible for the prosecutions of Customs and Excise, which has an independent power of prosecution. One does not have to look hard for part of the reasons for the problems that arose.

I turn now to the key issue that affects my right hon. Friend the Chief Secretary. The argument hinges on how great was the flexibility and at which moment flexibility became a change of policy. Of course, there had to be guidelines. One could not handle something as sensitive as defence sales to overseas countries under any other arrangement. There had to be flexibility of interpretation. Ministers could not, every time they exercised that flexibility, come to the House to explain the reason.

One criticism that I have of the Scott report in connection with not making public statements is that Sir Richard picked up too quickly the single point about public reaction feeding overseas to cause embarrassment. The real reason—which was rightly given by Sir Richard Luce in his evidence—and why we did not publish the guidelines for nearly a year after they were made, was concern about the reactions that they might cause and the effects on British interests in the Gulf region.

One has only to stop and think to realise that it would be a lunatic approach to come to the House every time that there was a different interpretation of the guidelines. Ministers would have had to come to the House after the problems with the hostages in Beirut, after the fatwa, the killing of the Kurds, and the execution of Mr. Bazoft, and after the sinking of shipping by the Iranians. It would be lunacy for Ministers to have to come to tell the House that aircraft tyres were off the list and radar equipment was on the list—or vice versa—for supply to one country or another.

I would have been one of the Ministers who would have had to approve a change of policy. It is true, as my right hon. Friend the Member for Witney (Mr. Hurd)—a former Foreign Secretary—said, that the policy came forward for consideration in July 1990. At that time, we considered whether the policy should be changed. Of course, we sell lethal arms to other countries, but our policy was that we did not sell them to Iraq and Iran. We stuck to that policy and we had guidelines with flexibility to govern how non-lethal defence equipment should be handled.

I do not go as far as the right hon. Member for Chesterfield in his description of Sir Richard Scott's approach. He was rather tough on Sir Richard. I think that Sir Richard tried genuinely to understand the workings of government and of Parliament. Similarly, I do not agree that there was a change of policy. There was proper use of the guidelines. I believe that my right hon. Friend the Chief Secretary was right. I happen to know quite a bit about the circumstances and the policy to which we were adhering. It was only at a later stage that we considered changing that policy.

Did the policy work? I tell the House again that I saw captured equipment. I was driven up and down row upon row of captured equipment in Al Jubail, which is by the Kuwait border. All the equipment that we had captured from the Iraqis stretched for as far as the eye could see. If anyone is interested, he or she can obtain aerial photographs from the Ministry of Defence. It was only from the air that such a mass of equipment could be photographed.

Among the equipment, I found French Exocets. We all knew about the existence of French Mirage jets. I found a range of Chinese and Russian rocket launchers. There were ranges of artillery, tanks and armoured personnel carriers. There were many types of guns. Among it all I found one Land Rover with a Racal radio. That was the sum total of British equipment. If someone asked me whether the Government kept faith with their policy, I would answer yes. That cost us billions of pounds.

[Mr. Tom King]

We are great at looking back and contemplating something that faced us eight years ago. I agree, however, with something that the right hon. Member for Chesterfield said about arms and arms sales. We are debating events of some years ago but in the meantime Russia has trebled its exports of arms. There is no adequate control over certain nuclear materials, including weapon-grade plutonium. In Kazakhstan, the Ukraine and other areas of what was the Soviet Union—they are in desperate need of foreign exchange—there is a real danger that the export of arms to several regimes will continue without sufficient control.

I doubt whether anyone in this place has yet focused on the Wassenaar arrangement, which will be examined in April when 28 countries will try to establish a new arms control arrangement. I take the opportunity that is presented by the debate to tell Ministers that several countries have reduced their support to the arms control effort and the support that is given to some of the former Soviet republics. That is false economy. I hope that it will be recognised before it is too late that extra effort should be directed to arms control. If that does not happen, we shall see an influx of extremely dangerous weapons into countries that should not have them and would never pass our arms tests or controls.

5.42 pm

Mr. Menzies Campbell (Fife, North-East): I entirely agree with the last point made by the right hon. Member for Bridgwater (Mr. King). I fear that there was almost nothing in the remainder of his speech with which I could agree.

Sir Richard Scott and the hon. Member for Livingston (Mr. Cook) have demonstrated eloquently that by ministerial design Parliament was denied the opportunity to hold the Government to account over their policy on the supply of arms to Iraq. The Parliament that today does not assert that right will merely compound and homologate the breach of constitutional responsibility that has been identified on so many occasions by Sir Richard. As the Government refuse to impose any sanction on themselves, only Parliament can now do so, even in the artificial terms that are offered to us by a Division at 10 o'clock.

This is a Government who refuse to accept any responsibility. Mistakes were made; who made them? This is a Government who have ignored distortions and who have denied the main findings of the Scott report. Neither the Ministers involved nor the Prime Minister, who carries ultimate responsibility, will acknowledge any fault. Blaming the system is a well-worn and unconvincing excuse for indefensible behaviour. The fault found in the report was compounded by the fault in the handling of the report.

There were disgraceful efforts to undermine the report in advance. Silly arrangements were made for publication. The statement made by the President of the Board of Trade a week ago on Thursday was disingenuous. There was a failure to reflect the overall weight of the report. The Treasury's press release had to be acknowledged to be wrong by the Government. Selective quotations at the press conference so angered Sir Richard that he felt compelled to intervene in the debate.

If you, Mr. Deputy Speaker, need corroboration of the arrogance of government that is identified in the report, it is to be found in the arrogance that has surrounded its publication. The central charges that Sir Richard has made against the Government are that policy was changed in 1988, the text of the guidelines published in 1985 was altered, no publicity was given to that change and the failure to inform Parliament was deliberate. The overriding reason for all that was the fear of public opposition. The relevant reference is D4.42. Everything else flows from that conclusion.

The Government have sought to describe their unwillingness to accept Sir Richard's simple conclusion as something of an "honest difference in opinion". I doubt whether Sir Richard would describe it as such. Such a description is wholly unjustified.

What is the alternative view? To summarise Sir Richard's words, that view does not correspond with reality. The alternative view, again to reflect on Sir Richard's words, is incapable of being "sustained by serious argument". The alternative view is misleading. I refer the House to paragraphs D3.121, 122 and 123.

Mr. Edward Leigh (Gainsborough and Horncastle): The hon. and learned Gentleman has referred to paragraph D4. In the light of Sir Richard's conclusion in that section that the Chief Secretary did not intend to be misleading, is the hon. and learned Gentleman solemnly telling Parliament that either the Attorney-General or the Chief Secretary deliberately lied to Parliament?

Mr. Campbell: I am not saying that and I have never made that charge. I am saying, however, that both the Attorney-General and the Chief Secretary, as Ministers of the Crown, have a duty to accept the consequences of their actions. The alternative view, which Sir Richard Scott dismisses, was set out by the Chief Secretary. Perhaps he did so out of a strong sense of duty. He is described by Sir Richard as "strenuously and consistently" asserting

"his belief, in the face of . . . overwhelming evidence to the contrary, that policy on defence sales to Iraq had . . . remained unchanged."

That is all the more curious when we consider that Sir Richard finds elsewhere that the Chief Secretary

"had been one of the midwives"

of the changed guidelines.

This is not merely a matter of interpretation. Sir Richard Scott had in support of the conclusion that he had reached compelling evidence from three separate sources. The first was Mark Higson, to whom reference has already been made. He was the desk officer for Iraq at the Foreign and Commonwealth Office between March 1989 and January 1990. He wrote some of the letters that were received by hon. Members on both sides of the House—letters that did not reveal the true situation. Mark Higson ultimately resigned.

The second source was Mr. John Goulden, then an official at the Foreign and Commonwealth Office. He gave evidence to the Select Committee on Trade and Industry during the super-gun inquiry. He told the inquiry that the third guideline was amended to take account of the ceasefire. The Government did not challenge that finding when the Select Committee's report was made public.

The third source was Sir Timothy Daunt. I refer to his minute of 18 November 1992. He wrote that it was his judgment that three Ministers had agreed to change the guidelines, to relax their application and not to make any announcement. He added that what they had done

"may be represented as culpably failing to inform Parliament of a significant change to the guidelines of October 1985."

Dr. Hampson: The hon. and learned Gentleman and I were both members of the Select Committee to which he has referred and I recognise that he has taken up an important statement. But why does he think that when the Select Committee published a statement that the guidelines had been changed no member of his party, no occupant of the Opposition Front Bench and no other Member of this place complained that he or she had been badly done by? No one raised the issue, yet now we have so much synthetic noise.

Mr. Campbell: We did not challenge it because we accepted it. The reason why the Government did not challenge it, we are now told, is that they did not accept it. If one is looking for "Alice in Wonderland", one will find her more easily on the Government Front Bench than anywhere else.

This all shows that Sir Richard was entitled to reach the conclusion, which he sets out in his report, that between the ceasefire and the war between Iran and Iraq in 1990 Parliament and the public were

"designedly led to believe that a stricter policy towards non-lethal defence exports and dual use exports to Iraq was being applied than was in fact the case."

This all makes the Government's assertion that Sir Richard Scott found that no arms were sent to Saddam Hussein wholly unconvincing. I remind hon. Members of the atmosphere in the House when we were recalled during the summer recess to debate the Gulf war. At that time, as the right hon. Member for Bridgwater will remember, as he and I had private conversations about this, there was considerable anxiety about the extent of casualties that British forces might sustain in a war in the Gulf. Let us suppose that Saddam Hussein had used nuclear weapons. Would we have been able to go to the parents or relations of any of our constituents who had been the subject of nuclear attack and say, "It's all right. We didn't sell them nuclear weapons. We sold them only the machine tools by which they might be made"?

Mr. Henry Bellingham (North-West Norfolk): If the Liberals had been in power, we would have possessed no deterrent!

Mr. Campbell: If the hon. Gentleman thinks that Saddam Hussein has the kind of rational mind that will be affected by the finer points of nuclear deterrence, the history of the past five or six years stands substantially against him.

Let us suppose that some of our constituents had been killed by shells manufactured by Saddam Hussein. Would it have served us much to say to their friends, relations or parents, "We didn't sell him shells. The Royal Ordnance factory didn't send them. Matrix Churchill supplied him with machine tools for that purpose." That is a wholly artificial distinction in the minds of the British public, and the artificiality of the distinction is emphasised by the brutal honesty of Mr. Alan Clark. Remember him? We do not hear much about him these days. There has not been a Gadarene rush from the Government Front Bench to assert his integrity, but he is the person who, at the meeting on 20 January 1988, told the Machine Tool Technologies Association, and Mr. Henderson, who later stood trial, to emphasise the civilian and not the military use of any machine tools that might be sent to Iraq.

Are we to believe that Mr. Clark kept all that to himself? From his diaries, he does not seem to be a man who keeps very much to himself—of anything. Are we to believe that he was conducting some clandestine policy of his own, quite separate from the Government? [HON. MEMBERS: "Yes!] Apart from alliteration, the idea has nothing to commend it. Alan Clark was right at the centre of government. He was playing Darnley to Queen Elizabeth. He was the favourite of the monarch in No. 10. The idea that he was going around conducting some secret policy and telling only the Machine Tool Technologies Association of his views simply does not bear scrutiny.

Once the central conclusion of the report is accepted, all else flows from it. Paragraph 27 of "Questions of Procedures for Ministers" was ignored. The convention of ministerial accountability to the House was ruptured. Why did that happen? Because the public would not have liked the idea of assisting Saddam Hussein to build up his arsenal; because they would not have liked the idea that we were assisting a dictator who had used chemical weapons, with devastating effect, on his own countrymen at Halabja; and because they would have wanted to know not only why we were selling him arms but why we were financing those sales, or at least the means to make them. Do the Government think that the public were not entitled to know of those things? If so, let them say so and then the public can make their own judgment.

Some say that this should not be a witch hunt. "Why", they ask, "should the Chief Secretary take responsibility?" I do not reflect on the Chief Secretary's honour, but I ask him to reflect on this. What confidence can the public have in Ministers of the Crown if they are not willing to take the consequences of their actions? The Chief Secretary was, as Sir Richard Scott found, the midwife of the policy change. He agreed to it being kept from public and Parliament. He wrote letters or answered questions that did not give accurate answers. His explanations of how he behaved in that regard have been dismissed as sophistry. As a result, he was responsible for a breach of ministerial rules and, ultimately, for a rupture of the convention of ministerial responsibility.

I do not reflect on the Chief Secretary's honour. I merely ask him to consider whether he thinks that, in those circumstances, he commands the confidence not just of his party but of the House and the country. If he survives, he must know that he will have done so not because of the strength of the Government but because of their weakness. He will survive, perhaps, on the abstentions of hon. Members from Northern Ireland. Even according to the modest aspirations of the Government, that is hardly a ringing endorsement. If he survives, he will be a constant reminder of a breach of the principle of ministerial accountability. He may even have his place in history, because whenever such circumstances arise—whatever the Government—his example will be used as a justification. In short, he may well become a dangerous precedent.

[Mr. Campbell]

More than any other, the office of Attorney-General demands public confidence, because as well as being a Minister the Attorney-General has wider responsibilities independent of government. The case against him falls into two parts. Put relatively simply by Lord Justice Scott, despite a long and detailed analysis of the law relating to public interest immunity, the Attorney-General was wrong in law in the advice that he gave. I have read and tried to follow in detail Sir Richard's analysis of the law, and it is clear that even if Conservative Members are able to draw our attention to eminent jurists, either on or off the Bench, who support the position of the Attorney-General on public interest immunity, and even if there is room for doubt on the legal advice that he gave, there is absolutely no room for doubt about his failure to take responsibility for ensuring that the Deputy Prime Minister's reservations were properly conveyed to prosecuting counsel. Hon. Members will have noted that that is an issue on which the Government have been blindingly silent.

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): Does the hon. and learned Gentleman intend to convey to the House the fact that he accepts, in view of his recent remarks about the law, that it cannot possibly be a matter of culpability on the part of the Attorney-General that he gave the advice that he did on the law? It cannot possibly be a matter for culpability in the light of the conflicting opinions that have been voiced recently.

Mr. Campbell: I made it clear that I believe that Sir Richard Scott is correct and that his judgment on the Attorney-General's advice is correct. In that respect, I support Sir Richard Scott. His conclusion, without any equivocation, was that it was wrong advice. I have had some small experience of prosecuting, and if I gave wrong advice in a matter of this importance I would certainly consider my position. From what I know of the right hon. and learned Gentleman and the way in which he conducted himself when he appeared before the Select Committee on Trade and Industry to give evidence in relation to the prosecuting authority—HM Customs and Excise—I suspect that he would have taken a similar view.

The real issue for the Attorney-General to face is his failure to advise prosecuting counsel of the reservations of the then President of the Board of Trade.

We must have some sympathy for the then President of the Board of Trade, who has now left the Chamber. Sir Richard Scott gave him a medal, but he cannot wear it: if he does, he will merely show up the fact that others did not win medals. It might be said that he will show up their inadequacy, but, in particular, he will show up the inadequacy of the Attorney-General.

The Attorney-General accepts that the brief sent to Mr. Alan Moses was inadequate. Sir Richard Scott concludes that it was inadequate because there were no copies of the correspondence that had passed between the Attorney-General and the then President of the Board of Trade. He goes on to say that the instructions given to Mr. Alan Moses were contrary to the wishes of the President of the Board of Trade and that the major responsibility for that inadequacy must be borne by the Attorney-General. The stand taken by the President of the Board of Trade raised issues that were not

"mundane, routine or run of the mill".

Those issues needed the Attorney-General's supervision.

In what I consider a devastating passage, Sir Richard says that the views of the then President of the Board of Trade raised serious issues of a legal and constitutional nature, and that the Attorney-General should have recognised that. The absence of personal involvement that the President of the Board of Trade's stance made necessary is a criticism levelled against the Attorney-General.

I examined the evidence given by the then President of the Board of Trade to Sir Richard Scott at the oral hearing. The hon. Member for Livingston has already referred to one question and answer. The right hon. Gentleman was asked:

"Having now looked at the passages we have drawn your attention to during the submissions that were made to the Judge, do you think a clear message of the kind you were intending was sent to the judge?"

He replied:

"No, and it should have been."

He was asked:

"And, in fact, having looked at it, does it seem to you now the message sent to the judge was that your certificate was like everyone else's?"

He replied:

"I understand that is what did happen."

The right hon. Gentleman was asked, "Does that concern you?", and he replied, "Of course."

A little later, in response to a rather longer, rambling question, the right hon. Gentleman said:

"No, it was only after all of this that I saw what was being said in the court. I thought that I had done all that was necessary, and I asked the question whether the Judge would get a message and I was assured he would and indeed you can see clearly that that was the reply to me. I thought I had done all I properly could to indicate to the judge what I thought the position to be, and I find it difficult to explain the way in which events worked out."

A little while ago, the present Deputy Prime Minister came loyally to the Dispatch Box, but I did not understand his intervention to depart in any respect from the opinion that he expressed during the giving of oral evidence to the Scott inquiry on 28 February 1994. It is not a question of honour; it is a question of competence. We must ask—I believe that the Attorney-General must ask—how he can command public confidence in the light of these matters.

Sir Patrick Mayhew: I am grateful to the hon. and learned Gentleman for allowing me to intervene for a second time.

We must address the question, and the question is whether my right hon. and learned Friend the Attorney-General is personally responsible for what happened. Does the hon. and learned Gentleman accept that, having been a Law Officer for nearly nine years, man and boy, I have never heard of a Law Officer checking instructions to counsel prepared by the Treasury Solicitor's Department, which is presided over by the head of the Government legal service? Would that not impose a wholly unreal standard? In this instance, when

the Treasury Solicitor's Department had the relevant correspondence, it was in possession of all that was necessary for it to prepare the appropriate instructions.

Mr. Campbell: I yield to the right hon. and learned Gentleman's experience as a Law Officer; but I wonder whether, in positing certain cases, he is doing more than saying that, in a routine context, that is what happened. This was not a routine case, but a case in which the then President of the Board of Trade declined to sign a public interest immunity certificate until he had engaged in direct negotiation and correspondence with the Attorney-General—and, indeed, until he had received an assurance that his reservations about having to sign the certificate would be properly conveyed to the judge at the trial. I fancy that, in the nine years that the right hon. and learned Gentleman spent as a Law Officer, there were not many cases of that type.

The President of the Board of Trade has made a number of proposals. He may have made them in a rather different tone from the tone that he used 10 days ago, but the position does not seem to have changed. We shall consider the proposals in detail; it is a pity that they were not circulated rather more widely before the debate. I echo the hon. Member for Livingston in saying that, without a commitment to a culture of freedom of information rather than official secrets, we cannot be sure that circumstances of the kind that Sir Richard Scott was forced to investigate will not arise again. The best defence against abuse of power is public scrutiny. The proposals would carry much more weight if they had been accompanied by a frank recognition of responsibility for the catalogue of culpability identified by Sir Richard Scott.

I go further. In their present tentative form, there is no guarantee that, if all those proposals had been implemented in 1988 and 1989, they would have prevented the abuse of both power and position that Sir Richard has identified.

In any event, how can such proposals provide retrospective justification for the Government's manifest failures, as identified in the Scott report? During the period when Parliament was not told of a change of policy, there was a set of standards against which Ministers could test their conduct. They had their own rules in paragraph 27 of "Questions of Procedure for Ministers". By convention, they had to abide by the constitutional principle of ministerial accountability. It was not the absence of rules or principles that allowed Ministers to behave as they did; it was a flagrant disregard for those rules and principles. That is why the House should vote against the Government this evening.

6.6 pm

Mr. Paul Channon (Southend, West): Clearly, as a layman, I am not in a position to argue with the hon. and learned Member for Fife, North-East (Mr. Campbell) about the legal aspects of the case. I can only say—and I think that the hon. and learned Gentleman will concede this to be fair—that, over the past week, a large number of senior judges and others, including defence counsel, have concluded that what my right hon. and learned Friend the Attorney-General did was right: indeed, we have been told that by no less than the Master of the Rolls. If my right hon. and learned Friend is to be convicted of dereliction of duty, when many senior members of the Bar support what he did, that is exceedingly unfair.

I want to concentrate on the guidelines. For a short time, as Minister of Trade, I was one of those who had to deal with the problems in the early 1980s. I therefore have some experience of dealing with the guidelines. Given the way in which my right hon. Friend the Chief Secretary to the Treasury has been accused over the past few weeks, I feel that there is a fundamental misconception of the role of the guidelines. They were not holy writ, set down like the laws of the Medes and Persians; they were broad guidelines, and officials were asked to examine the suggestion of exporting certain goods in the light of those guidelines. In important cases, Ministers themselves decided whether to allow exports to take place.

Mr. David Shaw: No weapons.

Mr. Channon: I shall deal with the question of weapons in a moment, but my hon. Friend was right to intervene. As the report makes clear, the whole intention was to ensure that no lethal weapons were supplied either to Iraq or to Iran. Of course, the definitions of lethal and non-lethal are not absolutely clear cut in all cases, but that was the honest intention that Ministers had when they applied the guidelines. Nevertheless, there were many cases in the early days—and, I suspect, later—when goods that could probably have been exported under the guidelines were not. It was Ministers who decided; it was not a question of the blind application of a rigid set of guidelines.

Mr. Campbell-Savours: They were applied strictly, not flexibly.

Mr. Channon: I am not sure to what date the hon. Gentleman is referring. I am talking about the early days. That is what I believe may have happened. When the three Ministers concerned later decided to re-examine the policy, they considered the application of the guidelines to find out whether they could be made more flexible. There was no suggestion of a substantial change in policy. How could it have been done? None of the Ministers concerned consulted their superiors. None of the Secretaries of State was consulted. The matter was not put to the Prime Minister. It can be argued that no decision was taken. None of the three Ministers would claim that they had the authority to undertake a major policy change without reporting the matter to senior Ministers.

What took place was not, therefore, a change of policy. Ministers have been pilloried by people who have said that there was a change of policy that Ministers did not reveal to the House of Commons, but that is not justified. I hope that my hon. Friends and other hon. Members will feel that my right hon. Friend the Chief Secretary has been most unfairly criticised in this case. I am naturally predisposed in his favour because he is a member of my party and I know him well, but I would like to think that, if I were on the Opposition Benches, I would be as objective as possible in the face of such serious allegations.

Mr. Radice *rose—*

Mr. Campbell-Savours *rose—*

Mr. Channon: I am sorry, but I cannot give way. Speeches are restricted to only 10 minutes and I have only

[Mr. Channon]

a few minutes. I am sure that the hon. Member for Workington (Mr. Campbell-Savours) will be able to make his point later.

The real difficulty with the Scott report is that it is all things to all men. We can all find quotations to suit the argument that we are trying to advance or to rebut. It is a great pity that the report has no conclusions so that we can find out exactly what was intended.

Of course Ministers and others made mistakes. Naturally, when running such a complex policy over a long period, involving hundreds of officials in difficult decisions, difficult choices had to be made. I concede of course that mistakes were made. I assure hon. Members that, if a Labour Government had been in power, mistakes would have been made as well because no Government are foolproof when running such an enormous machine.

We should therefore revert to the serious issues. Did we supply lethal weapons to Iran or Iraq and break our guidelines? The answer is clearly no. [HON. MEMBERS: "The answer is yes."] I disagree. Sir Richard Scott confirms my view. Did we try to send innocent men to prison? There is absolutely no doubt from the report that there was no intention to send innocent people to prison.

Those are the two main charges levied against the Government. I concede that errors have taken place, but, on the basic charges involving important principle, the Government and, in particular, my right hon. Friends principally concerned should be acquitted.

6.12 pm

Mr. Peter Shore (Bethnal Green and Stepney): A week or so ago, I said in a brief intervention during the statement that it should have been made by the Prime Minister and that this debate should also have been opened or closed by him. After all, he set up the Scott inquiry and, above all, he is responsible for Ministers' conduct. It was up to him to give us his honest judgment on the Scott report. I know that that is difficult. Frankly, he was faced with three possibilities. One was to accept what Scott said, with all the unpleasant consequences that that would have for him and his Cabinet. The second was to reject, in whole or in part, the Scott report's conclusions, but in that case he would have been obliged to put seriously to the House the weight of his argument and judgment. The third option—the one that he chose—was to opt out of those difficult decisions and to organise with his colleagues a sustained misrepresentation of what Scott said.

The Prime Minister has made a serious mistake. The Scott report needs close examination and serious debate. Let us be clear: the voice of Scott is not the voice of God. Although much of the report is persuasive, other parts of it are not. Let me make one thing clear before I proceed: the personal integrity and honour of the Attorney-General and of the Chief Secretary to the Treasury is not an issue. Both are honourable Members and I accept that they have acted throughout in good faith. That does not mean, however—nor did they expect it—that they could escape severe criticism of their conduct and competence as Ministers of the Crown.

The Attorney-General and his handling of the Matrix Churchill trial is the great puzzle. I shall not go into the argument between high-powered judges about whether Ministers were obliged to sign public interest immunity certificates—I leave that apart and am prepared to be neutral on that issue. What worries me and, I am sure, other hon. Members is that Mr. Henderson and his fellow Matrix Churchill directors were prosecuted by Customs and Excise for deceiving the Department of Trade and Industry. I and, I think, most hon. Members believe that those directors should not have been so prosecuted.

Surely sufficient evidence of the involvement of Mr. Henderson with British intelligence—evidence that should have made certain that no prosecution was started was available to Ministers before the trial—was available from the beginning. The Deputy Prime Minister read with care the documents that were submitted to him and refused to sign the PIIC. In his own words:

"this was telling me . . . that the Security Services at that time were in touch with Matrix Churchill."

If he knew that, why did not the Attorney-General? I regret that the Attorney-General did not know because he had not read the documents that he had asked Ministers—not only the then President of the Board of Trade—to sign. That was a terrible omission.

The Attorney-General (Sir Nicholas Lyell): Before making his criticism, the right hon. Gentleman was extremely courteous to me and to my right hon. Friend the Chief Secretary to the Treasury. Is he aware that, when my right hon. Friend the Deputy Prime Minister, then President of the Board of Trade, brought his concerns properly to me, I not merely considered the legal position and advised him about his special public interest immunity certificate but, as the Scott report records, immediately summoned a meeting with prosecuting counsel, Mr. Alan Moses QC, a man of great experience, integrity and skill and the solicitor to Customs and Excise, to ask specifically—and he had been handling that case for more than a year—whether there was any reason known to him why the prosecution might be unfair or should not go ahead?

Mr. Shore: Did the Attorney-General point out to the Treasury counsel that Matrix Churchill directors were involved with the secret services? If so, how could the Treasury solicitor have proceeded with his prosecution?

The Attorney-General: The answer is that I did not point it out because neither I nor anyone advising me was aware of it. When one reads section G carefully, one notes that Sir Richard Scott, when he says that, at the end of the day, the prosecution should not have proceeded, emphasises—both at the beginning and at the end of the chapter—that he speaks with hindsight.

Mr. Shore: I partly accept what the Attorney-General says, but, by reading the documents, the then Secretary of State for Trade and Industry knew that Matrix Churchill directors were in touch with the secret services, so Mr. Moses and the Attorney-General would have known the same if he had read those documents. In those circumstances, the trial could not have proceeded. Although the Attorney-General is not directly responsible, as he made clear in his letter to *The Times* today, for the Customs and Excise legal department, he has, as I have always understood it, an overriding power. He can enter a nolle prosequi—I think that that is the correct term—

to bring a trial to an end. I maintain that he should have done that. I find it amazing that such crucial information was not passed on as it should have been.

I shall now consider the Chief Secretary to the Treasury, the United Kingdom's policy on the export of defence equipment to Iraq and Iran and the very serious charge that the House was deliberately misled. The crucial question is this: was the original 1984 guideline policy changed—first in August 1988 and again in April 1989—or were those simply modifications of the existing guidelines and of insufficient importance to warrant a public statement? The answer to that is crucial in determining the answer to the second question—whether Parliament was deliberately deceived.

Scott is clear that the answer to the first question is yes and, consequently, the answer to the second is yes. On balance I agree with Scott, but the answers are not as simple as he suggests. His preoccupation with those two questions leads him away from the simple truth and the most glaring fact that the original guidelines agreed by the Cabinet in 1984 and made public by the Foreign Secretary in February 1985 were designedly so loosely drawn as to be almost meaningless.

The supply of weapons was clearly banned—there is no argument about that—but defence equipment, ranging from Land-Rovers to advanced radar equipment, was not. Such equipment should be refused an export licence only if, according to the Government guidelines, their supply would,

"significantly enhance the capability to prolong or exacerbate the conflict".

There is plenty of leeway there.

Under the change in 1988, following the ceasefire, exports were to be refused only if, in the Government's view, they would be of

"direct and significance assistance to either country in the conduct of offensive operations".

There is plenty of scope there, too. The words are different and the intention was to relax export controls. In the event, though, the change had little practical effect.

The real culprit was the original guideline policy and the misleading distinction drawn between banning lethal weapons and licensing other defence equipment. The truth is that, while Iraq needed lethal weapons and could get all that it wanted from Russia and France, its main strategic aim was to expand massively its own indigenous arms industry so that in future it could supply its own weapons needs.

Since the Gulf war, and from reports of the United Nations arms inspection teams, we know just how massive and dangerous the Iraqi arms industry was, and Britain's exported defence equipment undoubtedly contributed to its growth. One example of that will suffice. The Scott report says that the supply of lathes in 1980 to Iraq was sufficient to equip a factory designed to produce 500,000 155 mm shells a year.

The second shift in policy was in April 1989, after the Salman Rushdie affair, when the export control on defence equipment to Iran was tightened. Although there was a clear shift away from the so-called even-handed policy that had previously prevailed, I can understand the reluctance to make a public statement about it when the fates of British hostages in Iran and of Terry Waite and the other hostages held in the Lebanon by Hezbollah under Iranian control were still at risk. Those were very serious matters and they had to be considered.

I find it odd that the Scott report should censure so particularly the then junior Minister at the Foreign Office. The idea that he and two other junior Ministers from the other Department made shifts of policy without gaining first the tacit or positive consent of their Secretaries of State is simply unbelievable—

Mr. Deputy Speaker (Mr. Michael Morris): Order. *[Interruption.]* Order. I have already adjusted the time given to the right hon. Gentleman.

6.23 pm

Mr. Richard Shepherd (Aldridge-Brownhills): I first want to say how much I appreciate the fact that the Prime Minister set up the inquiry. I must be like the fellow in a Bateman cartoon—the only person on my side who believes parliamentary answers and who would have engaged in argument with my constituents about whether we supplied defence-related equipment during 1988 and 1989 that enhanced the capacity of Saddam Hussein. I was born when one anathema threatened Europe. Many people in this country are aware that Saddam Hussein is another anathema. Thanks to the Prime Minister, we have an account of how we enhanced the defence capacity of Iraq. I find that deeply and profoundly disturbing.

I have tried to list the instances in just the first volume of the report where Sir Richard Scott identified that the Government were intending to mislead or be less than candid with Parliament and the people of this country. I jotted down just a few of the references before I ran out of resources, time and patience. They include: D1.27, D1.151, D1.165, D2.35, D2.36, D2.432. It goes on; there are pages and pages of it.

In D4.3, on page 501, Scott alludes to the evidence of Mr. Gore-Booth, and later to that of Sir Robin Butler. There we see clever men laying out an argument, the substance of which is to argue that half a picture may be an indication of the whole picture. We have to make it quite clear to Sir Robin Butler, Mr. Gore-Booth—an honoured servant who I understand has been promoted to the high commission in New Delhi—and such servants of the state that neither the House nor the country will be governed on the basis of half the picture.

That is profoundly important because as a Back-Bench Member of Parliament, I represent the constituency of Aldridge-Brownhills. In that I am equal to the highest in this land, those who govern us, who are dependent on the authority of their own electorate and answer directly through this House and at times of elections. I am profoundly disturbed that the intent behind the policy, if not to tell an untruth, was to give an impression that was designedly misleading.

At the very end of volume i, Sir Richard Scott says:

"In the circumstances, the Government statements made in 1989 and 1990 about policy on defence exports to Iraq consistently failed, in my opinion, to comply with the standards set by paragraphs 27 of the Questions of Procedure for Ministers and, more important, failed to discharge the obligations imposed by the constitutional principle of Ministerial accountability."

Some of us may have heard Mr. Raymond Seitz on the radio the other day making the observation that one of the features of the United Kingdom is that it has—perhaps—

[Mr. Richard Shepherd]

the most powerful Executive of any western democracy. In fact, that was the challenge that worried Lord Hailsham when he wrote about an elective dictatorship. What stands between us and that is the candidness, openness and frankness of those who govern us. When they mislead, how do we know that the premises on which we argue our case are truthful?

Dame Jill Knight (Birmingham, Edgbaston) *rose—*

Mr. Shepherd: Please forgive me a moment. We are talking about the most difficult of all areas—the supply of armaments. Let each one of us consider when we relay to our constituents the basis of public policy how we can be certain of it when the dismal array of the intent of a civil service and bureaucracy with—I suggest—the acquiescence of Ministers is allowed to be set out in a report to the House. It is a serious judgment.

Dame Jill Knight *rose—*

Mr. Shepherd: If my hon. Friend will forgive me, I shall not give way because we are under a time restraint.

The report is of immense importance to each one of us and we should take it seriously. In the balance of judgment of the all-powerful Executive—more powerful than any in the western world—I must tell my right hon. Friends on the Front Bench that I stand for the people of Aldridge-Brownhills and I will stand for the balance of the power of this Chamber against the Executive.

This is an important exclamation mark in our constitutional affairs, for Sir Richard Scott makes the observation that, time and again, Ministers failed in their constitutional duty to keep the House accurately informed. That is at the heart of our constitutional arrangements. How can I give assurances or say with certainty to anyone whom I represent that a policy is as stated by Ministers? In that, I had confidence, but perhaps I was naive.

Dame Jill Knight: Will my hon. Friend give way?

Mr. Shepherd: If my hon. Friend will forgive me, I shall not give way as I am trying to finish my speech within the terms set out.

I hear from many of my hon. Friends that they know full well that the answer that they are given is meaningless. Unfortunately, I am sufficiently naive that I trust and believe the answers given. Without that foundation and certainty, the House is at grave risk of failing to represent the people who send us here. We in the House have the authority to hold Governments to account—in this country that authority comes from the people, not from the Crown—as we in turn will be held to account within a short time.

The cynical response of some people when addressing the report should make us pause and wonder. Does that not bring about a cynical response in the public? We should think about our standards and what we are meant to stand for. We are abased daily in the press as standing for so little. Is that not perhaps a reflection of the cynicism that we show way in the way in which we treat this matter? I ask my right hon. Friends to reflect on that because, in much of life, it is a mirror as to who and what we are.

I want—I prayed—for a stronger and more vigorous response. I know what needs to be done. First, we need a freedom of information Act. That will not be the complete answer, but I profoundly believe that people who know that, within a certain time, others can look over their shoulders, will act differently. Secondly, our Select Committees must be able to send for papers and men, and have the right to subpoena them without the need for a reference to the House. That will confirm the authority of the House.

Why did the DTI inquiry fail? We all know. The House is partisan—it is part of the constitution that it should be so because we can then argue and test the propositions across the Benches. The Scott inquiry was to try to find out the facts. In page after page of 1,800 pages, the report resonates with a criticism of the conduct of public business. Is anyone accountable? Is anyone responsible? Is no civil servant to be addressed? What is going to happen to Sir Robin Butler? What is to happen to our distinguished ambassador in Saudi Arabia, who believes that half the picture is more than good enough for the House? We must remember that the principle is that the House shall have the information so that we can judge this country's proper public policy. That is the essence—the proper struggle to determine what is correct for this country and what reflects the views and judgment of an informed and interested public. If we dismiss that, we dismiss democracy.

6.32 pm

Mr. Gerald Kaufman (Manchester, Gorton): I value following the hon. Member for Aldridge-Brownhills (Mr. Shepherd), not only because of the honourable and courageous speech that he has just made, but because he has covered some of the ground that I hope to cover this evening.

The House will be aware that my concern with the change in the guidelines on the embargo on arms exports to Iraq began long before the Matrix Churchill trial that triggered off the Scott inquiry. I wrote to the Prime Minister on 30 January 1992 about the matter. The Prime Minister replied to me on 17 February insisting that the guidelines had not been changed. The Scott report labels that letter inaccurate and misleading, whereas a preliminary draft had contained at least some element of the truth. That draft was doctored by the Prime Minister's Foreign Office private secretary, Mr. Wall, so that a relative truth became a total untruth. Just as the hon. Member for Aldridge-Brownhills asks why certain people can remain in office, I find it impossible to understand how the man who turned the Prime Minister's letter to me into a lie is now the British ambassador to the European Union rather than having been dismissed from the post in which he turned the Prime Minister, unwillingly, into the sender of an inaccurate letter.

However, despite what was done to the Prime Minister's letter to me, the Prime Minister knew the truth about the guidelines. That is made clear from the Scott report at D4.51, which the President of the Board of Trade shrank from allowing me to read out to the House earlier. In that passage, Mr. Wall again made it clear that

"the Howe Guidelines of 1985 were amended by Ministers in December 1988 but the amendment was never announced to Parliament."

He told the Prime Minister that the Prime Minister knew about that when he was Chancellor of the Exchequer.

When the Prime Minister's letter to me became a matter of public controversy in November 1992, the Prime Minister's office made public the fact that the reason why the Prime Minister had not told me that there was a change in the guidelines was that the change, which the President of the Board of Trade denies existed, was already in the public domain. Reference was made to a statement made by Mr. John Goulden of the Foreign and Commonwealth Office to the Select Committee on Trade and Industry.

Mr. Goulden made a statement on 28 January 1992 to the Select Committee in which he said:

"The guidelines set out by Sir Geoffrey Howe in '85 applied until December 1988, when the third guideline was amended. . . It was updated to take account of the fact that there was a cease fire."

No. 10 Downing street, on behalf of the Prime Minister, drew attention to that statement by Mr. Goulden as evidence of the fact that we were supposed to know about the change in the guidelines even though the Prime Minister was made by Mr. Wall to conceal that change from me.

Mr. Goulden said to the Select Committee:

"I am here before the Committee to tell you the truth."

He was there to tell the truth. The question that the House must answer is: was Mr. Goulden lying on 28 January 1992, when he had no motive to lie and said that it was his job to tell the truth, or are Ministers lying now, when they have every motive to do so?

The question that must also be asked is: why are Ministers putting a totally unsustainable interpretation on the report? The answer is that they exported arms to Iraq and, despite all the evidence that they should adopt a more severe policy towards Iraq, they deliberately adopted a far more lenient and favourable policy towards that country. Some of the arms exports to Iraq were listed in a memorandum to the Select Committee on Trade and Industry from the Department of Trade and Industry in April 1992. The list from the Government to the Select Committee included air defence simulator, armoured vehicle spares, armoured vehicle, artillery fire control, artillery board, explosives, fast assault craft, gun sound ranging equipment, hostile fire indicator, mortar-locating radar, pistols, rifles, shotguns, portable explosive detector and tank helmets. Those items were exported. When I wrote to the then Foreign Secretary—who has now made himself scarce—about those matters, he told me that those exports were considered by the interdepartmental committee and assessed as not breaching the guidelines.

The Government repeatedly adopted an over-friendly attitude to Iraq when evidence was being accumulated to show that they should have been exceptionally and increasingly wary. The Scott report demonstrates at paragraph D3.175 that in September 1988 the Prime Minister, then Chief Secretary, increased export guarantees to Iraq by £244 million above a total that was already £912 million.

A week ago the President of the Board of Trade, in a series of answers that reeked of casuistry, and also today, listed a series of events that he described as

"general situations of an extremely unpleasant kind".—[*Official Report*, 15 February 1996; Vol. 271, c. 1156.]

He listed a series of malfeasances by Iraq. What did the Government do about them? When Farzad Bazoft was executed, my hon. Friend the Member for Hamilton (Mr. Robertson)—on my behalf and at my direction—asked the Foreign Secretary to reconsider carefully the extensive trade credits that we offer Iraq. The Foreign Secretary said that to do this might do more harm than good.

Later that month, nuclear detonators bound for Iraq were discovered at Heathrow airport. On 29 March 1990, I asked the Foreign Secretary whether the Government would reconsider their attitude towards export credits for Iraq. The Foreign Secretary simply referred to his response to my hon. Friend the Member for Hamilton. I asked for the expulsion of the Iraqi ambassador, and the Foreign Secretary turned me down. The following month, Customs officers seized sections of the super-gun bound for Iraq. After attempting to dodge responsibility, the Secretary of State for Trade and Industry was forced to make a statement to the House on 18 April 1990. When my hon. Friend the Member for Dunfermline, East (Mr. Brown) stressed the seriousness of the situation, Nicholas Ridley accused him of going over the top on a scale outside anything previously experienced. The Government's casual and, indeed, cavalier reactions to these serious events would not have been lost on Saddam Hussein.

In July 1990, the situation became positively threatening. On 15 July, the *Sunday Times* reported that American customs agents had detained containers of furnace equipment, which they believed was to be used to produce titanium parts for Iraq's rapidly developing missile arsenal. It stated:

"Two of the giant furnaces are being manufactured near Glasgow by a subsidiary of an American company."

On 16 July, Saddam Hussein made a speech about his dispute that had broken out with Kuwait. He said:

"Iraqis will not forget the saying that 'cutting necks is better than cutting the means of living'. If words fail to protect Iraqis, something effective must be done to return things to their natural course and return usurped rights to their owners."

The Times warned of a threat to Kuwait's existence. The American Government pledged support for the individual and collective self-defence of our friends in the Gulf. Yet, following those developments, on 19 July 1990 the Foreign Secretary took the chair of a meeting at the Cabinet overseas and defence committee and decided to relax still further the arms embargo on Iraq.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The right hon. Gentleman's time has expired.

6.42 pm

Mr. David Mellor (Putney): I am qualified to contribute to this debate because I was the Minister of State at the Foreign Office from June 1987 until July 1988. My immediate successor was my right hon. Friend who is now the Chief Secretary to the Treasury, the right hon. Member for Bristol, West (Mr. Waldegrave). I shall continue the process begun by my right hon. Friend the Member for Bridgwater (Mr. King), and try to bring a wider context to bear on some of the things that have been looked at under a microscope in Lord Justice Scott's report. I refer to the pressures that were on Ministers at the time that these decisions—which have been minutely scrutinised by Scott—were taken.

I have no quarrel with Lord Justice Scott. I gave evidence before him, it was an amiable encounter, and I have no quarrel with anything that he attributes to me

[Mr. David Mellor]

during the course of his report; nor does he have any quarrel with me. I do not rise in this debate in the spirit of resentment or against anything that Lord Justice Scott has said about me. The guidelines were set out and publicly promulgated to this House; however, they could not guarantee what view should be taken about quite a number of categories of equipment—they were not self-defining.

The guidelines had four parts—first, that we should maintain our consistent refusal to supply any lethal equipment to either side. That was done, and there was no question of the Government supplying arms to Iraq. The most that it can be said was done was the supply, at certain points, of multi-purpose machine tools that had a variety of possible uses. Secondly, existing contracts and obligations should be honoured.

Thirdly—this clause always caused difficulties—we should not in future sanction new orders for any defence equipment which, in our view, would significantly enhance the capability of either side to prolong or exacerbate the conflict. Fourthly, all applications for export licences should be rigorously scrutinised. That was done. It is understandable, in that context, that there would have been discussions passing back and forth between various Departments to decide into what category certain applications fell.

In paragraphs D2.148 to D2.167, Lord Justice Scott deals with an argument about rubber boats which engaged the Department of Trade and Industry and the Foreign Office for many months. It was determined—this should be a reassurance to hon. Members about the care that was taken—that those rubber boats should not be exported to Iraq, not because they would significantly enhance Iraq's ability to continue the conflict or to enhance its capability to do so, but because it would appear to be a conspicuously unmutual act. That was the Foreign Office view, stated by my right hon. Friend the Member for Mid-Sussex (Mr. Renton) and then by me, which won the day.

There was nothing discreditable in the Department of Trade and Industry pressing for that export. When the Labour Government were in office, exports to Iraq increased from £50 million to more than £400 million—and I make no criticism of them for that. If Iraq were a properly run country, it would be the second most potentially prosperous country in the middle east—possibly even more so than Saudi Arabia. Iraq is now in chaos because it has been badly run.

Departments were criticised if manufacturers went out of business or when unemployment increased—within the principles that were laid out in this House to advance British interests—and were put under pressure by manufacturers and by Members of this House in whose constituencies the manufacturers carried on their business. The testing of the evidence, which was the role of the Foreign Office in this matter, was carried on by my right hon. Friend the Chief Secretary to the Treasury. It is sad and tragic that he should now be pilloried for this, and—as a result of outrageous and unsustainable claims by Labour Members—that he should stand in threat of having a forced resignation imposed upon him.

As my right hon. Friend the former Secretary of State for Defence made clear, the realities of the situation in which Ministers were working at that time were different from what they are perceived to be now. We need to remember that what is now in the past was once in the future. Saddam Hussein—who was always a nasty piece of work: hence our requirement to put a strong arms embargo on him—had launched an opportunist attack on Iran, thinking that Iran was in such chaos that he would be able to obtain large quantities of territory. He found himself not merely unsuccessful, but on the defensive, running the risk of Iraq being overrun. Today people would say that that was a jolly good thing. However, it did not seem to be a jolly good thing at the time.

Ironically—the history of those days is filled with irony—the people whom Saddam Hussein subsequently invaded and threatened were the people who were saying to us, "You are our friends. Help us to prevent Iraq from establishing hegemony over the whole Gulf region". The Shah—whose reign we now look back on as some kind of golden age—laid claim to the island of Bahrain and to some of the islands that are now part of Abu Dhabi, all countries that we are under defence obligations to defend.

Let us consider the pressure. There was the prospect of an Iranian victory, the Iranians were mining Fujeira harbour, gunboats were being sent out into the Gulf to shoot up the sea lanes, innocent tankers were passing back and forth, mines were placed on the route to Kuwait, British naval vessels were protecting convoys going up, and British merchant seamen were going through the Gulf. The one great thing that can be said about our nation is that we do not get on the first plane out when there is trouble, as some other countries do.

Against that background, the remarkable thing is that we did not loosen the guidelines more than we did. The reason was the reason that the Government are being pilloried—the profound suspicion that Ministers had about Saddam Hussein's motives, long-term interests and concerns.

Miss Emma Nicholson (Torridge and West Devon): Will the right hon. and learned Gentleman give way?

Mr. Mellor: I would give way, but I have only a few minutes.

My right hon. Friend the Chief Secretary was part of a continuum that maintained tight regulations, in a principled way, against a great deal of pressure. It is only when one looks through a microscope that it appears remotely as though the guidelines changed. They did not; the perceptions changed. The test was the ability of one of the combatants significantly to enhance its capability to maintain the fighting. After a ceasefire, that changes, because a war is not then going on.

The efforts of British diplomats in New York, under the guidance of Ministers, persuading the five permanent members of the United Nations Security Council to work together for the first time, led to resolution 595—the basis on which that terrible war, which cost hundreds of thousands of lives, was finally brought to an end. That is the background and the context.

I listened with interest to the speech by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd). I consider much of what he said in the context to be profoundly misconceived, but who can fail to warm to his eloquent statement about Parliament's right to know? What troubles me is that my hon. Friend should be lined

up with the opportunist attack that has been made by the Opposition, and that Opposition Members should nod sagely as those principles, sincerely held by my hon. Friend, rolled forth, when everything that they have done in the debate has been characterised by a lack of principle.

It would be naive to expect any precision from the deputy leader of the Labour party, the right hon. Member for Kingston upon Hull, East (Mr. Prescott). Earlier this month, on 9 February 1996, he said:

"Next week, we shall have more evidence with the Scott report, showing how Ministers were prepared to send citizens to jail to cover their own backs."

He has never apologised for that disgraceful assertion.

The same is true of the hon. Member for Livingston (Mr. Cook). He made three charges in the House in November 1992. [HON. MEMBERS: "Four."] No, it is three, and I have the quotation, and I have read it out for those who were bothered to listen. First, he said that the Government armed Saddam; the Government did not. Secondly, he said that those arms were used against Britain; no arms sold by the Government were used against British service men in Kuwait, but arms sold by a Labour Government were used against British service men in the Falkland islands. That is the difference.

The third and most monstrous accusation was:

"as the cover-up unravelled, rather than own up, they were willing to see three executives of Matrix Churchill go to prison."—[*Official Report*, 23 November 1992; Vol. 214, c. 638.]

That is a disgraceful thing. The whole of the Conservative party—

Mr. Deputy Speaker: Order. Time is up.

6.52 pm

Mr. Giles Radice (North Durham): I do not know whether the right hon. and learned Member for Putney (Mr. Mellor) noticed, but during his speech he admitted that the guidelines were loosened. That is an interesting omission. I am not sure that Ministers would thank him for it.

I have read most of the Scott report, and the one thing that it does not do is give comfort to the Government. It is a devastating indictment of the Government, especially on the issues of ministerial responsibility, the misleading of the House of Commons and the incompetence of the Attorney-General.

Admittedly, the report's use of language is occasionally opaque, and Lord Justice Scott goes in for the double negative too much. The report is certainly too long, and it is wrong that there should not be an executive summary. That was, in a sense, a cop-out, and it allowed the Government to get away with a disgraceful response at the start.

No apologies were made when the Government came before us a week ago. There were no resignations. There was no sign that the Government considered that anything had been done wrong—that any mistakes had been made. They decided to bluff it out, and they did so.

The two-page summary produced by the Government for Members of Parliament, purporting to say what was in the Scott report, was a disgrace. It would have been bad enough for Conservative central office, but I am amazed that civil servants lent their name to it. There are at least four totally misleading statements in it, and it should not have been made available as a Government document.

The disturbing message of Scott is that Ministers and civil servants, while paying lip service to parliamentary accountability and openness, believe in keeping things secret. Whitehall is a world where phrases are used such as

"flexible interpretation of the guidelines",

which we have heard so much from so many Ministers; and sentences are used such as:

"There is nothing necessarily open to criticism in an incompatibility between policy and presentation of policy."

That was Lord Howe, incidentally, to the Scott inquiry. That type of statement appears to be commonplace.

It is not only Ministers, but civil servants. Mr. Gore-Booth and Sir Robin Butler said:

"Half a picture can be accurate";

and Ian McDonald, from the Ministry of Defence, said:

"Truth is a very difficult concept".

Another civil servant said:

"It is damaging to the public interest to have any decision-making process exposed".

Sir Michael Quinlan said that the process of parliamentary answers was "analogous to a game".

Of course foreign policy, defence and especially security are difficult issues in a democracy, but, having listened to many of the Scott hearings and having read the Scott report, I gain the impression that the Government and civil servants believe that those matters are too serious to be considered by Members of Parliament, the House of Commons or the general public. They appear to assume that we in the House are not capable of weighing and balancing the different factors that go into the making of foreign policy and defence policy decisions.

Sir Richard Scott summed up the secretive Whitehall culture in the following terms:

"We know what is good for you. You may not like it, and if you are made aware of it, you might protest, but we know what is best".

That, basically, is the report's message.

It is abundantly clear from the report that Ministers consistently misled the House. They withheld information from Members of Parliament, from Select Committees and from the House of Commons regarding the sale of defence equipment to Iraq, in clear breach of conventions laid down for the House.

We do have a set of standards. There is "Questions of Procedure for Ministers", which the Prime Minister is to be congratulated on publishing, because we know what they are now. We have the Osmotherley rules for Select Committees. We have the new civil service code, which was drafted by the Treasury and Civil Service Select Committee. Together, they are a mini-constitution, and they stipulate that Ministers have a clear duty to give accurate and truthful information to the House and its Select Committees.

If we do not give that information, we undermine the principle of ministerial responsibility, as Sir Richard Scott rightly says. The Treasury and Civil Service Select Committee defined that principle in our report; we said that ministerial responsibility had two vital elements. First, one must be clear

"about who can be held to account and held responsible when things go wrong".

[Mr. Giles Radice]

I am not sure that we have been able to do that; certainly the Government have not drawn any lessons from it.

Secondly, we must have

"confidence that Parliament is able to gain the accurate information required to hold the Executive to account and to ascertain where responsibility lies".

We certainly did not get that from the Government, although we have got it from Scott. I believe that our formulation was a good one, and it was endorsed by Sir Richard Scott.

We must now decide, as a Parliament, what we should do. As Chairman of the Public Service Select Committee, which has responsibility for overseeing the civil service code and "Questions of Procedure for Ministers", I have heard from the Secretary of State for Trade and Industry today that, if we were to expand the terms of reference of the inquiry that we are conducting into ministerial responsibility and the next steps initiative, the Government would be gracious enough to give evidence, and give us a statement of what they consider the position to be. That is very good news. Although we have made no formal decision and we do not yet have any terms of reference, we have agreed, in principle, to follow up the Scott report. I am glad that the Government intend to co-operate with the inquiry, as is their duty according to "Question of Procedure for Ministers" and the Osmotherley rules.

Tonight we have an obligation to decide on our approach. We are all Members of Parliament—albeit of different political persuasions—and, as such, we should be concerned about the House and its rights. That is what we must consider tonight. Many Conservative Members were misled by the answers to questions. We were all concerned about the issue and we were misled: we should all learn some lessons from that. If we defeat the Government tonight—I hope we do—we shall send a clear message that, despite all that is said about us, Parliament cares about its rights and about British democracy.

7 pm

Sir Timothy Sainsbury (Hove): I think that I read a different Scott report from the one read by the hon. Member for North Durham (Mr. Radice)—I certainly drew different conclusions from it. Perhaps we might have had a more informed and rational debate on the serious subjects that he has identified if his hon. Friends on the Opposition Front Bench had had the courtesy to apologise to the House for their disgraceful and unsubstantiated allegations about Ministers and about how the Government armed Saddam Hussein, which they peddled around the country for three years. If any apology were required, that was it.

There can be no doubt about the importance of the report and the value of its recommendations. I welcome what my right hon. Friend the President of the Board of Trade said about accepting and responding to the various recommendations. I think that I am the only Member who served as a Minister in the three principal Departments involved in the matter. As Minister for Trade, I was directly involved with the specifics, and therefore I have some experience of export controls and defence exports and the complexities that they create for Ministers who have responsibilities in that area.

The report identifies quite clearly some things that did not happen and some things that should and some that should not have happened. Perhaps most importantly and most controversially, it identifies something that Sir Richard Scott thinks happened. As I have said already, it is very clear what did not happen: we did not arm Saddam Hussein, in any logical meaning of that phrase. That is absolutely incontrovertible. There is no way that the Opposition, particularly the hon. Member for Livingston (Mr. Cook), can persuade the average person that shipping dual-purpose machine tools or tools which could be used in munitions manufacture could be called "arming Saddam Hussein".

Mr. Frank Cook (Stockton, North): Will the right hon. Gentleman give way?

Sir Timothy Sainsbury: No, I am afraid that I do not have time.

If that were so, we could not be said to manufacture any cars in this country because, according to the Opposition's logic, if they are manufactured using Japanese machine tools they are Japanese cars. Equally, there was no conspiracy to send innocent men to gaol. I am not a lawyer and many expert lawyers have explained why that is not so; I shall leave that argument to them.

I shall concentrate on something that Sir Richard Scott thinks happened, with which many others—including, I am glad to say, my right hon. Friend the Member for Witney (Mr. Hurd)—and I do not agree. I refer to the allegation to which the Opposition have shifted: that answers given by Ministers, including me, were misleading as the guidelines—it was the first time that defence export guidelines were published—had been changed. I suppose that it is logical for the Opposition to shift to that criticism of the Government, because their more serious criticisms, which they have sustained for so long, have been rejected decisively. As that criticism is now at the forefront of the debate, it should be addressed.

I have always been somewhat sceptical about the allegation. When I became Minister for Trade, I discovered that the guidelines at that time were the same as those published in 1985 and established by the then Foreign Secretary. Having read the report, I am even more convinced that the allegation that the guidelines changed cannot be substantiated. I point particularly to two quotes from the report which confirm that analysis. I direct those hon. Members who like to refer to their text to paragraph D3.100 on page 414. No one has reached for it yet—except the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins). It contains a quote by a senior official at the Ministry of Defence in July 1989—before we began to worry about the issue. He said:

"The relaxation related to the interpretation of the guidelines, not the guidelines themselves."

That is what an official said before the issue of changing the guidelines was raised.

I put it to the House that even Sir Richard recognises that he is putting too much weight on the wording of the guidelines and upon their precise interpretation. In paragraph K8.1, example (iv) on page 1799—that proves that I have read the whole report—he refers to the "adjustment" to the guidelines rather than the "change". We must recognise that talking about changing

the guidelines, about how they might be changed or even agreeing on a change of wording is not the same as changing the guidelines.

Recognising that fact, the report concedes that the guidelines were not changed but that, in effect, they were changed because the substance of the guidelines was changed. Therefore, the allegation stands that hon. Members were misled and that Parliament was not informed. I believe that that allegation is unfounded for a number of reasons.

The first good reason can be found in the speech of the right hon. Member for Bethnal Green and Stepney (Mr. Shore), who said that the guidelines were meaningless anyway. That is an extraordinary statement, which seems to undermine any suggestion that the House was misled by a change in the guidelines. A more important point is that the guidelines were not—and were never intended to be—a precise indication of how to respond to any specific export licence application. As the Minister responsible for export licences, I can confirm that fact. The guidelines were not capable of providing such an answer—if they were, we would not have needed the committees to whose minutes and proceedings Sir Richard devoted so much detailed analysis.

Secondly, the alleged change to the guidelines did not affect the volume and scale of our armaments exports, which remained a tiny percentage of total exports. Thirdly, the report gives insufficient weight to the recognised parliamentary convention of not giving details of arms sales. The fact that Sir Richard Scott may disapprove of that convention does not mean that it does not exist. I do not dispute the fact that we should debate the issue, but the information about arms sales to Iraq and elsewhere was always limited and that situation did not change. I would welcome a debate about disclosure—just as I welcome what my right hon. Friend the President of the Board of Trade said about it.

Fourthly, I believe that the charges of misleading are unfounded because Sir Richard's approach is far too legalistic. The report is written by a lawyer, sadly, without the help of assessors who have more knowledge about the real world. Parliamentary proceedings do not equate with drawing up a contract at law: real life is not like that. I am sure that any right hon. or hon. Member who has answered questions at the Dispatch Box would agree that, if his every word were taken down and turned into a legal contract, life would be quite impossible.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker. How many more former Ministers will be wheeled on to attack Sir Richard Scott?

Mr. Deputy Speaker: That is not a matter for the Chair.

Sir Timothy Sainsbury: The reason why Sir Richard gave so much weight to the suggestion that the House had been misled was his widely shared concern about the unnecessary secrecy surrounding Government. That is why he devoted so much attention to the Import and Export Control Act 1990, which was not otherwise relevant to his inquiry, but certainly revealed the Opposition's attitude to informing Parliament.

There are plenty of matters for the House to debate. We certainly need to debate the arms trade, and I hope that we can accept most of Sir Richard's recommendations and follow up the rest. We must recognise, however, that no lethal weapons were exported, that there was no conspiracy and that there are strong grounds for concluding that the guidelines were not changed; therefore the House could not have been misled by any Minister saying that that was the case.

7.10 pm

Mr. Richard Caborn (Sheffield, Central): I should like to cover three issues. I have a constituency interest in the super-gun, not in Matrix Churchill, and a parliamentary interest in the matter as Chairman of the Select Committee on Trade and Industry dealing, first, with the aftermath of the super-gun and, secondly, with setting up the Committee's terms of reference for the BMARC inquiry.

In 1990, I tabled a series of questions to the then Secretary of State for Trade and Industry and wrote to the Prime Minister of the day asking whether they knew about the super-gun in 1988 or in 1989. Sir Richard Scott confirmed that I was totally misled when he wrote that

"A direct answer to Mr. Cabom's question"

on exports of military equipment to Iraq

"would have required the DTI to accept that they had been aware in June 1988 of possible military implications of Walter Somers"—

and indeed the Forgemasters—

"piping contract."

He said that the Government's failure to respond constituted

"a further example of failure to discharge the obligations of accountability."

There was great concern in Sheffield at the time. There were 4,000 jobs at Firth Brown—which used to be Forgemasters—and people were concerned about the way in which the Government had treated them when they had genuinely tried to provide the Government, particularly the DTI, with all the relevant information that they had at hand to prove or disprove whether the contract involved the super-gun. The way in which the Government were treating business at the time was deplorable. The powerful statements that have been made tonight about misleading Members of Parliament, and thereby their constituents, have to be taken extremely seriously and those who are responsible for that misleading should pay a price.

I became Chairman of the Select Committee on Trade and Industry in July 1992. The hon. Member for Leeds, North-West (Dr. Hampson) was wrong in his earlier intervention about following through the report of the Trade and Industry Select Committee, as the election stopped that happening. Immediately I became the Chairman of the Select Committee, the Government responded to the Committee on the export to Iraq of Project Babylon and the long-range gun.

I wrote to the then President of the Board of Trade in July 1992 and the following January I received a reply to my letter in which he promptly told me that the matter would be referred to the Scott inquiry. I know that the Deputy Prime Minister is a past master of the long game, but that takes the biscuit.

At the time, serious issues were raised by the report of the Trade and Industry Select Committee and the problems that the Committee faced in trying to extract information both from Ministers and from civil servants are on record. It became evident that the memorandum of guidance for Select Committees is somewhat weak.

[Mr. Richard Caborn]

Last year, the President of the Board of Trade requested the Trade and Industry Select Committee to consider the implications of BMARC. Many members of the Select Committee were involved in the super-gun inquiry and were not prepared to be sent on a fishing expedition for information because they knew that their report on the super-gun had run into the sand, partly because of the Select Committee's inability to take evidence from the right people. That calls into question the role of the Select Committee.

There was an exchange of letters between the Select Committee and the then President of the Board of Trade culminating in such an unsatisfactory position that the President of the Board of Trade was asked to meet the Select Committee to clear up at least some of our terms of reference and explain how much access we would have to people and papers. The transcript of that meeting has not been published. I suggest that the Select Committee should be requested to publish the transcript, the correspondence between the President of the Board of Trade and the Select Committee and the guidance notes that the Clerk of the Committee gave the Select Committee for the sitting on 27 June 1995. It is interesting to learn that Ministers had been consulted before the Scott inquiry had been published. Those documents would demonstrate the weakness of the Select Committee structure and the strength of the Executive in controlling the ability of Select Committee to obtain evidence.

Standing Order No. 130, under which Select Committees operate, illustrates those weaknesses. The BMARC inquiry that is now under way will have the same difficulties as the super-gun inquiry. The transcript of our meeting with the President of the Board of Trade will reveal that he provided very little further access to people and papers. What do I mean by that? The Select Committee asked the President of the Board of Trade for access not only to present Ministers and civil servants but to past Ministers and civil servants. We wanted to question those who were making decisions at the time and it is a matter of fact that they included past Ministers and civil servants. Present Ministers and civil servants cannot provide those answers. Scott dealt with the matter adequately in section F of his report.

Members have to take that on board and decide whether we want to bring the balance back into Parliament. Do we want to give Parliament real powers of investigation, scrutiny and reporting back? If so, we have to revisit Standing Order No. 130. Although the Public Service Select Committee will examine that issue—that is one of the concessions that the Government have made—it must be perfectly clear that the powers have to be with the Select Committees and not be biased in favour of the Executive. Select Committees exist to scrutinise, and although one commends the development of Select Committees as part of the Executive, as the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said, we have the most powerful Executive in western Europe. Parliament must take that on board and see how we can bring them under much more scrutiny.

I shall ask the Public Service Select Committee to examine the accountability of present and previous Ministers and access to civil servants, which is also crucial. That, along with the transcripts of the private session, will throw some light on the matter.

Had Parliament been able to scrutinise the Executive more effectively and had the Select Committee been given wider-ranging powers, we would never have had to askSir Richard Scott to undertake his inquiry. It was a political question, but if the House had powers of scrutiny within the Select Committee structure, there would have been no need for Scott. That should be taken on board by all right hon. and hon. Members, to ensure that such an occasion does not arise again—and that Parliament is able to cross-check all the evidence relating to the Executive's actions. That means taking a completely new look at the role of Select Committees.

7.19 pm

Mr. Richard Needham (North Wiltshire): I am a non-executive director of the General Electric Company, and I was also the longest-serving Minister for Trade in this Administration.

The right hon. Member for Derby, South (Mrs. Beckett) knows that if her party were to come to power, it would be her responsibility and that of the hon. Member for Middlesbrough (Mr. Bell)—if they were so lucky to be appointed—to represent the interests of British industry and to fight for the orders for which British companies compete throughout the world. A large number of the Labour Members seated behind the right hon. Lady do not believe that this country's armaments industry should continue. The right hon. Member for Chesterfield (Mr. Benn) eloquently made that point. The hon. Members for Nottingham, East (Mr. Heppell) and for Cynon Valley (Mrs. Clwyd), who have written to me on numerous occasions, share the same view.

The more disclosure, transparency and discussion there is about the extremely difficult and complicated problems of exporting arms, the less likely it is that the order will be won. The more that British arms exports are undermined, the less this country is able to defend itself. It is impossible to conceive that the British armed services will ever require enough of everything to support an adequate UK defence industry. It will be the job of the right hon. Member for Derby, South and the hon. Member for Middlesbrough, if they have the opportunity, to ensure that this country's national interests are protected.

The hon. Member for Livingston (Mr. Cook) can wander in and out of the Chamber and box and cox, while having no particular interest in or experience of this nation's defence, which is to the fore of the national policy that the right hon. Lady will have to determine.

If more transparency and openness is wanted, perhaps we should consider the words of Sir Richard Scott, who was careful to examine the options. He questioned whether it was right for foreign policy issues to be criteria in determining export licensing:

> "Is it acceptable, for example, for a licence to export goods to Country A to be refused for the reason that the export may be objectionable to . . . Country B?"

I imagine that that is the sort of transparency and openness that the House would seek. If such considerations are to be prescribed in legislation, what will happen if a company asks for an export licence to Taiwan? It would have to be granted. What would be the consequences for the UK if we were to be forced by law to grant export licences for defence materials for Taiwan? What effect would that have on China or Hong Kong? If one goes down that route, it is almost unthinkable that one would

not be confronted with the most appalling problems of national importance, which were never foreseen by Sir Richard and could never have been.

Arguing the case for greater openness, Sir Richard, suggests the purposes against which export licences should be judged. They include, at K2.18(iv),

"the avoidance of assistance to human rights abuses in foreign countries".

What would that mean? British Aerospace is currently negotiating a Hawk order for India. If the British Government decided to grant that export licence, they would immediately find themselves subject to a judicial review brought by Amnesty International because of the violation of human rights in Kashmir by the Indian Government. That would be a wonderful way to win orders from India. Nobody believes that arms exports could be ring fenced from other types of exports—whether they be of water, telecommunications or electricity generating equipment. If the UK is not prepared to help a country to defend itself, that country will not be interested in placing other types of orders.

The right hon. Member for Chesterfield mentioned Indonesia as an example of a country to which we should not sell arms. What is Labour's policy on selling arms to Indonesia? I was constantly asked that question as Minister for Trade. In May 1994, the hon. Member for Nottingham, East asked whether arms exports to Indonesia should not be stopped. I replied that I thought not. The hon. Member for Livingston said:

"The Minister will appreciate the fact that this is a major humanitarian issue . . . He will be aware that Hawk aircraft have been observed on bombing runs in East Timor in most years since 1984. What assurances did he seek, before giving export licences . . . ?" —[*Official Report*, 11 May 1994; Vol. 243, c. 308.]

There is no evidence from the Ministry of Defence that any Hawks have been seen on bombing runs in East Timor in any year since 1984. Perhaps the hon. Member for Livingston should get his evidence from the Ministry of Defence, rather than from dubious television programmes. Anybody reading the hon. Gentleman's remarks would believe that Labour's policy is not to sell arms to Indonesia. Labour's policy was spelt out by the hon. Member for South Shields (Dr. Clark) in the *New Statesman* in November 1993:

"As for British Aerospace's proposes sale of Hawk ground-attack . . . "trainers" . . . to Indonesia, where the military dictatorship is actively suppressing occupied East Timor, Clark is in favour. South-east Asia needs a stronger security system, he says, and Indonesia must be part of it. This is clearly not the happiest part of the job for Clark. 'I'd like a world where there is no war and no weapons,' he says."

Is that still Labour party policy? Will it be the policy of a Labour Government? If Labour's policy has changed, who changed it? Is that the policy of the hon. Member for Livingston, or should I be generous and say that the hon. Gentleman did not know that it was Labour's policy? The hon. Member for Livingston accused two of my right hon. Friends—two men whom I have known virtually all my life, and who have more integrity than almost any other hon. Members—yet the hon. Gentleman's own policy on Indonesia contradicts that of the hon. Member for South Shields. If that is the case now, what on earth will be the position if the hon. Gentleman and his friends ever get in government? We heard something about Argentina. What about Nigeria? I suspect that that issue would not have been open to close scrutiny in the past.

When the right hon. Member for Derby, South speaks, she should show the House that any future Labour Government would act in the best interests of British industry and in the national interest. She should not continue to make cheap party political points, when Labour Members cannot agree policy even among themselves.

7.28 pm

Mr. Andrew Faulds (Warley, East): The dissertation of the right hon. Member for North Wiltshire (Mr. Needham) might be more relevant on another occasion, when the House is discussing business ethics. Tonight, we are debating the Scott report—the hon. Gentleman occasionally alluded to it.

Both law officers, the Solicitor-General and the Attorney-General, according to the definition in the "Oxford Companion to Law"—I always consult the best works of reference—are appointed from supporters of the party in power and are expected to defend the legality of the actions of Government Ministers. That definition could explain the extraordinary record of the present Attorney-General, the right hon. and learned—I have to use these phrases—Member for Mid-Bedfordshire (Sir N. Lyell). Look at that record, which provides the most cogent argument for the depoliticising of the right hon. and learned Gentleman's job.

Look at the Attorney-General's handling of the Asil Nadir case and the Maxwell brothers saga. Then recall the right hon. and learned Gentleman's dismissal of a Serious Fraud Office forged letter as an April fool's joke—until another turned up. This is the right hon. and learned Gentleman who disregarded the insistence of the right hon. Member for Henley (Mr. Heseltine) that the judge and the prosecuting counsel in the Matrix Churchill case should be informed of the right hon. Gentleman's reservations about signing public interest immunity certificates. Sir Richard Scott said of the Attorney-General—it is in the report:

"I do not accept that he was not at fault."

He stressed that

"the public interest dictates that the need for a fair trial outweighs the sensitivity of the documents".

That is not what happened. The Attorney-General was prepared to allow three innocent men, of whose activities the Government well knew, to go to prison to save the pelt of his Cabinet colleagues—[Hon. Members: "Rubbish."] That is the fact of the case, however much Conservative Members may disagree with it. They should read the report, because most of them have not.

Mr. David Shaw: The hon. Gentleman is acting again.

Mr. Faulds: I make better speeches than pretend parliamentarians with their dishonourable records.

He is an Attorney-General, incidentally, who has never questioned the fact that the Tory party is funded in large part by a crowd of crooks and fraudsters. Any denials? There seem to be none, despite my prompting.

Then there is the Chief Secretary to the Treasury, a man born to the purple who practises the arrogance of the true aristocrat. His very profile breathes disdain. The House should not misunderstand me: some of my best friends are aristocrats, and I have in my collection of English

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pottery a bulbous Staffordshire creamware mug bearing the motto "Chewton and Hay Forever"—perhaps the hon. Gentleman remembers the phrase. It is in delicate pink lettering, surrounded by roseate wreaths—a lovely piece. The motto is the election memento of one of the right hon. Gentleman's parliamentary ancestors of about the year 1780—I stand open to correction on that.

Such fellows—the right hon. Gentleman and his ancestor—assume entry to Parliament to be their birthright. Such as they judge their privy decisions to be beyond question and, of course, above their responsibility to account to Parliament. The Chief Secretary was one of the gang of three—a bunch of somewhat undistinguished junior Ministers—who composed the changes in the guidelines that permitted an increase in the provision to Iraq of weapon-making equipment, and a shift against Iran. The right hon. Gentleman thought the rewording so inconsequential as not to merit mention to the House; and besides, the public might not like it.

So the right hon. Gentleman denied the implications in a couple of dozen letters to Members of Parliament. Had he had my fortunate experience of playing both Falstaff and Mark Anthony—both brilliantly—and had he remembered their dissertations on honour, he might have had more conception of what honour is.

It is stated in the Scott report that the Chief Secretary's responses were "sophistry". That of course is the gentlemanly way of denoting fibbing. Sir Richard also reported that Parliament was "deliberately" and "designedly" misled. If the Chief Secretary was not deliberately and designedly misleading both Sir Richard and the House of Commons, we can only conclude that he is a simpleton. This fellow of All Souls, this scholar of Eton must be a simpleton. He did not understand the implications of the words that he had written into the guidelines.

The Prime Minister has tried to control—it is only too obvious—the Scott report. Last year Sir Richard produced a provisional report so that those criticised could suggest corrections—in other words, could water down the more direct criticisms. Apparently—this is an astonishing fact—more public money has been spent on civil servants monitoring the passage of the report and managing the response to it than was spent on Sir Richard's tribunal costs.

The personae fingered in the report were allowed eight days of pre-publication examination; but Opposition leaders were granted two and a half hours under strict oversight. Back Benchers, the poor bloody infantry, were permitted 10 minutes to collect their lumpy packages, lug them into the Chamber and study them. What a generous gesture—10 minutes to study a 1,800 page document.

Sir Richard stated that the report should simply have been presented to Parliament and then made available to Government, Opposition, media and public, so that we could examine it properly. That is not asking too much.

There followed the original debate. The right hon. Member for Galloway and Upper Nithsdale (Mr. Lang), who is unfortunately not here now, in a ludicrously aggressive presentation, managed to convince himself that it was all the Opposition's fault and that the Government were blameless. His performance, perhaps after a little thought, this afternoon was somewhat more plodding and pedestrian.

Then followed—this is all part of the history, furious briefings by the Government to manipulate the media response to the whole issue. The conduct of the Government in this respect has been disgraceful and only too obvious. Sir Richard has complained in a letter that his report is being misrepresented by Ministers—how true that is. But the very terms and tenor of the Government's reaction, and their obfuscation, have been counter-productive, as we observe the more honourable Tory Members peeling off the parade.

The more Conservative Members have the political courage and moral honour to cast proper judgment on the Scott report and vote against the Government tonight, the more they will do to restore a little of Parliament's lost standing.

7.35 pm

Mr. Quentin Davies (Stamford and Spalding): I greatly welcomed the Prime Minister's decision to set up the Scott inquiry. It seemed to me designed to establish higher standards of integrity and openness in public life. It seemed an admission that, if there had been problems or allegations, the Government did not mind having a learned judge take an independent look at the machinery of government. It was a fine and brave decision, and I proudly hoped that we would stay on that high road.

Over the past few days, however, I have been somewhat disappointed. I was disappointed by the speech made this evening by my right hon. Friend the President of the Board of Trade. He made a characteristically able speech, in which he mentioned a great many things—everything and anything, as far as I could see, including arms sales policies of the 1960s and information technology arrangements in the Customs and Excise. Indeed, he mentioned everything except the subject that we ought to be examining tonight.

The subject that we should examine tonight concerns the fact that the learned judge, Lord Justice Scott, has after three years has come back to the House with his five volumes and his 1,800 pages of detailed analysis and with the considered judgment that the Chief Secretary to the Treasury was guilty of misleading Parliament.

Unfortunately, there is absolutely no ambiguity about these judgments. I offer hon. Members three small extracts. The first reads:

"Mr. Waldegrave knew, first hand, the facts that, in my opinion, rendered the 'no change in policy' statement untrue."

That comes on page 475 of the report. The second example comes from page 495 of volume I:

"The answers to PQs, in both Houses of Parliament, failed to inform Parliament of the current state of Government policy on non-lethal arms sales to Iraq. This failure was deliberate".

The third example is to be found on page 507 of volume I:

"the Government's statements made in 1989 and 1990 about policy on defence exports to Iraq consistently failed . . . to comply with the standards set by paragraph 27 of the Questions of Procedure for Ministers and, more important, failed to discharge the obligations imposed by the constitutional principle of Ministerial accountability."

We have two tasks before us this evening, and we had better fulfil them properly and make sure that people outside this House, and generations to come, recognise

that we have faced up to the issues. First, will we accept the judgments of Lord Justice Scott of the type that I have just read out? Secondly, if we accept them, what will we do about them? Before considering these questions, I want to issue a plea: that nothing we do in this House—I am not referring here to the Chief Secretary—can afterwards be said to have left the rest of us open to the charge that we did not always discharge our obligations with the highest degree of good faith and clarity.

Let us, therefore, not deceive ourselves. Let us not be carried away or allow ourselves to fall into the temptation of being diverted so comfortably into talking about something else so that we do not have to face the harsh reality before us. In that context, I hope that we hear nothing more about whether there was a change in the guidelines or whether the guidelines were simply being flexibly interpreted—because of course there was a change in the guidelines. There are two separate sets of guidelines: those of November 1984; and the separate text, which was agreed in December 1988, and implemented from February 1989. They are referred to in the report: the first set is referred to on page 171, and the second set on page 397. I do not have the time, in the 10 minutes that I have to speak, to read them out, but they are there. So let us not fool ourselves; there were two separate guidelines.

When each set was independently valid, from 1984 to 1988 and from 1989 to 1990, it is perfectly true that they could have been interpreted more or less flexibly. But it is absolutely clear beyond a peradventure from all the evidence in the report that the whole of the Whitehall machine was working on the first set of guidelines until February 1989, and then it worked on the second set of guidelines. It is perfectly clear that the third guideline—No. 3 in the Howe guidelines; C in the separate set of Waldegrave guidelines—were conceptually very different and that very different decisions were taken. The acid test—the control experiment—is that there are at least three items for which export licences were refused correctly under the Howe guidelines, in 1988, and were accepted under the Waldegrave guidelines in 1989. Those items were a tactical radar system produced by Plessey and two simulators from Marconi and Ferranti. So let us not fool ourselves about that.

Let us also not talk about whether it is reasonable to make changes in arms sales policy—of course it is. No one is denying that; it is no problem at all. But it is very different to make changes and then pretend to the House that they have not been made. That is the point.

Let us also not fool ourselves and spend time talking about whether we perhaps should not have a policy on the disclosure of arms exports or whether we should have a policy of greater disclosure. I would perfectly accept arguments in the national interest that we should say nothing about our arms exports to the middle east. I would have been perfectly happy to accept that, and if Ministers had done that I would not have quarrelled with it, but they did not. They pretended that they were making statements that were relevant, true and informative to the House; the statements that they made were anything but that.

Let us also not spend too much time—although, of course, the point is important—discussing the integrity of my right hon. Friend the Chief Secretary. I accept his integrity and that he did not wish to mislead the House. I entirely accept that he never thought, "Wouldn't it be nice to mislead the House of Commons? How can I best do that?" I accept that entirely and I accept, as the judge did, his sincerity in that matter but, whatever may have been his subjective sentiment at the relevant time, the objective fact—I shall prove it in a moment—is that he did mislead the House. Therefore, I am afraid that he has made a very serious mistake.

I have no wish at all to deprive the Government of an extremely able Minister and a man for whom I have always had a high personal regard, but I am afraid that he must take responsibility for that mistake. Whatever happens tonight, it must be made clear that someone is taking responsibility and that the principle has been restored that Ministers remain fully accountable to the House of Commons.

I do not have much time for quotations in the short time allotted to me in this debate, but I shall provide a couple to reinforce the point. On 7 February, my right hon. Friend, through his private secretary, replied to Mr. Alan Clark:

"Mr. Waldegrave is content for us to implement a more liberal policy on defence sales, without any public announcement on the subject."

That was on 7 February. Over the next few months of April, May, June and July, my right hon. Friend sent a series—some 30-odd—of letters saying:

"The Government have not changed their policy on defence sales to Iraq or Iran."

We find in the report that, from 8 February—the next day—the Ministry of Defence working group meeting was saying that

"We now have the new guidelines. We are working on those."

The whole bureaucracy went into a new gear and implemented loyally the new guidelines. There is some evidence that some of the civil servants did not approve of them, but that is another matter. They implemented them loyally.

We then have another direct quotation of my right hon. Friend. On 28 March, he wrote an internal memorandum, again to another Minister, to say he saw

"no reason to change this flexible approach for applications to export defence related equipment to Iraq . . . we should now revert to the stricter implementation of the present guidelines as applied to Iran"

In other words—

Mr. Deputy Speaker: Order. Time is up.

7.45 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): We should remember that we are a working Parliament and that we are rightly proud—if we are to be more than a tourist attraction—of our record in calling successive Governments, whether they were represented by Ministers or by mandarins, to account.

The facts are set out in Vice-Chancellor Scott's report, and it is left to us to form the judgments and to make the conclusions. We should recall, too, that the deceits that are recorded in his report are still continuing.

Only last week, an hon. Member was told in a parliamentary reply that mortar-locating radar was sold to the Iraqis in the 1980s because it was deemed at the time not to be a significant enhancement of the Iraqis' ability to make war. We can clearly see from the Scott report what that meant at the time. The report recounts how Lord Howe, then the Foreign Secretary, reviewed defence sales

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to Iran. He was told by senior officials that we had sold 10 times as much defence equipment to the Iraqis as we had to the Iranians. The reason was that Iraq was

"better equipped already, so a given item might well not be a significant enhancement for Iraq, but would be if sold to Iran."

So the Iranians, who were poorly equipped and relying on human wave attacks, would find mortar-locating radar very useful—it would be a "significant enhancement"—but the Iraqis were already equipped to mow those attacks down and would not find them such an enhancement. The supply of mortar-locating radar would, therefore, have made only a slight difference to them. That is the quality of argument that Lord Justice Scott found rehearsed between the Foreign Secretary and senior Foreign Office officials on 7 November 1986. How shameful, how disgusting and—as it turned out—how utterly mistaken was that argument.

The report demonstrates that a Minister approved the diversion of 29 armoured recovery vehicles—tank hulls fitted with cranes—from Jordan to Iraq, in flagrant breach of all the undertakings that had been given to Parliament. That was done, and it was concealed.

The exporters were not always shady outfits from the grimmer reaches of the M25. In one dramatic case, a Government-owned company committed that type of offence. In 1986, a British Government-owned company sold to the Iraqis British designs for a specialist weapons testing centre to be built at Basra. That company, whose sole shareholder was the Ministry of Defence, wrote to the Ministry of Defence that it was conscious of the need for a low profile. The company also stated that the Iraqi officers, who were to be trained to use the weapons testing centre, were to be designated and disguised as civilian Government servants during their stay in the United Kingdom. What did the Ministers and civil servants responsible at that time imagine that the weapons testing centre would be used for? Table tennis? Nor was that deal good business, because the export credits on the contract were never paid. Saddam did not pay and the British taxpayer paid more than £700 million.

There can be no doubt that Britain played its part in building up Saddam's strategic weapons capacity. When a defence intelligence expert was first told of Space Research Corporation's rather odd order in 1988 for the largest forgings placed with a British company since the second world war, he pointed out to his superiors and to the export controllers that his friend, Mick Bayne, formerly of the Royal Armament Research and Development Establishment—one might feel that that was a hint of a clue—worked for Space Research Corporation. Yet no inquiries were made and neither defence intelligence nor the export controllers followed up that very obvious hint. One might feel that an exchange of Christmas cards might have done it—"Dear Mick, how are the kids and what are you doing with the largest forgings built in Britain since 1945 at your company, Space Research Corporation?" Incredibly, it took another 18 months for the super-gun to be discovered. If the intelligence services function like that, they should not be allowed out after dark without a police escort. That is a record of the most demonstrable incompetence and somebody must be called to account.

Of course, when the super-gun was discovered, the reaction of the Government was to lie about it for the next three years and to conceal the truth. Sadly, it was concealed from the Select Committee on Trade and Industry—when it looked into the super-gun affair—that, since May 1989, there had been a specialised Iraqi procurement control operation. It was also concealed from the Select Committee that Sir Robin Butler had conducted an inquiry into the super-gun and had come up with much the same conclusions as the Trade and Industry Committee was later to come to, with one exception. If the Trade and Industry Committee had had the same information at that time, it would have gone further and certainly the Matrix Churchill trial would never have occurred.

If this affair is to pass without correction and without investigation and if we are to have so little control or interest in what Ministers and mandarins do in our name, the rights of Parliament will count for nothing. Certainly if we continue to talk of our honour, anyone still listening to us will rightly start counting his spoons.

7.53 pm

Sir Kenneth Carlisle (Lincoln): I am glad to take part in this debate, especially as I was appointed a Minister in the Ministry of Defence 10 days before the Gulf war broke out. All of us can agree that Scott wrote a weighty report that certainly deserves a considered response. There are lessons to be drawn from the report, to which I shall return.

If we are to consider the report properly, we must get away from the fevered efforts to gain political advantage from it which, perhaps inevitably, have grabbed the limelight since publication. Those efforts are assisted by the fact that any interpretation can be drawn from such a lengthy document and we can all find quotations to support our lines of argument. If we take the time to stand back and review the central issues on which the inquiry was established, we see that in reality the facts simply do not bear out the main charges made. Scott resolved the report in favour of those who were charged, and that conclusion needs repeating and reiterating.

First, there was simply no conspiracy to send innocent men to gaol.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker. Is not this yet another abuse of Parliament and yet another former Minister who has been sent by the Tory Whips to sing exactly the same song from the same hymn-sheet?

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I sense that that might be a criticism of the Chair.

Mr. Sheerman: No, it is a criticism of the Whips.

Mr. Deputy Speaker: Order. If it was a criticism of the Chair, I would be grateful if the hon. Gentleman would withdraw it.

Mr. Sheerman: I totally withdraw any criticism. I never intended any criticism of the Chair, but we all know that behind the Speaker's Chair certain pressures are applied by the Whips. It is very suspicious that very few independent Back Benchers have spoken from either side of the House.

Mr. Deputy Speaker: Order. The Chair knows nothing about what happens behind the Speaker's Chair.

Sir Kenneth Carlisle: I resent that allegation most strongly. I have my own views. I am not standing for

election again and I have not spoken before in this Session. I have every right to give my sincere views and it is shameful that the hon. Member for Huddersfield (Mr. Sheerman) should take that view.

The two main decisions were, first, that there was no conspiracy to send innocent men to gaol and, secondly, that lethal arms did not go from this country to Iraq during the period in question. We must consider those two issues.

In an article recently in *The Times*, Lord Alexander of Weedon, a former chairman of the Bar Council, described the Attorney-General as

"an able lawyer, a good advocate and a man of total decency and integrity".

It would surprise me if the House did not agree with those sentiments.

There will always be disagreement about the interpretation of the law—indeed, that is why we have an appeals system from one court to another—but my right hon. and learned Friend the Attorney-General gave careful consideration to the issues. It seems to me that the bulk of legal opinion backs his views. Significantly, the Master of the Rolls backed my right hon. and learned Friend's use of public interest immunity certificates in criminal cases. We must remember that the rules on PII certificates are judge-made. They are not made by politicians but by law as interpreted by judges.

Some commentators have mischievously described PII certificates as gagging orders and the Opposition have sought to reinforce that in the public mind, but that is not the case. As we all know, it is for the judge to decide what documents are required by the defence to secure a fair trial. In the Matrix Churchill case, the system worked as it was designed to work. The defence lawyers agreed with the working of the system and the men were not found guilty. The Attorney-General also alerted the Treasury solicitor to the reservations of my right hon. Friend the Deputy Prime Minister. If the House is prepared to set aside politics, we should accept that the Attorney-General's interpretation of the law was well grounded. There was no evidence that anyone was gagged and the judge had sight of all the relevant documents. The system worked well and just as it was intended to do. There was certainly no conspiracy to convict innocent men, as some have so ignorantly claimed.

I now turn to the case of arms sales. It is self-evident—and I have some experience of this—that as a country we have the most careful and meticulous of policies among arms manufacturing countries. We are more careful about the countries to which we export arms than, I think, any other country. Anyone who reads the Scott report will be informed of the almost endless meetings and discussions that reflect our concern. There is a struggle to find the right balance between the ethical approach, national security and a valid wish to protect industrial jobs that are so precious to those who have them. Would there have been such meticulous discussions in other European countries, such as France? Would other European countries have agonised over the interpretation of the guidelines? I submit not.

In the end, the supply of military equipment to the evil regime of Iraq was minuscule. My right hon. Friend the Member for Bridgwater (Sir T. King), with whom I had the honour to serve in the Ministry of Defence, has vividly brought reality to the House. We should take note of his words.

The Scott report clears the Government on the main charges, but we should consider carefully the proposals for reform. There are lessons to be learnt. I agree with my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) that we require more open government. We have been moving towards it, but we can do more. We should be more open except where national security makes that impossible. Every Minister—this applies to Ministers of all Governments, and I was a Minister in this Government—knows how easy it is to give unhelpful answers. We all know how easy it is to stonewall. I am glad that we are considering again how we could be more forthright with the House.

My right hon. Friend the President of the Board of Trade made a fulsome response to some of the recommendations that are set out in the report. For example, we are to re-examine the information that is available on arms exports. We shall consider export controls and the licensing procedure. We shall consider also the role of Customs and Excise in prosecutions and the relationship of that body with the Attorney-General. We shall explore the scope of PII certificates. At the same time we must always consider the practicalities. Government is difficult. My right hon. Friend the Member for North Wiltshire (Mr. Needham) produced some carefully worded guidelines on how difficult government is and how practical we should seek to be.

As I have said, government is never easy. We all know that. A Minister is surrounded by conflicting issues and contradictory demands. He must find a way through much advice and many difficulties to arrive at sensible decisions. I am convinced that, in the real world, my right hon. Friends conducted themselves correctly and with integrity. Indeed, the Scott report absolves them of the two main charges levelled at them and the Government by the Opposition.

8.2 pm

Mr. Jim Cunningham (Coventry, South-East): We have had about four and a half hours of debate on the Scott report. So far, however, I have heard no mention of the consequences of the collapse of Matrix Churchill and the effect of Ministers' actions, directly or indirectly, on the employees of the company. For various reasons the employees were not allowed to present a case for compensation. They were allowed to give written but not oral evidence. In effect, they were not given their day in court. We claim that we are a just society, but in a major investigation—probably one of the biggest this century—some of the principal players were not allowed to give oral evidence.

We have heard much about the national interest, but what about the local interest? What about the people of Coventry? What do they think about these events? Ministers and Conservative Back-Bench Members have not said a word about the feelings of the people of Coventry. They have not talked about those who were employees of Matrix Churchill. That is well documented, however, and I do not want to go through it this evening.

It was the collapse of Matrix Churchill in 1992 that triggered the Scott inquiry. That in itself merits an investigation. The collapse left over 600 skilled men and women—many in my constituency—out of work. It is an area that had already witnessed the decline of the manufacturing and engineering industry. Those employed

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in the manufacturing industry in the west midlands, and especially in Coventry, had experienced the traumatic recession of the 1980s. Yet these people were denied access to justice through an inquiry into the collapse of Matrix Churchill.

An inquiry would have served several purposes. It would have established whether Matrix Churchill would have collapsed without Government interference in its affairs. It would have established also whether ex-employees were entitled to compensation for loss of employment. It would have given ex-employees the chance to present their case. As I have said, that opportunity was denied them during the Scott inquiry, except for written evidence. It has been suggested for some while—at least since Sir Richard Scott defined the remit of his inquiry—that there should be a second inquiry. That is the only way in which the ex-employees will get justice.

Ministers and civil servants had the opportunity to defend themselves and present their version of the truth. While that took place, the ex-employees watched from afar. They were not allowed to give oral evidence at the Scott inquiry, despite the fact that their livelihoods vanished with the collapse of Matrix Churchill. They are the forgotten victims. I remind the House of their grief, their loss and the need for justice on their account.

The Government have claimed consistently that there is no case for a separate inquiry into the collapse of Matrix Churchill. The Government's principal argument has been that the company was over-reliant on the Iraqi market. When United Nations sanctions were imposed on Iraq after the invasion of Kuwait, the market was lost and the company collapsed. The Government said in April 1994 that the company was trying to find orders at what can be described only as a very bad time. They said that it was as simple as that. Such loftiness would be laughable were the future of more than 600 people not at stake. But the case is far from simple.

There are many reasons why there should be a separate investigation into the collapse of Matrix Churchill, some of which I shall outline briefly. Was the company sustainable without the Iraqi market for its goods? The evidence is that, at the very least, there was a good chance that it was. From the 1950s, Matrix Churchill developed and marketed CNC lathes and manufactured thread-grinding machines. As at the time of the collapse there were only four thread-grinding machine manufacturers in the world, Matrix was well placed to divert its energy into that market. In addition, Matrix was the leading lathe manufacturer in the United Kingdom and the most advanced technologically. If any UK company could have branched out into new world markets for lathes, or built on existing ones, the evidence points clearly to Matrix Churchill.

It must not be forgotten that in 1991 the company was planning a new range of lathes, which it was confident would be world beating. Although it is true that it exported heavily to Iraq, the middle east was not its only market. It traded also with Germany and Japan. Indeed, it exported 60 per cent. of its products, excluding those to Iraq. Had the company had the same encouragement to develop its markets in other areas—the encouragement that it was given to trade with Iraq—there may have been many potentially lucrative markets.

It was not only to Germany and Japan that Matrix could have looked. In the early 1990s the company was beginning to build relations with eastern Europe. It was planning to involve itself in the rebuilding of the manufacturing industry of the former eastern bloc. It may be speculative to suggest that eastern Europe could have been a lifeline, but there is strong evidence to suggest that it might very well have been that.

Eastern Europe desperately needed manufacturing expertise. Matrix was a leading UK company, with a proud tradition and a highly skilled work force. It could have become involved in, for example, Poland, the Czech Republic and Hungary. Such markets could have helped to sustain the company. In short, the case that Matrix was nothing without Iraq is far from true. There were other markets in which it could have become involved. An inquiry would have been able to examine whether Matrix would have survived. The very fact that the question is uncertain merits an inquiry, not least because the livelihoods of so many people are at stake.

That brings me to my second point: whether Government involvement was in any way to blame for Matrix Churchill's demise. That is central to the ex-employees' argument for compensation. If Government interference was partially to blame, the case for compensation is irresistible. Again, an inquiry would establish the truth.

It is clear from the evidence, for I want to stick to the evidence, that Matrix Churchill was encouraged by the Government to export to Iraq. If, as the Government claim, the company was over-reliant on Iraq, the Government are to blame. At a meeting between a former Minister of Defence, Alan Clark, and Matrix Churchill executives, Mr. Clark advised on how to make applications for export licences. It was given the nod to export to Iraq. No attempt was made to encourage exports elsewhere. Therefore, had the Government demonstrated reluctance to grant further export licences, Matrix Churchill may have been forced to redirect its efforts. The other markets, which I have described, would have been exploited. Iraq would have been left aside. The Government gave no consideration to that, and for that reason alone there is a strong case for a separate inquiry.

It is evident that Matrix Churchill was being used, through the work of one director, to gather information on Iraqi procurement. Did that contribute directly or indirectly to the collapse? A separate inquiry would establish that. Yet there is one more aspect to consider. There was a chance of a management buy-out—a chance that collapsed with the company. Matrix Churchill was controlled by Iraqi directors through a company called Technology Development Group. The management of Matrix Churchill planned to buy out the Iraqi equity and achieve sole control. That was also the intention of the Iraqi directors. On 21 December 1990, the executives cleared a statement with the Department of Trade and Industry, which read:

"The directors are more confident that the deal to buy-out the Iraqi financial interest will succeed."

It continued:

"At a meeting this week, the DTI recognised our efforts and indicated that a speedy resolution of our plans to acquire 100% equity in the business would be welcomed."

There appears to have been sufficient interest in Matrix Churchill for a buy-out. Financial backing was available. But the arrest of Matrix Churchill directors, leading to a

trial that should never have taken place, scuppered the buy-out deal and signalled the demise of the company. That mistake on the part of the Government—a conclusion reached in the Scott report—cost Matrix Churchill its future and the jobs of more than 600 people.

Government chaos and poor intelligence co-ordination contributed directly to the collapse of the buy-out. That must merit a separate inquiry into the collapse. At the very least, it would establish the degree to which the Government are culpable. In addition, it would determine whether the ex-employees of Matrix Churchill are entitled to compensation.

It is ironic that the Iraqi Government are—if reports are true—to be allowed to use frozen assets in this country to claim compensation against the firm that bought Matrix Churchill. How ironic indeed that British courts are to be used to pursue a British company when such action is denied to British employees. I hope that it shows the injustice that has been suffered by the ex-employees. They must not be forgotten in this debate.

8.12 pm

Mr. Rupert Allason (Torbay): May I remind the House that one of the most important people involved in the debate today is Paul Henderson? He is a man who volunteered his services to the Security Service when he was travelling behind eastern Europe. He was subsequently recruited by the Secret Intelligence Service. In my judgment, and, indeed, that of Mr. T, who gave evidence for him at the Old Bailey, he is a very brave man, particularly as he was willing to go back to Baghdad after the execution of Farzad Bazoft.

In my judgment, officials in Whitehall would have been better off trying to find ways to get Mr. Henderson a medal than trying to put him in prison. It is a fact that there was a conspiracy to put him in prison. If one reads volume 3, and all of section G, one will see that it is quite clear that every possible obstacle was put in the way of his defence. It is also perfectly clear that the support that was given, in terms of documents to the defence, was given grudgingly. That is also in the report.

Mr. Henderson was the subject of public interest immunity certificates, and I shall pursue that issue, as it is important. It is not just a matter for spies and arms dealers. PIIs are used all too frequently, particularly by abusing the term "national security". There are several different ways in which one can apply for a PII certificate, and using the words "national security" takes the matter into a completely different category.

As is made clear in G11.9, in November 1991, the Home Secretary signed a certificate to say that, if documents went to Matrix Churchill defendants, it would result in

"innocent civilians both inside and outside the United Kingdom"

being killed. The only innocent civilian who was putting his life at risk and was likely to be killed was Paul Henderson, and all he wanted was confirmation from the Government that he had worked for MI5 and the Secret Intelligence Service.

Mr. Bellingham: Will my hon. Friend give way?

Mr. Allason: I shall not, I am afraid.

There is clear evidence of the abuse of the term "national security". Look at G10.28. Government lawyers took three particular lines. Their third line of defence was applications for PII certificates on the grounds of national security. It is astonishing that the abuse of the words "national security" in applications for PII certificates was disputed by David Bickford, legal adviser to SIS and the Security Service. That is quite clear in G18.40.

The precedents for national security are also quite clear:

"If a responsible Minister stated that production of a document would jeopardise public safety it is inconceivable that any Court would make an order for its production."

That is what Lord Justice Donaldson said was, in effect, a trump card.

I quote again a judgment used as recently as 1993:

"The decision on whether the requirements of national security outweigh the duty of fairness in any particular case is for the Government and not for the courts; the Government alone has access to the relevant information, and in any event the judicial process is unsuitable for reaching decisions on national security."

It is quite clear that only Ministers can decide these issues. They should not pass the matter to the courts.

Indeed, in a case in which I was directly involved, where I was the defendant, my right hon. Friend the Member for Witney (Mr. Hurd) said in his certificate:

"The preservation of national security is the duty of the Crown which alone is effectively equipped to judge its dictates."

In short, the words "national security" turn PIIs into a trump card, to the disadvantage of defendants.

Mr. Bellingham: Will my hon. Friend give way?

Mr. Allason: No, because time is pressing.

The idea that some of this damage to national security could be "unquantifiable", as described by my right hon. Friend the Member for Watford (Mr. Garel-Jones), is quite risible.

I now deal with the conduct of the Attorney-General, whose integrity I do not doubt for one moment. The fact, however, is that he failed to stop the prosecution at an early stage. It is also the case that somebody somewhere failed to tell the judge of the President of the Board of Trade's reservations about the certificate that he had signed. Most significantly, the advice that the Attorney-General gave regarding PIIs and the duty of Ministers was perceived by Lord Justice Scott to be wrong. If Scott is wrong, the offence is even greater, because there was no even-handed approach to the suppression of the documents going to the defence, because the PIIs were used only to disadvantage the defence.

The fact is that, even after calling in the Matrix Churchill papers, the Attorney-General still had no idea that Henderson was an SIS agent. The question that has yet to be addressed is why the Director General of the Security Service, Sir Patrick Walker, or the chief of the SIS, Sir Colin McColl, simply did not take a stroll down Whitehall to Buckingham gate and tell the Attorney-General, "This is our man." What message does that give to other people who wish to assist our security and intelligence services?

As regards the future, I very much hope that we shall have a complete review of the way in which PIIs are used. I should like to see a Crown Immunity Bill so that we can

[Mr. Allason]

get rid of the mess of judge-made law. I would like it in statute, so that we can all understand the criteria by which Ministers can or cannot claim public interest immunity. I should also like a substantial review of Customs and Excise to be carried out, removing its right to bring independent prosecutions, and making it subordinate to the Crown Prosecution Service.

It is clear from paragraph 27 of G17 that Customs and Excise was out of control, and working on auto-pilot. The letter from the chairman, Sir Brian Unwin, to Sir Colin McColl complaining about the evidence of his officer in the Old Bailey, describing Paul Henderson as a very, very brave man, is one of the most disgraceful letters that I have ever seen. Sir Brian should be ashamed of himself; but I am delighted that, at least on that occasion, Sir Colin was willing to stand up for one of his officers.

No doubt the compensation issue will be dealt with elsewhere, but the fact remains that 700 people lost their jobs at Matrix Churchill. Some two and a half years ago, I wrote that it struck me as appropriate for about seven others to lose their jobs at Westminster. I hope that, when he winds up, my right hon. Friend will agree that PII certificates should never again be used in a criminal case to cover whole classes of document; I also hope that he will agree that there should now be a presumption of disclosure, not suppression.

As for the squabbling of judges and lawyers in the columns of *The Times* about who is right and who is wrong about public interest immunity and Crown immunity, let us make that a matter for the House. Let us pass statute law once and for all, so that we never again see such a disagreeable mess—a mess that could have allowed innocent men to go to prison. We must err on the side of disclosure, even if that means redacting documents and blotting out sensitive areas. PII certificates are a legitimate instrument to protect witnesses and the identities of informants, but it is high time the House acted to prevent future abuse.

I do not care so much about the export of dual-purpose machine tools to the middle east, and I am not particularly concerned about the writing of disingenuous letters to my parliamentary colleagues; but I do care about PII certificates, because they can affect all our constituents. I am currently in touch with two gentlemen who feel that they are the victims of injustice, because evidence that they wanted to deploy in their defence was suppressed through instruments of this kind—instruments that can give rise to considerable injustice.

If the House is to send any message to people who wish to support our security and intelligence services in the future, those people must be certain that the full weight of Whitehall supports them. They do not want spineless bureaucrats trying to protect their own backsides, and trying to ensure that innocent men go to prison.

8.22 pm

Mr. Terry Davis (Birmingham, Hodge Hill): Several Conservative Members have tried to suggest that this whole affair resulted from the Government's concern for exports and jobs. They should try telling that to my constituents who used to work at Matrix Churchill, and lost their jobs in the aftermath of the prosecution of three of its executives. They should try telling it to my constituents working at BSA Tools, whose managing director was arrested and charged. The charges were eventually dropped, because a Government document supporting his defence had belatedly come to light.

The debate is not about exports, jobs or the arms trade; I wish it were. It is about Sir Richard Scott's report. There should be no difference between us about the facts found in that report. Sir Richard says that the guidelines for exports to Iraq were changed, and I make no complaint about that; the Government were entitled to make the decision.

Sir Richard also finds, however, that among Ministers present at the meeting was the present Chief Secretary to the Treasury, the right hon. Member for Bristol, West (Mr. Waldegrave). That cannot be denied. He also finds that it was decided that full disclosure should not be made to the House of Commons. The Government and the Opposition will disagree about whether full disclosure should have been made, but that is not the real point. Sir Richard goes on to find that the right hon. Member for Bristol, West sent 38 misleading letters to Members of Parliament who had inquired about the guidelines for exports to Iraq, and that is wrong.

Lawyers tell me that, according to a legal principle, "The thing speaks for itself." If someone takes action that has obvious and automatic consequences, it can be assumed that that person intends those consequences. I should have thought that sending 38 misleading letters would mean that the intention was there. I can understand someone's making a mistake once or twice; I can understand their sending five misleading letters; but what about 10, 20, or even 38?

The right hon. Member for Bristol, West—the present Chief Secretary—says that he did not intend to mislead those 38 Members of Parliament, and Sir Richard Scott believes him. As the right hon. Member for Bristol, West is not only an honourable Gentleman but a Privy Councillor and therefore a right honourable Gentleman, we must believe him: we must believe that he did not intend to mislead when he signed those letters. Sir Richard says, however, that the letters were designedly misleading, so someone intended to mislead the 38 Members of Parliament.

Of course, we all realise that the right hon. Gentleman did not sit down and dictate 38 letters. They were drafted for him, and they were drafted to mislead the recipients. One civil servant has had the moral courage to resign, but others are still there, and some seem to have been promoted. That is wrong, but it extends to a high level in the civil service.

I see no evidence that the Government will do anything about the way in which the civil service has behaved. The Scott report has destroyed any faith I had in the honesty and integrity of the civil service, and I believe that the same applies to most of my hon. Friends—and, perhaps, many Conservative Members. I am afraid that the question of what is to be done to restore that honesty and integrity, and the respect in which the civil service used to be held, will have to be put to a Labour Government after the next general election, because we shall see no action from the present Government.

The guilt of the civil service, however, does not let the Chief Secretary off the hook. He signed 38 misleading letters. I can think of only two explanations. Perhaps the right hon. Gentleman does not read the letters he signs:

perhaps he simply writes "Dear Tom, Dick or Harry . . . Yours, William", in which case a rubber stamp might as well be issued to civil servants. I do not think that he is as negligent as that, however. We must assume that, in his previous capacity, the right hon. Gentleman signed 38 misleading letters, having read them. He must have been in a position to know that they were misleading—as Sir Richard Scott has found—but did not realise that they were misleading. He just did not understand.

The right hon. Gentleman was present at a meeting that changed guidelines; he signed letters that said that those guidelines had not been changed; but he did not make the connection. He did not understand. Now he says that he did not intend to mislead—but we know that the letters were misleading. The Treasury has admitted that. Having put out a press statement a week ago saying that they were not misleading, it put out a new press statement saying, "Ah—we missed out the word 'intentionally'." The letters were misleading, but they were not intentionally misleading. The Chief Secretary did not intend to mislead 38 Members of Parliament; he just did not understand.

Now the right hon. Gentleman shelters behind his lack of understanding. He is a very honourable—indeed, right honourable—Gentleman, but he shelters behind that lack of understanding, and holds aloft his lack of intelligence. He uses his incompetence as a shield.

We are entitled to ask why the Prime Minister keeps the right hon. Gentleman as Chief Secretary. Some of us think that he does it so that the Prime Minister also has a shield. Others think that perhaps he keeps him as Chief Secretary because the Prime Minister must have someone in the Cabinet he can feel superior to—I do not know. I do know that, if the Prime Minister insists on keeping the Chief Secretary and will not get rid of him, the people of this country will almost certainly get rid of the Prime Minister at the next general election.

8.29 pm

Mr. Michael Alison (Selby): The hon. Member for Birmingham, Hodge Hill (Mr. Davis) referred to the 38 letters, and I hope to rebut his line by asking hon. Members to focus on one of the letters which was referred to—for those who would like to follow the text—on page 478 of the Scott report. That letter was addressed by my right hon. Friend the Chief Secretary to the Treasury to my hon. Friend the Member for Bolton, West (Mr. Sackville). I shall quote two significant parts from it to rebut the hon. Member for Hodge Hill's argument. It refers to the specific limitation on defence-related equipment.

Mr. Terry Davis: I am sure that the right hon. Gentleman would not want to mislead the House. The 38 letters do not include that one. Paragraph D4.3 shows that all 38 letters were sent before August. The letter that he is describing was sent in August.

Mr. Alison: I leave that aside, and concentrate on one letter that, in relation to the indictments levelled at the Chief Secretary, is nevertheless highly definitive in the way in which Lord Justice Scott handles it. My right hon. Friend's letter states:

"These"

guidelines

"specifically prohibit the sale of any lethal equipment or any defence-related equipment which could significantly enhance the capability of either side to prolong or exacerbate the conflict."

The fact that the letter and other similar letters contain the phrase

"to prolong or exacerbate the conflict"

must mean that they needed some qualification and interpretation.

When that letter was written, in the middle of August 1989, the conflict between Iraq and Iran was already over. That is why its final sentence was:

"These restrictions on defence sales are kept under constant review, and are applied in the light of prevailing circumstances, including the ceasefire and developments in the peace negotiations".

Clearly that was a necessary qualification to the reference to prolonging or exacerbating conflict.

The Scott report goes on to observe that my right hon. Friend the Chief Secretary

"in his written evidence to the Inquiry, contended that the passage I have cited was an accurate statement of Government policy at the time."

He goes on to say that the Chief Secretary

"knew of this new formulation"—

that refers to the need to qualify the guidelines relating to the period of conflict between Iran and Iraq—

"but regarded it as an interpretation of the original guideline."

It is the report's use of the word "interpretation" that I want hon. Members to focus on. Interpretation is at the root of the Scott report's acquittal of my right hon. Friend the Chief Secretary, and of his view as to where the truth lay. I quote the key reference in Scott to my right hon. Friend's complete integrity in the matter:

"I accept that Mr. Waldegrave and the other adherents of the 'interpretation' thesis did not, in putting forward the thesis, have any duplicitous intention and, at the time, regarded the relaxed interpretation, or implementation, of guideline (iii) as being a justifiable use of the flexibility believed to be inherent in the Guidelines . . . Flexibility that reflects the differences of opinion that may arise whenever an attempt is made to apply a criterion that depends upon a value judgment is inevitable and desirable. For example, whether an enhancement of military capability is 'significant' is a matter on which opinions may differ. If opinions do differ, a decision falling within the spectrum created by those differences can legitimately be described as an application of the criterion. Guideline (iii) had, thus, an inherent and entirely acceptable flexibility."

It is worth pointing out that Lord Justice Scott expressed the view that it is possible for guidelines to possess

"an inherent and entirely acceptable flexibility."

The Scott report goes on to show how value judgments might arise. This is the most important dimension in which the blamelessness of my right hon. Friend comes through.

Mr. Sheerman: Will the right hon. Gentleman give way?

Mr. Alison: I must make progress. The hon. Gentleman knows the problem we have with time-limited speeches.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael Morris): It had better be a serious point of order.

Mr. Sheerman: It is a serious point of order. This debate is about parliamentary democracy, and tonight we

[Mr. Sheerman]

have heard from nine former Ministers—six of them ex-Etonians and six ex-Oxford university students—all of whom have a close connection with the Chief Secretary to the Treasury.

Mr. Deputy Speaker: Is the hon. Gentleman criticising the occupant of the Chair?

Mr. Sheerman: I have no intention of criticising the occupant of the Chair, but we all know—

Mr. Deputy Speaker: Order. In that case, perhaps the hon. Gentleman will resume his seat, and think before he speaks on another occasion.

Mr. Alison: Mr. Deputy Speaker, I trust that you will give me injury time, not for being an old Etonian—I can do nothing about that—but for having been interrupted for minute and a half by that assault.

The Scott report goes through three different categories of how the guidelines might be understood. It says in paragraph D2.428 that the equipment subject to the guidelines "included 'defence-related' equipment". That phrase was included in my right hon. Friend's letter to my hon. Friend the Member for Bolton, West, even though the phrase does not, strictly speaking, appear in the original criteria. The report goes on:

"Defence-related equipment would, in my opinion, normally be taken to include all dual-use equipment save for equipment which was earmarked for a non defence-related use. Dual-use equipment whose intended use, whether for civil or military purposes, was uncertain, ought to have been treated as subject of the Guidelines."

This is a matter in which a "value judgment"—the phrase used by Scott in relation to giving flexibility to the interpretation of guidelines—is manifestly appropriate.

Uncertainty as to whether equipment would be for civil or military purposes is manifest in some of the equipment referred to. For example, my right hon. and learned Friend the Member for Putney (Mr. Mellor) mentioned rubber boats. Was that equipment not subject to interpretation? My right hon. Friend the Chief Secretary was entirely right to make the judgments he did. The criticism levelled at him in the Scott report relates entirely to interpretations or value judgments of particular pieces of equipment.

The Scott report is, in fact, doing exactly what it seeks to blame my right hon. Friend the Chief Secretary for doing—being perfectly value-free in its effort to secure that there was a fundamental change. I do not believe that there was a fundamental change. My right hon. Friend was entirely within the scope of Lord Justice Scott's own view that such matters are a matter of interpretation—

Mr. Deputy Speaker: Order.

8.39 pm

Mrs. Margaret Ewing (Moray): In the short time that has been allocated to me to speak on behalf of the Scottish National party and Plaid Cymru, I do not intend to follow the example of some previous speakers by quoting many of the chapters and verses of the substantial report. I should like again to put on record the fact that our minority parties were not allocated the opportunity of an early sight of the report prior to the President of the Board of Trade making his statement in the House last week, despite Madam Speaker's ruling that she wished to protect the rights of minority parties in the House. We still have not yet had a satisfactory reply from the Department of Trade and Industry outlining its arguments.

All the arguments in the Scott report have been put very eloquently by hon. Members from all parties and have highlighted where the Government have shown their weaknesses. At one stage, we became used to the phrase "lies, damned lies and statistics". As a result of the Government's interpretation of the Scott inquiry we have a new phrase: adjectives, damned adverbs and qualifications. The use of those adverbs, adjectives and qualifications is no excuse for the incompetence that they have shown and will not win back the people's support or faith in the idea of parliamentary accountability or ministerial responsibility.

I shall concentrate on two points of principle arising from the report. Although one Labour Member said that he did not feel that the report was about the arms trade, I believe that it has long-term implications for the arms trade. As a young student in the 1960s, I remember campaigning against the then Labour Government's attitude to the arms trade which was affecting Nigeria and resulted in the virtual eradication of the Ibo tribe in Biafra. That policy was driven by interests in oil and energy.

Since then, I have watched the development of arms trade policy over the years and I should like to refer to two issues. First, despite the Government knowing that Saddam Hussein was gassing the Kurds, a distinct preference was given to the Iraqis during the Iran-Iraq war. At the moment, the Government are considering selling Hawk aircraft and Scorpion tanks to Indonesia, despite the atrocities that it is enacting against the people of East Timor.

The Secretary of State spoke about the common conflict between morality in international affairs and jobs at home. There will always be conflicts of interest—I say that as a Member who represents a constituency with substantial defence interests—yet I have heard nothing logical either from the Treasury Front-Bench team or the official Opposition Front-Bench team about a long-term policy on the arms trade. The justification that seems to be given is that everybody else does it. Indeed, the shadow Secretary of State for Defence, the hon. Member for South Shields (Dr. Clark), is on record in *The House Magazine* during the 1995 summer recess for praising the fact that we are

"second only to that of the United States"

in selling arms abroad. It is incumbent on all hon. Members to consider such a long-term strategy, which is why it is important that we consider the possibility of a defence diversification fund. All political parties face that challenge.

If there is to be a peace dividend, we must recognise that we also have a responsibility for those who are employed in the defence industry. Some hon. Members have made eloquent speeches on the jobs lost as a result of the Matrix Churchill scenario. In its dynamic budget, my party has already planned for £25 million a year in the first four years of independence to be put directly into a defence diversification fund so that people will have security of employment. Jobs and homes are of critical importance to everyone. If the Government were to implement such a policy instead of the short-term

concessions that have been made today, they would gain much more respect throughout the country. It would be a positive step forward and it might restore some public confidence in the political process.

The phrase "freedom of information" has been bandied around a great deal since the Scott inquiry was set up and its report published. I first entered Parliament in 1974 and well remember supporting Bills on the freedom of information, introduced by such people as Sir Clement Freud, the then Member for Isle of Ely. They were all defeated by the then Government. Between 1979 and this Session, more than a dozen freedom of information Bills have been introduced—all apparently destined for the scrap heap of Government, Opposition or parliamentary indifference. If the Government were to introduce a Bill on freedom of information—it would undoubtedly receive cross-party support, since all of us believe in freedom of information—it would restore faith in the political profession.

I could say much more about the Scott inquiry, but time constraints limit me. Members of all parties must make up their minds on how they cast their votes. As a Scottish nationalist, I do not argue on the basis of parliamentary sovereignty. I argue the Scottish case for the sovereignty of the people and we must represent the views of our constituents tonight. Although a tumbrel of ministerial heads might bring some short-term satisfaction, the onus on all of us is to look for long-term solutions.

My final plea is therefore to Members representing Northern Ireland constituencies. There has been widespread agreement in this place that we should not—to refer to the words of my hon. Friend the Member for Foyle (Mr. Hume)—play politics with the prospects for peace in Northern Ireland. The Ulster Unionists have been conspicuous by their absence during the debate, although they have given varying messages to the media. I say to them with all genuine sincerity, if potential opposition to the Government and votes have been bought by any arrangements in that sphere, it is a darker shade of deal than any I have ever known.

8.47 pm

Mr. Henry Bellingham (North-West Norfolk): One reason why I am speaking in the debate is that Mr. Peter Allen, one of the defendants in the Matrix Churchill, was a constituent of mine. He used to work for the firm Cooper Roller Bearings in my constituency.

Two speeches made by Opposition Members in the debate made sense. The hon. Members for Coventry, South-East (Mr. Cunningham) and for Birmingham, Hodge Hill (Mr. Davis) spoke at some length about jobs in their constituencies and the role that Customs and Excise obviously played in the destruction of jobs and an excellent company. My former constituent was a victim of all that.

Apart from those two speeches, the attitude of Labour Members has been hysterical. It was summed up by the number of interventions during the speech of my right hon. Friend the President of the Board of Trade and the number of totally bogus points of order. That is as sure a sign as anything that they are losing the argument and are worried because the debate is going against them.

The Labour party wanted the Scott report to be devastating and find that at least two Ministers had acted improperly and with impropriety. The report did not find that. For the past 10 days, Labour Members have been trying to convince themselves that it did find that. We have had nothing more than hysterical interventions. The one that summed them all up was that of the hon. Member for Huddersfield (Mr. Sheerman), who has made two or three bogus points of order.

Mr. Sheerman: Will the hon. Gentleman give way?

Mr. Bellingham: I shall not give way at the moment.

One of the key aspects of the debate has been the sale of arms.

Mr. Sheerman: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. The hon. Gentleman's previous point of order was out of order.

Mr. Bellingham: The Opposition were shattered because the report did not contain what they wanted.

Mr. Sheerman *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman cannot stand up at will and choose what he wants to say. If he wants to apologise to the House, he can do so after the debate.

Mr. Bellingham: My right hon. Friend the Member for Bridgwater (Mr. King) summed up extremely well the perspective in which we must place the matter. He said that, throughout the period, countries such as France were exporting Mirage jet fighters and exocets. He also mentioned that a number of other countries were exporting lethal weapons. We could add to his list the fact that the Germans exported a variety of chemicals that were subsequently used in the chemical warfare programme.

Miss Emma Nicholson: Will the hon. Gentleman give way?

Mr. Bellingham: No, I shall not give way as I have only 10 minutes in which to make my speech.

My right hon. Friend the Member for Bridgwater said that, when he went to look at the captured weapons, the only British item that he could find was a Land Rover. We can categorically say that not a single British-made Iraqi weapon was used to injure or kill a NATO service man. As my right hon. Friend the President of the Board of Trade made clear, that contrasts with the Falklands war.

My hon. Friend the Member for Dover (Mr. Shaw) asked a question about defence exports. In 1974, the total number of defence exports was £179 million; in 1979, the figure had gone up to £400 million. Many of those exports went to Argentina. As my right hon. Friend said, we are talking about type 42 destroyers, blowpipe missiles and Canberra aircraft—an array of front-line weaponry. Anyone who has been to the Falklands will probably have seen the grave of the first British service man to be killed in that conflict, Flight Lieutenant Nick Taylor, whose Harrier was shot down by a blowpipe missile.

[Mr. Bellingham]

Opposition Members have given a great display of sanctimonious humbug over arms exports. It seems that they have now become little Englanders—they have gone from one extreme to the other. They now say that they do not want defence exports; they are now prepared to put at risk 400,000 jobs and procurement programmes for our armed forces. That point was well made this afternoon by my right hon. Friend the President of the Board of Trade, who made a very good speech.

When we consider that period of arms exports we see that the Government can hold their head up high. I strongly believe that my right hon. Friend the Member for Bristol, West (Mr. Waldegrave) can also hold his head high. I have read through the report—it is not a question of trying to select one or two quotations that may benefit our cause or the Opposition's cause. If Sir Richard Scott had found that my right hon. Friend had acted improperly or had deliberately misled Parliament, he would have said so, but he did not. That is why my right hon. Friend should not resign and I am pleased that he has not done so. I hope that he will remain in his job for a long time.

My former constituent, Mr. Peter Allen, was not involved in working for the security services, but the other two defendants were. I have read carefully the part of the report that deals with the Secret Intelligence Service, and I was interested to hear what my hon. Friend the Member for Torbay (Mr. Allason) said. He made it clear that the security services did not stick up for the two defendants.

The press release issued by the Customs and Excise the other day is revealing. It states:

"In particular he gave no hint that these contracts concerned the supply of Matrix Churchill to Iraq of equipment specifically for military production. Against this background, Customs obtained an explicit view from the SIS that his involvement with them"—

Paul Henderson's—

"was not a reason for not prosecuting him."

I find it extraordinary—as did my hon. Friend—that the SIS did not make information available to the Customs and Excise about his involvement in the security services. As my hon. Friend the Member for Torbay made clear, Paul Henderson risked his life on many occasions—he went to Iraq, served his country and ran the risk that he would be arrested. He would have been given no mercy. It is extraordinary that the information was not disseminated in a better way.

I hope that my hon. Friend the Member for Torbay will vote with the Government this evening. On the basis of what my hon. Friend has said, I believe that the Attorney-General should not resign. If we consider the detail in the report, we see that, although the first the Attorney-General's office heard about the involvement of the security services was in July 1991, it is clear that the Attorney-General himself was not informed. I believe that, by calling the meeting in September 1992—when he asked the prosecuting counsel and the head of Customs and Excise to talk to him about the case—he wanted to establish whether there were grounds for the prosecution not to go ahead. If he had been in a different position in relation to Customs and Excise—as he is to the Serious Fraud Office and the Crown Prosecution Service—it would have been different. But he was not in overarching control of that prosecution, and he could not have issued a nolle prosequi except in extreme circumstances—whereby prosecuting counsel had recommended that action to him. That is why there must be a change in the rules over Customs and Excise prosecutions—they should be put on the same footing as those of the CPS and the SFO. I hope that my right hon. Friend the Chancellor of the Duchy of Lancaster will address that issue carefully.

I have studied the report carefully and I feel strongly that a speech by one of my hon. Friends sums it up best. My hon. Friend the Member for Torbay has a far greater grasp of the subject than me. He has considered the matter carefully and, on the basis of what he says, I believe that, if Sir Richard Scott had found that the Attorney-General had acted improperly or unwisely, he would have said so and made that crystal clear. But he erred on the side of extreme caution. He did not want to interfere in what he knew to be an independent prosecuting body, Customs and Excise, and he did not have the right information before him, which was the fault of the SIS and, to some extent, Customs and Excise, which by then had much more information. The idea that the Attorney-General should stand down is ridiculous.

The Opposition are hysterical and deeply shattered and disappointed by what has appeared in the report. The Prime Minister asked for a full and comprehensive report, which is what we have received. That report in no way warrants the resignation of any Ministers. I hope that all my hon. Friends will support the Government and that the Ministers will remain in their places and carry on doing the excellent jobs they have been doing.

8.57 pm

Mr. Allan Rogers (Rhondda): It has been a long time since the events that we are debating took place. As various Conservative Members have said, we should recall the background against which the events took place.

From 1987 until 1992, I was the Opposition spokesman on defence responsible for defence procurement and I had an opportunity to follow this matter quite closely. It should be remembered that at that time the Prime Minister was exhorting everyone to bat for Britain. As a result of her exhortations, we had deals such as Malaysia and Pergau and the involvement of overseas aid to obtain contracts, which has been strongly denied by the Government time and time again; the export of arms to Saudi Arabia, the Al Yamamah deal; and the export of arms to Jordan, which was reneged on—the bill was picked up by the British taxpayer as a result of the funding and support from the Export Credits Guarantee Department. In other words, the Prime Minister turned arms exporting into a virtue. Quite naturally, Government Members were flexible with the regulations, which is perhaps the key to the discussions that have gone on today.

I disagree with the hon. Member for Torbay (Mr. Allason) and with other hon. Members who have said that the Ministers, by withholding public interest immunity certificates, put two innocent men in jeopardy—that they may have had to go to gaol. Quite frankly, in my book, they were guilty: they were senior officers of a company that had been breaking the regulations that were laid down by the Government and they had been conspiring with Ministers to export arms to Iraq. It is beyond me how anyone can claim that they were innocent men who were likely to go to gaol.

Like many other hon. Members, I was disappointed with the Scott report. The report is not clear—which is why there have been so many interpretations of it. However, some fairly basic questions must be asked. The man who, in an odd way, is the most honest in all this has clearly laid out his stall. He was the Minister of State in the Department of Trade and Industry; he then went to the Department of Defence as the Minister of State in charge of defence procurement; and he has been alluded to in other parts of this debate—the right hon. Alan Clark. He pursued with great rigour his Prime Minister's line of batting for Britain.

When the right hon. Member for Hove (Sir T. Sainsbury) was moved from defence procurement to the Department of Trade and Industry and made a statement, I was outside in the Members' Lobby talking to John Sergeant from the BBC. Mr. Clark crossed the Members' Lobby and I asked, "Why aren't you in there making that statement?" He said—I will paraphrase it slightly and leave out his fruity language—"I don't care if those wogs want to kill themselves, as long as I can promote British jobs." That was an honest answer. I asked him, "Why don't you go into the Chamber and say that?" He said, "Because they won't bloody let me." That was the attitude of a Minister of the Crown. We ought to judge the present Chief Secretary and the Attorney-General against that background, because the Government were completely dedicated to developing the arms trade and raising it to the level of a virtue.

A number of simple questions must be asked. Were arms exported against or contravening the guidelines that were laid down? It does not matter whether they were amended or flexible. Did Ministers know that these arms were being exported contrary to the guidelines? Did Ministers deliberately mislead Parliament? The Government are guilty on all these charges. Regardless of how people try to defend them from certain sections of the Scott report, there is absolutely no doubt about it. Government Members are not condemned by the Scott report—although tonight the issue under discussion is the Scott report—they are condemned out of their own mouths: by the answers that they have given to parliamentary questions and by statements that they made at the time.

No one now can deny that arms were exported. The President of the Board of Trade said earlier that we did not export tanks and aeroplanes; as someone said, that is a silly argument. The ex-Secretary of State for Defence, the right hon. Member for Bridgwater (Mr. King), who is Chairman of the Intelligence and Security Committee, said that all he saw was a Land Rover lined up. That did not mean anything except perhaps that the rest of the Land Rovers could go a hell of a lot faster than the Russian tanks when they were fleeing the battlefield. Undoubtedly, battlefield weapons were exported. My right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) summarised the equipment involved.

We did supply lethal weapons; Scott illustrates that. Although it may appear a small item, it is crucial, and shows that the Government were condemned at that time—not by Scott. All Scott does is to illustrate the condemnation and the action that the Governments took.

On pages 853 and 854, the Scott report states that MI6 had reported in 1984, 1985, 1986 and 1987 that Egypt was diverting ammunition to Iraq. On page 858, there is evidence that a company called Allivane had supplied Egypt with more than 1 million large-calibre artillery ammunition fuses. Why were those going to Egypt—to attack Israel, Jordan or Saddam or to build a pyramid? Of course not. Everyone knew that they were being passed to Iraq.

We go to page 873 of Scott to discover where the problem occurred. Lieutenant-Colonel Glazebrook, the MOD official responsible for vetting lethal weapon export licences, confessed to the Scott inquiry that he had seen

"only 7 of the 26 applications"

that had been submitted by the company. Between 1981 and 1987, the company exported between 1 million and 3 million artillery fuses to Iraq via Austria, Portugal, Egypt, Jordan and Saudi Arabia. The Government were informed of that by MI6 and did nothing.

Ministers knew what was going on, and they cannot deny it. They obviously contravened the guidelines and obviously they knew. From the Prime Minister down, the Prime Minister at that time—

Mr. Deputy Speaker: Order.

9.7 pm

Sir Michael Marshall (Arundel): I am grateful for the opportunity to take part in the debate, even at this late stage.

I begin by declaring my interest as a lifelong exporter of English goods and services. In view of the issues that have been mentioned, I should explain that I was adviser to British Aerospace and, as a former Minister, had an opportunity for two and a half years to play my small part, in the dim and distant past, in promoting British defence exports. I emphasise that the views that I express tonight are my own.

I express my incredulity at some of the comments that have been made about defence exports. One of the strengths of the debate has been that speeches have been made by many right hon. and hon. Members who have served in a ministerial capacity, so the House has had the benefit of their direct experience. I commend, to those who may have not heard it, the speech of my right hon. Friend the Member for Bridgwater (Mr. King), who encapsulated the position that arose during the Gulf war and compared, to great effect, our restraint with that of other countries, which had filled the void in the supply of lethal weapons that had been created by our willingness to show restraint.

I hope that we can return to that subject as it relates to defence sales, because those who drew attention to it tonight reminded us that if we had not had the Spitfire and the Hurricane, this country would probably be a German colony today. We must play our part in the defence of our friends around the world.

The hon. Member for Rhondda (Mr. Rogers) queried the appropriateness of some of the projects in which we are involved. He mentioned Al Yamanah, which is a classic example of a project that has brought a huge amount of civil engineering work to this country. It was invaluable in defending Saudi Arabia against invasion by Saddam Hussein. Its airfields—which were provided by Britain—were a key base for allied forces, and the provision of pilot training by British Aerospace and the supply of equipment were crucial to our success in the Gulf war.

[Sir Michael Marshall]

Defence sales require commercial confidentiality. There is a certain naive tendency to assume that, as long as we are satisfied, the rest of the world must put up with it. Anyone who follows such matters will know that, if we were to opt for more open disclosure, as some would urge, there would be a real danger of our excluding ourselves from opportunities around the world. Many countries believe that that kind of information is classified, and they would look to other suppliers. In all candour, I am worried that our competitors will go through the report with a fine tooth comb and will quote—even out of context—the arguments about placing future contracts with Britain.

That brings me to the guidelines. It has been well argued tonight that they have no place in statute. Anyone with even modest ministerial experience understands the difference between guidelines and policy. Anyone who reads the report can see that any changes in the guidelines were made with the best intentions and that what occurred thereafter was an attempt to balance many difficult issues.

I pay tribute to the speech of the right hon. Member for Bethnal Green and Stepney (Mr. Shore). He reflected on his ministerial experience, and his answer to parliamentary questions has been quoted several times in the debate. His experience shows that one must balance some extremely difficult issues and that the idea of complete openness raises enormous problems. I welcome an opportunity to debate that issue. However, in the light of what has occurred—particularly from 1988 onwards—the Government's actions seem perfectly clear. They followed closely the precedents set by both the Labour and the Conservative parties when they were in government.

It has been pointed out that Secretaries of State must be involved in any change in policy: it is absurd to assume that junior Ministers could carry forward significant policy changes. Therefore, I am entirely clear about the argument, which is moving in a purely party political direction in attacking my right hon. and learned Friend the Attorney-General and my right hon. Friend the Chief Secretary.

In considering what might occur in the future, we must look carefully at some of the Scott proposals. I pay tribute to that massive work, but we must reflect on the fact that it represents the opinion of only one man. It is perfectly clear that there are many other legal opinions—but I shall leave that matter to the lawyers. Sir Richard Scott's opinion cannot be taken as gospel, although some of his proposals and recommendations are worth careful consideration by the House.

I strongly support an examination of Customs and Excise operations. In my constituency and throughout my ministerial career, I have seen the "pressing on regardless" approach of Customs and Excise and Inland Revenue create real problems. Any reluctance on their part—which is founded on very honourable traditions of ministerial non-intervention in the activities of prosecution in those Departments—must be reviewed. Having said that, I join—perhaps surprisingly—the argument of the right hon. Member for Chesterfield (Mr. Benn). With the benefit of hindsight, it is clear that the inquiry would have been handled better by a special Select Committee of the House. The opportunities that it would have provided in taking evidence to balance the political arguments and to produce more clear-cut and definite recommendations for the future would have been of benefit.

I think back to my five years on the Defence Select Committee. I will retire at the next election and I do not want to embarrass Opposition Members, but one of my most salutary experiences was to find on a Defence Select Committee, when defence was not a very fashionable subject among the Opposition, a number of right hon. and hon. Gentlemen—I shall not name them—whose integrity and motivation in protecting Britain's defence interests was clear. If the Labour party were in power, we would have look to them for our defence.

I return to an argument that I advanced during Prime Minister's questions last week. The hon. Member for Livingston (Mr. Cook) must reflect on the process of defence and defence sales and on the fact that in the real world there has to be a measure of trust. We cannot prescribe in guidelines or legislation something to cover such eventualities as have been described tonight. There must be a willingness to trust, but I would certainly go along with the view that the Select Committee system, which allows for confidentiality and sidelining, provides an opportunity for more openness within Parliament. That is why I would have preferred the matters to have been examined by a special Select Committee rather than by Sir Richard Scott.

In considering the arguments that we have heard against my right hon. Friends, I cannot escape the obvious conclusion that this debate has been a straight party political battle. Scott has provided the opportunity for selective quotations on both sides. That is another reason why we would have done better to have handled the inquiry ourselves. On the central issue of the honour and integrity of my right hon. and learned Friend the Attorney-General and my right hon. Friend the Chief Secretary to the Treasury, hon. Members can use their common sense. They know that there are not two more honourable Members in the House of Commons. I certainly feel fully able to support them in the Lobby tonight and I urge hon. Friends to do the same.

9.16 pm

Mr. Peter Hardy (Wentworth): In recent years, hon. Members on both sides of the House have devoted considerable time and perhaps made a not insignificant contribution to the development of parliamentary democracy in eastern and central Europe. Recent events, however, lead me to suggest that none of us should now be able to look into the eyes of those with whom we have had conversations over the past few years. The events on silly Thursday 15 February, when hon. Members were engaged in the most farcical demonstration of mismanagement, give the lie to any claim to maturity on our part. The fact that Parliament was prepared to see hon. Members given 10 minutes to collect and study five volumes of an important report is rather ridiculous. That is matched by the campaign of mismanagement—or press management—by the Government in recent months in their attempt to rubbish the report.

Let me refer to two issues that Conservative Members have raised and which are relevant to my constituency. The Government said that no one was in prison, but in my patch there is a police station called Rawmarsh. It is normally used to accommodate thieves, burglars,

criminals, vandals and violent drunks. Into that police station went distinguished business men from Forgemasters, who were later released and never charged. They were held for some 30 hours while their offices and homes were ransacked. I believe that they were held there for one particular purpose, to which my hon. Friend the Member for Sheffield, Central (Mr. Caborn) referred—to ensure that a Select Committee of the House could not proceed with a proper investigation into the super-gun. Such conduct might be expected of a banana republic, but not from a Government consisting of the right hon. Members about whom we have heard today. The House was told that the UK does not export lethal weapons, but it did export lathes that manufactured thousands of shells a year. Some Conservative Members will be well aware that RAF Tornados were then expected to fulfil the need to ground the Iraqi air force in the first days of the Gulf war by flying straight and level to drop airfield denial weapons in the face of thousands of shells made on those lathes. Most farcical of all, the UK was never paid for the lathes that made the shells that were fired at our Tornados.

The two right hon. Gentlemen to whom many references have been made can properly be described in adequate parliamentary parlance as right hon. Gentleman, but—as my hon. Friend the Member for Birmingham, Hodge Hill (Mr. Davis) said—they are being used as cover for a Prime Minister who was more aware of the problems and commitment than any other member of the Government. As a former Foreign Secretary, Chief Secretary and Chancellor, the Prime Minister was well aware of the political and economic policies being pursued. The fact that the right hon. Gentleman's policies failed is disgraceful. If Members of Parliament are to serve the principles of democracy that are supposed to be the foundation of this Chamber, they should not vote for the Government tonight.

9.20 pm

Mrs. Margaret Beckett (Derby, South): There can be no doubt that the Scott report and the ensuing discussions have been difficult for the public to follow because many of the issues are detailed and complex. This debate has given the House an opportunity to react to the report and to reflect on whether there are simple and clear-cut lessons—and if so, to determine what they are.

The House can reflect on whether any matters of fact emerge—whether the UK helped to arm Saddam Hussein, as suggested by the fact that the Matrix Churchill lathes, far from being dual purpose, were set up for arms production. Were some of the individuals involved acting in concert with agents of our intelligence services? Did the certificates signed by Ministers withhold information in the defence of those individuals?

The public have clear pointers to the judgment that they should make amid the welter of charge and counter-charge. There was the pre-publication rubbishing of Sir Richard Scott and his inquiry. Ministers who had chosen the form of the inquiry, and who insisted on it in the face of pressure from the late John Smith, later complained about the inquiry as if Sir Richard were to blame. Ministers sought to undermine the process, evidence and potential conclusions.

In this debate, the Government have chosen to prevent the House from taking a view. Why, if Ministers have no fear of the outcome? The arrangements for the report's scrutiny were further evidence, should any be required, of the arrogance and incompetence of Ministers and of their utter contempt for the House. There has been no precedent set by any Government of any party for the insulting restrictions on Members of Parliament who were allowed a few hours to scrutinise a report that had been in the possession of Ministers for days—and on which they had the support, time and advice of many civil servants. That was all evidence of the Government's desperate desire to shield themselves from effective scrutiny in the first key hours, when Ministers hoped that their version of events would be irrevocably accepted—not least, and perhaps most of all, on the Conservative Benches.

Anyone who wants a touchstone—one simple piece of evidence by which to judge the Scott report and the events that it describes—need look no further than the handling of the report's publication. A Government who have nothing to hide do not shamelessly manipulate publication. A Government who continue to insist on such restrictions and even seem to tighten them after four or five days of sole access to a report's contents are not a Government who have found themselves exonerated in the report's pages.

The Government, after all, had every excuse for leniency. You, Madam Speaker, expressed concern on behalf of this House, as from time to time the Speaker has a duty to do. Sir Richard Scott made it plain that he had not sought and did not support the Government's withholding of the report from others in this way. Yet the Government continued to insist that it was necessary; and on 15 February, at the Dispatch Box, the Secretary of State for Trade and Industry showed us why. It was a snow job. There were, he admitted, people at fault. The handling of intelligence was singled out—then, and repeatedly since. Few commentators have pointed out that this identified defect, acknowledged with a grace awarded to none of the others, could be regarded primarily—perhaps wholly—as a criticism of the civil service.

Ministers also decided that the Labour party was at fault. So civil servants were at fault and the Opposition were at fault, and Ministers alone were found to be without fault—at least by Ministers.

The Secretary of State put on a similar, and similarly disgraceful, performance today. He claimed to be accepting a number of the more technical and practical recommendations of Sir Richard Scott—but, it rapidly became clear, without accepting the basic conclusions from which those recommendations were drawn. The right hon. Gentleman repeated, as I understand he has done again on "Channel 4 News" this evening, there is nothing for any Minister to apologise for; and that the Chief Secretary and the Attorney-General in particular—I quote the news bulletin—

"did not make mistakes for which they should apologise."

So they should not even apologise, let alone take any more serious action.

These were not the findings of Sir Richard Scott. As time has gone on, the Secretary of State and his colleagues have grudgingly admitted that Sir Richard Scott found them to be at fault in some respects, and in forthright terms. In paragraph D3.123, for instance, he found that the guidelines were changed and that the argument that they were not was

"incapable of being sustained by serious argument".

[Mrs. Margaret Beckett]

Sir Richard repeats that time and again in the report. Ministers have a simple explanation for it, repeatedly voiced from the Tory Benches in this debate: Sir Richard was just wrong. He was right when he blamed others and when Ministers claim that he failed to find them guilty; he was wrong every time he found Ministers to blame or to be derelict in their duty to this House, and through us, to the country.

Crucially, Ministers claim that Sir Richard was wrong about the key issue of whether the policy changed on the handling of exports to Iraq, and about whether in consequence, as Sir Richard alleged, Parliament was misled. This charge lies especially at the door of the Chief Secretary. His evidence to the inquiry, like his attitude to its findings, suggests an unusual approach. What he seems to have told the inquiry, in essence, is that if the guidelines had been changed senior Ministers and Parliament should have been informed. They were not so informed, so the guidelines did not change.

It is evident that this argument failed to convince Sir Richard, who dismissed it in blunt terms. He said that the right hon. Gentleman repeatedly gave Members of Parliament answers which were misleading. In paragraph D4.62 Scott says that the Chief Secretary gave answers that were "inadequate and misleading".

It would of course be an absolute defence against this charge if the right hon. Gentleman had made such statements in ignorance of the facts that Sir Richard Scott states made the statements misleading. But it is plain that the Chief Secretary was not in ignorance of the facts. Indeed, he was better placed to know them than almost anyone else in Whitehall. But it is equally plain that the right hon. Gentleman has convinced himself that he had no intention to mislead, and he has convinced Sir Richard Scott that that is what he believes.

Is the right hon. Gentleman justified in this belief? His reasoning seems remarkably similar to his reasoning over the change in guidelines and reporting to Parliament: a change would have had to be reported; no change was reported; therefore no change occurred.

Similarly, the Chief Secretary's view seems to be that he is a man of honour, that a man of honour does not mislead the House and that, therefore, he did not mislead the House. Whatever else he may be, that facility in argument and ability to convince himself so fully of the logic of his own argument makes him a very dangerous man, who—on the evidence before Sir Richard Scott and on the evidence before the House—should not remain in office.

Mr. Stephen: Will the right hon. Lady give way?

Mrs. Beckett: No.

Ministers speak as though Sir Richard Scott, and only Sir Richard Scott, had cast doubt on the judgment that led the Attorney-General to tell his ministerial colleagues that they had no choice but to sign PII certificates to withhold a class of documents, irrespective of their contents, from the defence in the Matrix Churchill trial. That decision was said to be without precedent for that type of document in a criminal trial, in which the withholding of such evidence might lead to a conviction and to a possible gaol term—which might have been averted by the production of those documents.

There were clearly other reservations, which varied in kind. There was, for example, the Deputy Prime Minister's express reaction to the advice that he was given, which he described in these terms:

"no rational person, who had looked at the files, could have said that the documents should not have been disclosed."

Sir Richard Scott found that the Attorney-General had a major responsibility for the prosecutor's instructions, and that he was personally at fault for not ensuring that the Deputy Prime Minister's concerns were conveyed to the court. Those and other criticisms cast doubt on the Attorney-General's competence in the functions he carries out in the House, which is why I should like to draw attention to the views expressed in a speech, in November, by the Chancellor of the Duchy of Lancaster, who will reply for the Government in this debate. On the question of ministerial responsibility, he said:

"My view—indeed, the conventional view—is, I believe, founded on common sense. It is that:

Ministers cannot possibly be held personally blameworthy . . . for everything . . .

the test in any particular case should be the scale of the failure; and whether a decision or action of the Minister's leads directly to it."

Tonight we shall discover whether the Chancellor, in the advice that he gives to the House, stands by that judgment. It is very clear to every hon. Member who has read the report and listened to the debate that the named Ministers are seriously at fault, and that their actions directly contributed to that fault.

The events that have been described, the Scott report itself, the media coverage and even this debate have offered a welter of opinion, justification, reason and excuse. I should, therefore, like to single out three matters that are key to the whole affair and on which we can find fact. First, British companies were helping to arm Saddam Hussein, while British Ministers were telling the House that they were not. That is a matter of fact. Secondly, those who were engaged in such sales were known to be assisting, and were assisting, agents of the Government intelligence services, at some considerable personal risk. That is a matter of fact. Thirdly, Ministers, on the Attorney-General's instructions, signed PII certificates that could have withheld evidence of that involvement from the defence, which could have—as it already had in the Ordtech case—led to a conviction and possibly to a gaol sentence. That is a matter of fact. That is what they did. Ministers have repeatedly defended that action by saying that it is for the judge to decide.

Mr. Ian Bruce (South Dorset): It is all in the report.

Mrs. Beckett: That is just the point, which the hon. Gentleman—who has not even attended the debate, never mind spoken—makes in his sedentary intervention. Ministers say that it is for the judge to decide, that that is "the system" and that the judge's decision shows that "the system" works. The Deputy Prime Minister said that again today.

We, too, have a system in the House. It is called ministerial responsibility. Under the Government, it is honoured more in the breach than in the observance, but today, here and now, we decide whether, under this Government, it any longer exists. Sir Richard Scott states in paragraph D4.63:

"the Government statements . . . consistently failed, in my opinion, to comply with . . . Questions of Procedure for Ministers and, more important, failed to discharge the obligations imposed by the constitutional principle of Ministerial accountability."

Many commentators have expressed irritation that Sir Richard Scott did not summarise his conclusions, but left them to be found scattered throughout his report. A number of hon. Members said so in the debate tonight, but Sir Richard's reasons seem plain to me. He wanted to make people read the report to see for themselves the evidence on which he based his conclusions rather than that they should decide to agree or disagree without considering the weight of evidence, as he had done. Secondly, he seems to have been determined to lay out the evidence and the arguments in the five volumes of the report and to leave the verdict to the House and the people whom we are sent here to serve.

Whether we like it or not, I believe that Sir Richard Scott has put Parliament itself on trial. He has flung down a gauntlet to the House. In his judgment, he tells us, after three years of careful study, that Parliament was misled. In his judgment, Ministers failed, and failed repeatedly and deliberately, in their duty of accountability to the House, to all those whom we are elected to serve, and hence, in his words, to our democracy itself. Yet Ministers, by their argument and rhetoric, are asking us not just to accept but to applaud the way in which they have acted in our name.

It is this House that is on trial tonight and the verdict is in the hands of each of us.

9.37 pm

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): I reject completely the allegations from the right hon. Member for Derby, South (Mrs. Beckett) that the publication of the report did not follow the accepted precedents and practice in the House. The publication of the report followed the precedents used in the House. The House has now had 10 days to read the report thoroughly, and has been well prepared for a thorough debate. The Government have behaved entirely properly—*[Interruption.]*—in the publication of the document, permitting a full debate.

The Government appointed Scott, and Sir Richard has made a number of important and useful recommendations. I should like to start by summarising the recommendations that Sir Richard has made, and the Government's positive and constructive response to them.

First, on the use of intelligence, the Government have accepted the inquiry's criticisms concerning the circulation of intelligence material, and have taken action to rectify those failings. I regret, and the Government regret, the fact that proper intelligence was not fully available to all Departments and to all Ministers before licensing decisions were taken.

We will tell the Intelligence and Security Committee of the improvements that the Government have made and will make.

Mr. Robert Maclennan (Caithness and Sutherland): Will the right hon. Gentleman give way?

Mr. Freeman: The hon. Gentleman will allow me to respond to the debate. The right hon. Lady did not give way. Ministers were not aware of intelligence about export proposals that would have caused them to stop the exports as breaching export policy, specifically about the military end use of dual-use machine tools.

Secondly, the export control legislation and licensing procedures are, of course, founded upon the Import, Export and Customs Powers (Defence) Act 1939, as amended by the Import and Export Control Act 1990. The Government accept that export control policy and procedures should be reviewed and we intend to issue a consultation paper. There has been much debate, not only today but in 1990, when the Government held discussions with Opposition Front Benchers on the 1990 Bill. It is right in our judgment now to review the powers contained in that Act and the degree to which Parliament should be involved in its implementation.

Mr. Andrew Mackinlay (Thurrock): What about the charges made by the hon. Member for Torbay (Mr. Allason)?

Mr. Freeman: I am coming to those.

Thirdly, on the supervision of Customs and Excise, the Government accept the principle of the need for greater supervision by the office of the Attorney-General of Customs prosecutions in relation to defence export control matters, and my right hon. and learned Friend the Attorney-General will report further to the House. Fourthly, on Customs procedures, we accept Sir Richard's recommendations relating to Customs legislation and internal procedures. We will report back to the House on changes once the implementation plans are finalised.

I turn to the point raised by my hon. Friend the Member for Torbay (Mr. Allason) about prosecution procedures and the use of public interest immunity certificates. Concern has been expressed during the debate about the scope and procedures for public interest immunity claims. There is a strong case for the House to have an opportunity to consider the circumstances in which public interest immunity should be claimed by Ministers, and, if so, the criteria for those claims. At present, the law is wholly judge-made, and the areas to which it applies include intelligence sources and other sensitive material relating to national security, commercial interests of a public character, and advice to Ministers.

I know that my hon. Friend the Member for Torbay has taken the issue very seriously. Under existing law, Ministers must ensure the maximum disclosure commensurate with the essential public interests to which I have referred. The real question is whether there is a need for class claims, or whether claims should be content-based. In any case, wherever possible, maximum use—in the opinion of the Government—should be made of redaction. Whatever system is adopted, it should remain—

Mr. Allason: Will my right hon. Friend give way?

Mr. Freeman: I will give way to my hon. Friend when I have concluded my sentence.

Whatever system is adopted, it should remain for the judge to decide on disclosure—if justice so requires—on matters of national security or other matters covered by a PII certificate. The House needs a better opportunity to discuss that important issue, and the Government will ensure that such an opportunity arises.

Mr. Allason: Will my right hon. Friend give an undertaking that the presumption in future will always be

[Mr. Allason]

on disclosure and not suppression? Will he give an undertaking that there will never again be such an abuse of public interest immunity certificates granted on national security grounds?

Mr. Freeman: The presumption should be disclosure, and when the judge read and interpreted the public interest immunity certificates in the Matrix Churchill trial, he made a positive decision on disclosure. I give my hon. Friend the undertaking I gave a few moments ago—the Government will ensure that an opportunity arises in Government time for that matter to be considered further.

Mr. Nigel Griffiths (Edinburgh, South): Reply to the debate.

Mr. Freeman: If the hon. Gentleman will permit me, I will reply to the debate.

Sixthly, I turn to the centrally important issue raised by my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), about openness to Parliament on defence sales and other security issues.

It is a long-held parliamentary convention—it has been followed by Labour and Conservative Governments—that these matters should be subject to the withholding of information. That is documented in "Erskine May". Last November, I repeated the amendment to "Questions of Procedure for Ministers", which referred specifically to this parliamentary convention. The Labour Government used it when upgrading Polaris missile systems with Chevaline. There have been countless examples of the use of the convention over the years.

I accept the sincerity of my hon. Friend the Member for Aldridge-Brownhills on these matters, and I therefore call upon all parties represented in the House to participate—

Mr. Nigel Griffiths: Will the Minister give way?

Mr. Freeman: I am not giving way.

Mr. Griffiths: Why not?

Mr. Freeman: Because I am trying to respond to the debate. Perhaps the hon. Gentleman will listen.

I hope that the House will have a full opportunity to reassess the parliamentary convention that I have described. We welcome the fact that the Select Committee on Public Service may well take an interest in early hearings on the subject. We have today published a paper setting out the present position on the convention. It is important for any Government—Conservative, Labour or Liberal Democrat—when considering informing the House about the details of defence sales always to balance the best interests of the United Kingdom defence industrial base and the importance of confidentiality in its commercial dealings and, for diplomatic reasons, the protection of British interests, against the importance of openness to Parliament.

The hon. Member for Livingston (Mr. Cook), who opened the debate on behalf of the Opposition, has a major problem that he will have to face with his Back-Bench colleagues. The right hon. Member for Chesterfield (Mr. Benn) fairly and squarely nailed his colours to the mast of full disclosure of all arms/defence sales. If the hon. Member for Livingston seeks to act as a senior Minister in a Labour Government, he must decide where he draws the line. Where is the balance for the Labour party? The hon. Gentleman has so far made no contribution to the important debate on what is in the best interests of the British defence industry, which represents 500,000 jobs.

The hon. Member for Livingston must know that many of his right hon. and hon. Friends represent constituencies where, for example, GEC, Rolls-Royce and British Aerospace, have plants. Those are important defence interests that the Labour party cannot ignore. We look forward to the Labour party's positive contribution on the extent to which long-standing parliamentary conventions should be changed.

The Government will bring forward specific proposals in due course on the parliamentary convention that now concerns us.

I move on to the centrally important issue which was taken up by the right hon. Member for Derby, South, which is whether my right hon. Friend the Chief Secretary misled the House. The policy pursued by the Government has been clear: it was not to export lethal weapons to Iraq. As my right hon. Friend the Member for Bridgwater (Mr. King) said, when he visited the battlefield immediately after the Kuwait war, he found only one Land Rover among all the defence equipment left over from that war. The Scott inquiry found that the United Kingdom Government did not condone the export of lethal defence equipment.

The policy was also not to exacerbate the Iran-Iraq conflict when that existed by the export of non-lethal defence equipment. When the conflict ended it was our policy to stop the export of non-lethal defence equipment that could mean the resumption of the conflict by either side. It was—[HON. MEMBERS: "Rubbish."] That is not rubbish. It is a statement of our policy. Non-lethal equipment did not include—

Mr. Nigel Griffiths *rose—*

Mr. Freeman: Perhaps the hon. Gentleman will listen to my reply to the debate. I have 10 minutes left to me. Non-lethal equipment did not include—*[Interruption.]* Perhaps the hon. Gentleman will listen to my reply. I have 10 minutes left.

Mr. Quentin Davies: Will my right hon. Friend give way? *[Interruption.]*

Mr. Freeman: Let me deal with the debate.

Non-lethal equipment did not include dual-use equipment if intelligence was available that there would be military end use.

Mr. Davies *rose—*

Mr. Freeman: I shall give way to my hon. Friend when I come to his contribution. I shall make some progress, and then give way to him when I come to the guidelines.

The guidelines represented, for internal use, how the policy was to be interpreted. They reflected the policies. The guidelines relating to the Iran-Iraq conflict were not,

as Scott said in his report, an exclusive exposition of Government policy on defence exports. For example, when there were clear examples of internal repression both by Iraq and by Iran, the Government interpreted our policies and our guidelines to restrict exports.

We have published today and placed in the Library a second document, entitled "Government Policy on the Control of Exports to Iran and Iraq 1980 to 1990".

Mr. Menzies Campbell *rose—*

Mr. Freeman: I quote one sentence from it:

"Guidelines"—*[Interruption.]*

Madam Speaker: Order. The House must come to order, so that we can hear what the Chancellor of the Duchy of Lancaster has to say.

Mr. Freeman: I shall certainly give way to the hon. and learned Gentleman, but let me just quote this sentence:

"Guidelines on the export of defence equipment to the two countries, Iran and Iraq, were therefore developed to reinforce the Government's policy and to help in its day-to-day application."

As the right hon. Member for Bethnal Green and Stepney (Mr. Shore) quite rightly said, the guidelines were broad. Ministers were given the responsibility of interpreting those guidelines. As my right hon. Friend the Member for Bridgwater said, Ministers operated in real time, having to interpret the guidelines against the great pressure of events.

Mr. Menzies Campbell: If the Government's position was to do their best to ensure that there was no internal repression in Iraq, why, in the immediate aftermath of the use of chemical weapons at Halabja, did the Government extend financial guarantees to Iraq?

Mr. Mackinlay: Yes, why?

Mr. Freeman: The hon. Gentleman should listen to the answer. Financial guarantees under the Export Credits Guarantee Department were the subject of long preparation. They covered not only defence but civilian use, including the building of power stations and schools. The amount allocated for defence was always limited and capped.

I now come to the issue raised by my hon. Friend the Member for Stamford and Spalding. Let me deal with the points he raised, because he is misguided. *[Interruption.]* My right hon. Friend the Member for Witney (Mr. Hurd), the former Foreign Secretary, clearly told the House that the guidelines did not change between 1984 and the summer of 1990. That was the evidence he presented to the House. The interpretation changed as circumstances required.

My hon. Friend the Member for Stamford and Spalding argued that there was a change in 1988. He therefore disputes the specific evidence provided by my right hon. Friend. As the right hon. Member for Bethnal Green and Stepney said, it was inconceivable that junior Ministers could have changed those guidelines without the agreement of senior Ministers and my right hon. Friend the Prime Minister. The interpretation did, and in 1988 and 1989, junior Ministers interpreted the guidelines to reflect the fact that the war had ended.

Mr. Quentin Davies: I am sure that my right hon. Friend will agree that, if the policy was changed without proper authorisation from senior Ministers, that compounds the offence rather than mitigating it.

Can my right hon. Friend think of a better documented case in the history of this Parliament of the House being misled? If he can, will he name it? Does he not share my fear that, if we do nothing about such a case as a result of tonight's debate, the most fearful constitutional precedent will be created?

Mr. Freeman: Today the House heard from my right hon. Friend the Member for Witney, who told us that the guidelines did not change, and that, when he and other senior Ministers came to review them in the summer of 1990, they had not changed since 1984.

I ask my hon. Friend the Member for Stamford and Spalding to accept that evidence. I ask him to accept my argument that junior Ministers interpreted the guidelines in the different circumstances of the end of the conflict. The Ministers involved interpreted them impartially, to prevent the conflict from starting again. They interpreted them in a strict fashion. Indeed, in comparison with any other nation, we took immense, thorough trouble to interpret those guidelines.

In 1989 and 1990, this country exported £11 million-worth of non-lethal defence equipment to Iraq. That is less than 1 per cent. of Iraq's total imports of defence equipment in those two years. Let me remind the House what Scott said in paragraph D3.124:

"I accept that Mr. Waldegrave"—

my right hon. Friend the Chief Secretary—

"and the other adherents of the 'interpretation' thesis did not . . . have any duplicitous intention and, at the time, regarded the relaxed interpretation, or implementation, of guideline (iii) as being a justifiable use of the flexibility believed to be inherent in the Guidelines."

The Government have taken positive, clear and constructive action in relation to the recommendations of the Scott report. We very much welcome the commencement of a debate on the parliamentary convention of withholding information on defence sales. The Scott report has completely vindicated my right hon. Friend the Chief Secretary and my right hon. and learned Friend the Attorney-General. It said that they acted in good faith, and the Government contend that my right hon. Friend the Chief Secretary did not mislead.

The charge against the Labour party, and the Opposition as a whole, is clear. First, the hon. Member for Livingston—together with the deputy leader of the Labour party—made the charges that there was a conspiracy to arm Saddam Hussein, and that there was a conspiracy to send innocent men to gaol. Both charges are untrue, and they should withdraw them. They have both refused to withdraw those charges, and Scott has found them to be untrue.

Secondly and finally, in advancing their case, those Opposition Members have taken an irresponsible and naive attitude to Britain's defence industry, and have been unfair to the civil service. They have lacked the courage to balance the need of British industry with the perfectly

[Mr. Freeman]

legitimate need to be open with Parliament. The Labour party will have to face those issues if it aspires to form the next Government.

Twenty years ago, the then Prime Minister, Mr. Callaghan, said that we could not maintain an independent arms industry unless we were prepared to engage in this trade. I ask for understanding. The Labour party has none. It is not fit to govern.

Mr. Donald Dewar (Glasgow, Garscadden) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That this House do now adjourn:—

The House divided: Ayes 319, Noes 320.

Division No. 61] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunnachie, Jimmy
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fraser, John
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Hendron, Dr Joe
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hume, John
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Maginnis, Ken
Mahon, Alice
Mallon, Seamus
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Redmond, Martin
Reid, Dr John
Rendel, David

Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, A Cecil *(Belfast N)*
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. John Cummings and
Mr. David Clelland.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Critchley, Sir Julian
Currie, Mrs Edwina *(S D'by'shire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan, Alan
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Sir Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moss, Malcolm
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John

Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Wheeler, Rt Hon Sir John
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Derek Conway.

Question accordingly negatived.

DEREGULATION

Ordered,

That Mr. Roger Berry, Mr. John Gunnell and Mr. Alan Keen be discharged from the Deregulation Committee and Margaret Hodge, Mr. Denis MacShane and Mr. Ian Pearson be added to the Committee.—*[Mr. Ottaway.]*

AGRICULTURE

Ordered,

That Mr. Paul Marland be discharged from the Agriculture Committee and Mr. Edward Leigh be added to the Committee.—*[Mr. MacKay.]*

NATIONAL HERITAGE

Ordered,

That Mr. Sebastian Coe be discharged from the National Heritage Committee and Mr. Jerry Hayes be added to the Committee.—*[Mr. MacKay.]*

Raoul Wallenberg

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ottaway.]*

10.16 pm

Mr. David Amess (Basildon): "Hero" is an apt word to describe someone who saves the life of another person. There is no word in the English dictionary to describe someone who saved the lives of more than 100,000 people, which is what Raoul Wallenberg did in 1944. I am not Jewish—I am a member of the Roman Catholic faith—but I would have been proud to have been born a Jew. People of my generation cannot believe the atrocities that occurred during the second world war—and we thought that we would never see such atrocities again. Sadly, wicked people in this world are carrying out certain atrocities.

The purpose of tonight's Adjournment debate is to pay tribute to Raoul Wallenberg. In 1944, the United States War Refugee Board was established in response to President Roosevelt's desire to save innocent victims of the Nazis. The board saw in Hungary an opportunity to save the lives of hundreds of thousands of Hungarian Jews—practically the last surviving remnants of jewry in Nazi-occupied Europe—who were facing extermination.

Raoul Wallenberg—a young Swedish diplomat, who was born in 1912 into a wealthy and influential family of bankers—was approached by the War Refugee Board to represent it in Budapest. He agreed, and in July 1944 he went to Budapest as the official representative of the board and the first secretary of the Swedish legation. When he arrived in the city, its Jewish population of 230,000 were confronted with the prospect of imminent deportation to Auschwitz for extermination—a fate that more than 500,000 Hungarian Jews living outside Budapest had already suffered.

Wallenberg's task was to save as many Jewish lives as possible. On his arrival, he immediately began to issue the certificates for Jews who already had visas for Sweden. In addition, he invented on the spot what was to rescue approximately 100,000 people—the schutz-pass, or protected passport.

Almost daily, Wallenberg visited the railway stations in Budapest whence Jews were being transported to Auschwitz in sealed cattle trucks. He watched carefully. Speaking with the authority of a Swedish diplomat, he would order the Germans to open the doors of the wagons so that he might check that none of those inside held Swedish passports. Once inside, he would distribute his schutz-passes or accept any document, however trivial, that bore Hungarian script, which the Germans could not understand—library cards, driving licences, receipts.

In November 1944, Adolf Eichmann ordered that all remaining Hungarian Jewish women and children be rounded up and marched 125 miles to the Austrian border, from where they would be transported to Auschwitz. The Germans devised that gruelling one-week trek in the bitter cold, for which no food or winter clothing was provided, as a means of killing as many of the marchers as possible through exhaustion and starvation.

On hearing of the exodus, Wallenberg drove along the route passing out food, water, clothing and, of course, Swedish schutz-passes. A skilled negotiator, who understood that an air of authority was enough to dissuade most Germans from challenging him, he succeeded in acquiring several properties, which he established as Swedish sovereign property by flying the Swedish flag and which thus benefited from Swedish diplomatic protection.

In the dying days of the German occupation of Budapest, the Nazis decided to liquidate the Jewish ghetto. The conditions in the ghetto were appalling—families were separated, there was a lack of food and clothing and people were dying of starvation and disease. On hearing of the Nazis' plans, Wallenberg confronted the German commanders and told them that he would personally ensure that they were hanged as war criminals if they proceeded with their plans—a credible threat, given that the German army's retreat in the east was gathering pace and Russian artillery could be heard in the distance as they advanced towards the city. The plan was halted, thereby saving an estimated 70,000 more lives.

On 17 January 1945, Raoul Wallenberg was driven to the Russian commander, who was leading the troops approaching Budapest, to obtain supplies for the surviving Jews. He never returned. There has been controversy about what happened to him. I, like other hon. Members, cannot be certain. The only person who could have told us was Andrei Gromyko, who I believe took that knowledge to his grave.

The purpose of the debate—I have received support from both sides of the House—is to allow us to join together in providing a tribute to Raoul Wallenberg. I am delighted to say that many people have inspired the Wallenberg appeal. It is a project of the International Council of Christians and Jews, administered by the holocaust educational trust.

Ten years ago, I knew little about Raoul Wallenberg. Several people, including Danny Smith of the Jubilee Campaign, and Paul Lennon, inspired my original interest. From that moment, I was so moved by the man's achievements that I decided to bring them to the attention of the House. In 1989, I tabled an early-day motion, which was signed by almost 100 Members of Parliament. On 22 March that year, I introduced a 10-minute Bill entitled the British Nationality (Honorary Citizenship) Bill. It was not opposed, but there was not enough time for it to pass through its stages in this House and the other place. On 8 January 1990, I introduced another private Member's Bill, the Wallenberg (Memorial) Bill, which aimed to persuade the powers that be to set aside a piece of land for a monument.

All of that is now of no consequence because Sir Sigmund Sternberg, Maurice Djanogly and Lionel Altman have established a wonderful committee, which involves a number of hon. Members on both sides of the House. We have launched a very successful appeal and, so far, raised almost half the money that is required. The tribute would be a prestigious and imposing monument to Raoul Wallenberg and would be erected in Great Cumberland place on a landscaped semi-circular piece of ground donated by Westminster city council—for which I thank Councillor Davis. It will stand in front of the Marble Arch synagogue, close to the Swedish embassy.

The project will cost £100,000 and a British sculptor of international repute, Phillip Jackson, has been commissioned to create the monument. I hope that my hon. Friend the Minister will examine my final points carefully.

Dr. Robert Spink (Castle Point): My predecessor, Lord Braine—who was a former Father of the House—said in another place that Wallenberg symbolised the

"determination to remain human, caring and free in the face of unspeakable tyranny".—[*Official Report, House of Lords*, 15 February 1995; Vol. 561, c. 703.]

Will my hon. Friend join me in congratulating Lord Braine, whose human rights work is so widely known and acclaimed?

Mr. Amess: I certainly will. My hon. Friend the Member for Castle Point, my noble Friend Lord Braine of Wheatley and I attended the funeral of our beloved agent Barbara Allen this morning. I was reminded then of the wonderful work that my noble Friend has done in supporting the Wallenberg appeal.

My hon. Friend the Minister may be interested to learn that we have applied for an award from the Arts Council lottery board, which is progressing at the moment. On the Saturday one week before holocaust day in April, rabbis in synagogues throughout the United Kingdom—including Westcliff in Southend—will launch special appeals to their communities in an effort to raise money to meet the £100,000 target.

I pay tribute to the interest and help that we have received from the Swedish and Hungarian ambassadors. Finally, I pay tribute to all hon. Members—this is not a party-political matter—many of whom are present this evening, who have supported the effort to build a monument to Raoul Wallenberg. I hope that a person of great note will be asked to unveil it. I hope also that future generations, not only from this country but visitors to London from all parts of the world, will look at the monument and recall that, at a time when so many individuals did not achieve great things, one very great man saved more than 100,000 lives and sacrificed his own.

10.29 pm

Mrs. Llin Golding (Newcastle-under-Lyme): I am honoured to speak some words of praise in memory of Raoul Wallenberg.

At a recent meeting in the House I met a lady who belonged to a group of people from Hungary who considered it their duty to keep alive the memory of Raoul Wallenberg. She told me that she had met a number of people who had been saved by that remarkable man. They described him as a gallant young man who stood out from the crowd and who, with enormous self-confidence and nerve, issued false documents that gave them protection and a passport to life. I echo all that the hon. Member for Basildon (Mr. Amess) said. Raoul Wallenberg provided a shining light in the evil darkness of that time. We owe it to him and to the thousands he saved to make certain that that light never goes out.

10.30 pm

Mr. John Marshall (Hendon, South): First, I congratulate my hon. Friend the Member for Basildon (Mr. Amess) on introducing this debate and on everything that he has done to preserve the memory of Raoul Wallenberg. Raoul Wallenberg was a beacon of courage and determination during the awful days of the holocaust. The fact that one man could save 100,000 lives is a tribute to his personality, his courage and his determination.

Raoul Wallenberg's tragedy was that, when he had saved so many lives, in 1945 we in the west ignored his fate. After he had been captured by the Russians, the Swedish, British and American Governments did nothing in the years that followed to inquire of the Russians what was happening to him. I do not believe that he died of a heart attack in 1947. I do not believe that the diet in the Russian prisons was so full of cholesterol or that they stuffed him with butter, cream and roast beef. I believe that he was murdered long after 1947. The indifference of the west to his fate was in stark contrast to his courage in ensuring that 100,000 people lived rather than perished in the holocaust.

Mr. Anthony Steen (South Hams): With your permission, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael Morris): Order. It is not with my permission; the permission rests entirely with the hon. Member for Basildon (Mr. Amess). It is not normal to have more than three hon. Members speaking in an Adjournment debate, unless the hon. Gentleman has the agreement of the Minister.

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis) *indicated assent.*

Mr. Amess: I am aware of the pressure that the Minister is under, but I believe that two hon. Members wish to speak for just a few seconds, and I would welcome their contribution.

10.32 pm

Mr. Steen: I pay tribute to my hon. Friend the Member for Basildon (Mr. Amess) for raising this very important matter. Hon. Members on both sides of the House wish to pay tribute to him for persevering for many years until he managed to persuade the authorities to build a monument to a very great man. I hope that the Minister will be able to make encouraging sounds about the other half of the money needed to complete the project.

10.33 pm

Mrs. Barbara Roche (Hornsey and Wood Green): I shall make some very brief comments. I was born in 1954 and I am extremely proud to be Jewish. I grew up with the memory of what the name Wallenberg means. It means a great deal to the Jewish community. He was a shining light; he was a beacon at a time when it would have been convenient for people to forget, ignore and hide their heads in the sand. He did not do so and we owe him a great debt. I am proud that we are having this debate tonight. I am also extremely proud that one of my constituents to whom the hon. Member for Basildon (Mr. Amess) referred is Sir Sigmund Sternberg, who is a wonderful figure. We in the Jewish community are proud of him, but he is also famous and well-known in the Christian community. I pay tribute to Raoul Wallenberg, and to all my colleagues for their work. I wish the memorial every possible success.

10.34 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): I thank more than usually my hon. Friend the Member for Basildon (Mr. Amess) for his

moving tribute to a man who unquestionably deserves no less than my hon. Friend's words. I particularly welcome the fact that there were tributes from both sides of the House—I was tolerant, because it was appropriate to show that the House is united in its admiration of Raoul Wallenberg's qualities.

Raoul Wallenberg was an exceptionally courageous man whose selfless efforts saved many thousands of lives, for which he deserves to be remembered. I am grateful to my hon. Friend for giving me the opportunity to add my tribute to Wallenberg's bravery. Although I am replying on behalf of the Government, I will speak for a few moments on a personal basis.

Ever since first reading about Wallenberg rather more than 10 years ago, I have been inspired by his conviction, principle, humanity and, above all, selfless bravery. There are few people of whom I could say without qualification that they are my heroes, but Raoul Wallenberg is one of them. His deeds provide a source of inspiration to which we should all aspire, even if none of us could match them.

I make no apology for repeating some of the facts of which my hon. Friend the Member for Basildon reminded the House. Wallenberg went to Budapest in 1944 to head a special department of the Swedish legation, charged with helping persecuted Jews wherever possible. He left behind a secure and comfortable life in Stockholm to take up his mission. He found himself plunged into the horrors of Adolf Eichmann's extermination programme.

Lars Berg, a colleague of Wallenberg's in the Swedish legation in Budapest in July 1944 and a career diplomat, said:

"Raoul Wallenberg began from such a hopeless starting point, with such small resources and with such a lack of actual force to back him up. When he arrived to organise help for the Hungarian Jews, he was nothing but a blank page. He was not a career diplomat. His knowledge of the Hungarian language was limited. He knew no one of importance in Budapest. However, he had a job to do: to stop the already initiated deportations of the Hungarian Jews, to give them food and shelter and, above all, to save their lives. The most remarkable thing about Raoul Wallenberg's work was that it was not based on any legal rights. His task was not to protect any Swedish subjects, Allied prisoners of war, wounded or sick people. Neither he nor the Swedish legation had any right to interfere with the manner in which the Hungarian authorities chose to handle their problems—in this instance, the Jews. Wallenberg was not supported by physical force—neither weapons nor soldiers gave weight to his words. He began his mission with only one source of power—an unfaltering faith in himself, buttressed by the justness of his cause. His only protection was a diplomatic passport."

By the time that Wallenberg arrived in Budapest, the majority of the Hungarian Jewish population—numbering more than 400,000, mainly from the provinces—had already been deported to Auschwitz. The Jews remaining in Budapest were left until last. Wallenberg worked with the energy of a man possessed. In close to six months, risking his own life on a regular basis, he saved thousands who would otherwise have perished in the holocaust. It is widely thought that, directly and indirectly, he saved 100,000 people.

Raoul Wallenberg started by designing and issuing Swedish "passports"—documents that had no legal status but which were designed to achieve recognition by their extravagant symbolism. Wallenberg originally had permission to issue 1,500 such documents but ultimately issued many thousands. Witness reports even record Wallenberg issuing those passports to Jews already loaded on to cattle trucks waiting to depart for the concentration camps, and to Jews in the forced marches to the border, en route to the same fate—both times under the noses of the Nazis.

Wallenberg's audacity and resourcefulness saved many Jews from certain death. He saved many more Jews by providing safe houses—buying up property and marking it with the Swedish flag.

Above all, however, Wallenberg's genius lay in his ability to motivate and inspire, drawing in other neutral representations in Budapest to work with him; to co-ordinate the relief efforts; and to deal with the enemy in whatever form necessary. He would bribe officials to gain advance information on planned raids and death marches; he reasoned with, bargained with and cajoled those in authority, including the Nazis, to spare lives; and when all else failed, he threatened reprisals after the war when it was clear that the tide had turned.

When the Russians entered Budapest some 120,000 Jews had survived the Final Solution, some if only barely alive in the ghettos. Per Anger, another Swedish diplomat who had worked alongside Wallenberg, said that

"he was the only foreign diplomat to stay behind in Pest with the sole purpose of protecting these people. And he succeeded beyond all expectations. If you add them all up, 100,000 or more people owed their lives to him".

The tragedy is that Wallenberg was not to share the freedom that he had won for so many others. A moment of liberation for others was the moment in which his captivity began. No one can dispute that we owe it to Wallenberg's memory to help to establish his fate.

It is well known that in January 1945, Wallenberg was taken into custody by the Red army, transported to Moscow and gaoled. What exactly happened next remains unanswered. For years the Soviet authorities denied that they held him. It was not until some 12 years later, in 1957, that Andrei Gromyko, then Deputy Foreign Minister, informed the Swedes that Wallenberg had died of a heart attack, at 36, in the Lubyanka—the notorious KGB headquarters—in 1947. That, of course, was not the end of the story.

A number of approaches have been made over the years to press the Russians to provide a full and frank account of what happened to Wallenberg after he was taken into Soviet custody. Unfortunately, despite a greater openness in Russia today, such a response has not yet been forthcoming. Efforts continue to elicit one.

The Swedish Government, with whom we remain in contact on this issue, believe that the best hope of making progress now lies with the joint Swedish-Russian Wallenberg working group. This was established in 1991 to search for relevant documents and to interview persons who might have knowledge of the circumstances surrounding Wallenberg's disappearance and subsequent fate. This group is continuing its work.

The group held its 12th meeting in Moscow in September 1995 and it is hoping to publish a common report by the end of this year; but it is slow and painstaking work. We hope that answers may be found in the Russian archives. Sadly, the group has made no breakthrough yet, possibly because the bulk of the documents relating to Wallenberg may have been destroyed by the Soviet security forces responsible, anxious to cover their tracks.

The evidence about Wallenberg's fate is not clear. Despite reports of sightings of Wallenberg which date from as late as 1986, none of these has been corroborated

[Mr. David Davis]

by the joint working group or the researchers who preceded them. On the other hand, the version of events recounted by the former KGB officer Oleg Gordievsky in his book "KGB" ties in with earlier Russian claims that Wallenberg died in a Soviet prison in 1947. While the Soviet authorities had tried to claim that Wallenberg died from a heart attack, Gordievsky states that he was shot, no later than 1947.

The uncertainty is frustrating. We sympathise with the relatives and surviving friends of Wallenberg for whom the lack of any clear information about his fate must be unimaginably distressing. The full facts of this case need to be uncovered. We will continue to give our support to the joint working group.

Wallenberg was made an honorary citizen of the United States in 1981, of Canada in 1985 and of Israel in 1986. Many have called for Wallenberg to be given a similar honour in the UK. Indeed I am aware that my hon. Friend introduced a Bill under the 10-minute rule in March 1989. The Bill was to provide for the award of honorary British nationality to any individual for outstanding humanitarian services in Hungary during the period July 1944 to January 1945. The clear intention of the Bill was to award honorary British citizenship to Raoul Wallenberg.

More recently, Lord Braine of Wheatley also raised the idea of honorary citizenship during a debate, in February 1995, to mark the 50th anniversary of Wallenberg's disappearance.

Mr. Sumberg: Is my hon. Friend aware of the Jewish saying, "He who saves one life, saves the whole world"? On the basis of that, Raoul Wallenberg saved many, many worlds. Would it not be right for our country, which did so much to fight the second world war and to secure the freedom and safety of those Jews who remained, to make the gesture of conferring citizenship?

Mr. Davis: My right hon. Friend the former Foreign Secretary and I looked at that possibility closely. In the time available I cannot go through all the problems involved, but we established that they were insuperable. Her Majesty's Government have been keen, however, to help with other possibilities for honouring Wallenberg.

My hon. Friend the Member for Basildon outlined the arrangements behind the organisation of an appeal to erect a memorial to Wallenberg in Great Cumberland place. The cost of the project and its upkeep in perpetuity will be approximately £100,000. I understand that the hope is to have the memorial unveiled and dedicated within a year and that the organisers are hoping to trace survivors among the Wallenberg 100,000 to invite to the unveiling. I have seen the plans for the memorial. It will be an impressive tribute.

I wish the appeal every success. I must tell my hon. Friend that I have little influence with the Arts Council, but Her Majesty's Government are to donate £15,000 to the appeal. I look forward to the day when the memorial is completed and graces London, a worthy symbol of the British people's admiration for a very, very great man.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Eleven o'clock.

House of Commons

Tuesday 27 February 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Landfill Tax

1. **Mr. MacShane:** To ask the Secretary of State for the Environment what assessment he has made of the environmental impact of the proposed landfill tax; and if he will make a statement. [15487]

The Secretary of State for the Environment (Mr. John Gummer): The landfill tax is another step towards green taxation. It shifts tax from jobs and resources and has been widely welcomed.

Mr. MacShane: Does the Secretary of State appreciate that the landfill tax at present constituted will penalise the very bodies and companies that are seeking to clear up contaminated land? In my constituency, it will add £20 million to the cost of any efforts made by the local authority to clean contaminated land, and cost hundreds of millions of pounds in the rest of Yorkshire. Does the right hon. Gentleman realise that the tax will do great damage to British Steel, for example, and other companies that want to clear up contaminated land? It is a tax designed to put money into the Treasury. Will the right hon. Gentleman join me and local authorities, as well as responsible companies, in opposition to the bean-counting twerps at the Treasury and devise a real tax that will stop pollution where it begins rather than where it ends?

Mr. Gummer: As the hon. Gentleman knows, the tax does not put money into the Treasury. It is a tax on landfill that will be recycled. The moneys will be paid out to reduce tax on jobs. The hon. Gentleman knows that to be true. He shows by shaking his head that he does not understand the tax. I am surprised, because there is a landfill tax in Switzerland that works extremely well.

Mr. Atkins: Does my right hon. Friend agree that the tax, an environmental initiative for which he and I both worked, is yet a further sign of the Government's commitment to environmental matters? Does he agree also that no excuses can or should be accepted from local authorities for not implementing the landfill tax as it is clear that they have the moneys to do so?

Mr. Gummer: My right hon. Friend will be as sorry as I am that the Labour party has shown once again that, although it talks generally about the environment sometimes—not very often—it is not prepared to make the major changes that are necessary when it comes to precise and practical details. As the hon. Member for Rotherham (Mr. MacShane) knows, the concerns about how we should deal with landfill, which is the removal of contamination, are the subject of active discussion. Local authorities have already been able to retain in their baselines the moneys that they used to use for waste responsibilities. Those moneys have been transferred to the Environment Agency.

Mr. Eric Clarke: Is the Secretary of State aware that the tax, especially in the form of the £7 levy, will have a detrimental effect on the coal industry, and particularly on coal-fired stations where fly ash is produced by the burning of coal? At present 50 per cent. of fly ash is recycled. The other 50 per cent., especially in Scotland, is put into lagoons and reclaimed lands in the Forth estuary. It is an asset for the community and not detrimental to it. Is the right hon. Gentleman considering imposing the £2 levy rather than the levy of £7?

Mr. Gummer: It is a useful material and we are trying to promote recycling. That is important. If we are to have green taxes, they should be designed to ensure that we recycle rather than continue with landfill, which is one of the least satisfactory uses of the material to which the hon. Gentleman has referred. That is why environmental groups throughout the country have welcomed the tax change. I am sorry that the Labour party does not support it.

Mr. Devlin: Is it not the case that an amendment that links the concerns of the hon. Members for Rotherham (Mr. MacShane) and for Midlothian (Mr. Clarke) has been accepted by the Committee that is considering the Finance Bill? Is not the real concern about landfill tax the fly tipping that is engaged in by those who are not prepared to pay for rubbish to be taken to an incinerator or a waste exchange area, which means that material is left on roadsides? Should not we be considering an arrangement for the general public to rid themselves of their rubbish without littering our countryside?

Mr. Gummer: As my hon. Friend says, it is certainly necessary to give the general public more opportunities to be able to get rid of their rubbish. Many local authorities are already doing that. I hope considerably to encourage that approach. Amendments have been accepted by the Committee that is considering the Finance Bill, and they will go some way to meet some of the concerns. As the hon. Member for Rotherham clearly does not understand the way in which the tax will work and fails to appreciate that the Treasury does not gain from it—moneys raised by the tax will be recycled to reduce pressures on jobs—there was no point in supplying him with such details. He has not got that far.

Lappel Bank Case

2. **Mr. Morgan:** To ask the Secretary of State for the Environment if he will make a statement on the Lappel bank case before the European Court of Justice. [15488]

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): The United

Kingdom, with the support of France, has argued its case strongly at the European Court of Justice, and we await the Advocate-General's opinion.

Mr. Morgan: I am grateful for that answer, but does the Minister accept that, if anything, the Lappel bank case teaches us that we have a completely unworkable system of environmental protection, because any Government Department can confer strong environmental protection on bird habitats and then unilaterally withdraw it when it feels like it, and that the only remedy for anyone who wants to contest the withdrawal is to go to the European Court of Justice, which takes ages, costs a fortune and has no powers of injunction to stop work in the interim?

Mr. Clappison: I do not accept the premise of the hon. Gentleman's question. Our system is working perfectly well. In the Lappel bank case, while we await the opinion of the Advocate-General, we are mindful of the importance of the port of Sheerness and its continuing viability. On the environmental consequences, the hon. Gentleman should bear it in mind that Lappel bank is only 1 per cent. of the special area of protection in the Medway, which does not contain rare or endangered species. Our system is working well, and the hon. Gentleman would do well to bear that in mind.

Council House Sales

3. **Sir David Knox:** To ask the Secretary of State for the Environment how many council houses have been sold to sitting tenants in England since May 1979. [15489]

Mr. Gummer: About 1.45 million tenants in England bought their homes between April 1979 and September 1995. At the moment, tenants are still becoming home owners at the rate of 200 a day across Great Britain.

Sir David Knox: How does my right hon. Friend assess the future for potential sales? Will they be direct sales? Does he have any other schemes?

Mr. Gummer: My hon. Friend will agree that the changes that we have made, which give new opportunities to existing tenants in housing association property and thus ensure that future tenants in new homes will have the right to buy, and which have increased the ways in which tenants can be given a chance to buy their own homes, should mean that we shall continue to enable people to buy their own homes. The public will know that none of those 1.45 million families would have been able to buy their own home had the Labour party been in power, because it tried to stop the sales on every possible occasion.

Mr. Olner: Will the Minister consider seriously the Environment Committee report on housing needs and condemn mortgage lenders who are currently red-lining ex-council properties? The asset of those tenants is continually diminishing. Will he consider the matter with the utmost urgency?

Mr. Gummer: My hon. Friend the Minister for Local Government, Housing and Urban Regeneration condemned such practices in his speech only last Friday.

Town and Village Centres

4. **Mr. Riddick:** To ask the Secretary of State for the Environment if he will make a statement about the Government's measures to revitalise town and village centres. [15490]

The Minister for Construction, Planning and Energy Efficiency (Mr. Robert B. Jones): Through our planning policies, we provide a framework to maintain and increase their vitality and, through specific measures such as the urban design campaign, city challenge and our proposed rate relief scheme for village shops, support local initiatives that benefit the whole community.

Mr. Riddick: I thank my hon. Friend for that answer. Is he aware that there is concern among retailers in the towns and villages of my constituency—for example, Holmfirth, Meltham and Slaithwaite—about the difficult trading conditions that they face, which will make it difficult for some of them to survive? I heard only this morning that Lloyds bank plans to close its branch in Marsden. Does he agree that although the Government are not able to force people not to shop elsewhere—in supermarkets, for example—it is important that they should take steps to ensure the continuing vitality of towns and villages in constituencies such as mine?

Mr. Jones: When judging planning applications for new retail development, we shall ensure that local authorities take into account the impact of any new development on such communities and follow our guidance in terms of a hierarchy of suitable sites. At the end of the day, of course, there is much that traders and the communities in which they live can do to patronise these shops and to ensure that local authorities have a properly thought-out strategy for each town, village and city centre.

Mr. Vaz: The truth is that the Government have done their best to destroy town, city and village centres. May I remind the House that it was this Government and these Ministers who allowed hundreds of out-of-town shopping centres to be built all over the country, and to tear the heart out of our towns and villages? When will the Government be prepared to stop using planning policy to destroy city and town centres and use it productively to do what the hon. Member for Colne Valley (Mr. Riddick) just asked—promote and protect town and village centres?

Mr. Jones: If the hon. Gentleman took a close interest in such matters, he would know that that is precisely how we use the planning system. Nothing has done more to destroy city centres over the years than Labour councils' imposition of massive taxes, which has caused many businesses to move out.

Mr. Mans: Does my hon. Friend agree that there are two ways in which not to revitalise villages and towns? One is to introduce car parking charges, and the other is to insist that large housing developments take place on the edges of villages and towns, in green belts. Those are both policies of Labour-controlled councils in Lancashire.

Mr. Jones: My hon. Friend has hit two nails firmly on the head. First, car parking facilities for shoppers are a

key way to ensure the vitality of town centres. Secondly, as my hon. Friend says, the more housing there is in town and village centres, the less pressure there is on the green belt and the more people there are in the towns to patronise shops.

Local Authority Revenue

5. **Mr. Pike:** To ask the Secretary of State for the Environment what recent discussions he has had with local authority leaders on the level of Government contribution to overall local authority revenue. [15491]

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): My right hon. Friend the Secretary of State met leaders of the local authority associations on 15 January and on 6 February to discuss a range of issues affecting local government, including the financing of local authority revenue expenditure.

Mr. Pike: Has not Lancashire's education grant been increased by only 1.4 per cent.? That increase is smaller than the increases in standard spending assessment and inflation. Such small increases mean that counties such as Lancashire must either cut other services or increase the council tax.

Sir Paul Beresford: Perhaps I can help the hon. Gentleman. Lancashire's SSA has risen by 3.1 per cent., its SSA per head has risen by 2.8 per cent. and its budget has risen by 3.2 per cent. If Labour councillors cannot manage, perhaps they should resign.

Sir Irvine Patnick: When will my hon. Friend take action—

Mr. Pike: On a point of order, Madam Speaker. I give notice that I wish to raise the issue to which I have referred on a motion for the Adjournment.

Home Ownership

6. **Mrs. Ann Winterton:** To ask the Secretary of State for the Environment if he will make a statement on his policies for the promotion of home ownership. [15492]

The Minister for Local Government, Housing and Urban Regeneration (Mr. David Curry): The Government are fully committed to promoting the continued growth of sustainable home ownership, both by prudent management of the economy and through specific policies to help people to become home owners.

Mrs. Winterton: Given that home ownership is a core value of Conservatism, does my hon. Friend agree that there has never been a better time at which to buy a house, that interest rates are at an historic low and that it makes good sense to invest in new property? Will he ensure that we include in the next Budget, and in the next general election manifesto, firm policy plans to enable more people to buy their homes? Home ownership is very popular, and most families aspire to it.

Mr. Curry: My hon. Friend is right. The relationship between interest rates, earnings and prices is now such that buying a home is virtually the bargain of the century. The market is clearly going to turn around next year. As for specific help for home buyers, my hon. Friend—who co-chairs the Standing Committee considering the Housing Bill with distinction—will know that the Committee has passed clauses permitting housing association tenants to acquire their properties in some circumstances.

Mr. Sheerman: What are the Government doing about the tens of thousands of people in negative equity or the tens of thousands of people who, spurred on by the Government's propaganda and mishandling of the economy, invested in homes and then lost them again? What will the Government do for them?

Mr. Curry: If the hon. Gentleman, like the hon. Member for Greenwich (Mr. Raynsford), had been at the Council for Mortgage Lenders on Friday, he would know that I raised that very issue with some of the lenders. I told them that their policies must be tailored to the new conditions in the economy—in which people have to change jobs and accept other changes—and that we now have sustained low inflation, rather than the rapid inflation to which people became accustomed. The Government's action is concerned with sustaining a very low rate of inflation, decreasing interest rates and, therefore, decreasing mortgage rates, which helps not only people who aspire to own a home but those who have difficulty sustaining the purchase of their home. We will be continuing with that action.

Mr. Marland: Will my hon. Friend reassure the House and all current council house dwellers that, should they wish to purchase their council houses after the next election, under a Conservative Government they will be able to do so? Will he contrast that with the wishy-washy commitments, if any, that we get from Labour Members and the fact that Labour councillors have for a very long time tried to deny council house tenants the right to buy their homes?

Mr. Curry: We shall not merely maintain the policy that allows local authority tenants to buy their homes; we are making it possible for housing association tenants to buy their homes on equivalent terms. That will be an opportunity that has been closed to many, and it is part of the extension of sustainable home ownership to which we are thoroughly committed.

Mr. Raynsford: Why does the Minister not admit that, far from helping home owners, the Government have created the worst crisis for home owners in this country's history? Millions of home owners are caught in negative equity, 1,000 home owners lose their homes through repossession every week and the market is suffering from a deep crisis of confidence. The Minister knows that the Government's policies have been a disaster for home owners. They have betrayed home owners, and home owners are rightly looking to Labour for a solution.

Mr. Curry: There is nothing like the Labour party when it comes to wallowing in other people's problems. The fact is that we still have more people moving into home ownership than are facing difficulties from home ownership. We intend to extend home ownership, which

is part of our policy of achieving a sensible housing market in which home ownership, private renting and social housing have their proper roles to play. The Government have introduced that creative scheme. The Opposition have no creative policies except for the use of capital receipts, but they will not even tell us during what period they will be spent. I hope that the Leader of the Opposition will spell at least that out next week.

Urban Design

7. **Mr. Day:** To ask the Secretary of State for the Environment what plans he has to encourage higher standards of urban design in respect of new developments in towns and villages. [15493]

Mr. Gummer: I take every opportunity to raise the profile of urban design and the quality initiative that the document "Quality in Town and Country" spearheaded. I also launched a national urban design campaign last summer.

Mr. Day: Is my right hon. Friend aware that we have lost much green open space in my constituency of Cheadle, particularly to large out-of-town retail developments? If planning procedures allow such developments—against my will and that of a large percentage of my electorate—would it not be better if they were made more suitable for green, leafy areas, rather than, as at present, the American mid-west?

Mr. Gummer: My hon. Friend will know that I have sought to insist that the town centre is the most natural place for retail development and to see that the quality of those developments should, like the quality of all developments, improve considerably. I am pleased to say that, although my hon. Friend has in his area the problem he described, he will note in the Henry Square Revival in Ashton-under-Lyne and the Gorse Stacks in Chester real examples of better design because of the Government's encouragement. We shall continue with that.

Mr. Clapham: When promoting urban design, will the Secretary of State consider no build being extended under high-voltage power lines, as happens in many villages in my constituency? Bearing in mind the link between ill health and the electromagnetic field under power lines, will the Minister consider—[HON. MEMBERS: "The microphone is not on."]

Madam Speaker: I am sorry that the hon. Gentleman has been interrupted. The technicians are aware that the microphone is not working; I can see them working on the problem.

Mr. Clapham: Bearing in mind the link between ill health and the electromagnetic field under power lines, will the Minister consider amending planning law to ensure avenues of no build under such lines?

Mr. Gummer: No, I have no intention of doing that. I have considered the evidence carefully and believe that the hon. Gentleman is asserting as fact a very questionable argument.

Water Prices

8. **Sir Teddy Taylor:** To ask the Secretary of State for the Environment by what percentage the price of water for domestic consumers has changed over the past five years; and what assessment he has made of the reasons for the change. [15494]

Mr. Clappison: Average domestic water and sewerage charges have increased by 35 per cent., including inflation, over the past five years. Charges have risen to help pay for the massive modernisation programme which has been necessary to raise water quality and environmental standards.

Sir Teddy Taylor: As the sharp rise in the price of water is so different from the sharp fall in the price of the services provided by almost every other privatised industry—I am thinking of electricity, telecommunications and gas—would not it be helpful to give the public a full explanation of that difference? Does my hon. Friend agree that one of the basic reasons was the previous starvation of investment whereas the industry now has to bear the cost of implementing Euro-directives and the massive cost of removing agricultural chemicals and pesticides from water supplies?

Mr. Clappison: My hon. Friend knows that the Government are committed to improving agricultural practices. On the wider issue, however, he is right to make the connection between the need for investment now and the lack of investment in the past. He will be aware that, since privatisation, investment has run at roughly twice the previous level. It is certainly much higher than it was before 1979. Higher investment is necessary to pay for the environmental standards that we wish to implement.

Mrs. Helen Jackson: Does the Minister agree that the problem of the 35 per cent. increase is only compounded by the even greater increase in profits over the past five years? Is not it disgraceful that, for the past two years, investment in the industry has actually fallen, which gives the lie to his claims?

Mr. Clappison: The hon. Lady fails to see the link between profit and investment. Profit is very important for investment, and we want investment to continue so as to provide higher environmental standards, cleaner rivers, beaches and bathing water and high-quality drinking water. The hon. Lady's party would take us back to the bad old days of the Labour Administration when the industry was starved of investment.

Sir Sydney Chapman: I agree with my hon. Friend the Member for Southend, East (Sir T. Taylor) that the major reason for the increase in water charges is the fact that we have to meet EU directives. Will my hon. Friend confirm that half those directives have nothing to do with health and safety but are concerned only with matters of taste and colour? Even at this late stage in the huge investment programme, will my hon. Friend try to persuade his European ministerial colleagues to get rid of such unnecessary EU directives?

Mr. Clappison: I am sure that my hon. Friend will appreciate that the Government are committed to high

standards of drinking water. Higher environmental standards across the board are the essence of the way in which we impose and interpret those directives. I know that my hon. Friend would wish his constituents in Barnet to have good-quality drinking water standards, just as we would for our constituents.

Mr. Matthew Taylor: The Minister will appreciate that the figures he cites disguise a wide variation in water prices across the country. Will he explain to those whose bills have doubled, or more, in the south-west—and other areas that have been hit hard—why the Government believe it is appropriate to continue to subsidise the already lower prices in Scotland but refuse any help to those who have been hit in high-paying areas such as the south-west?

Mr. Clappison: The hon. Gentleman will be aware of the particular need for investment in the south-west and the problems along the coast there. He would do well to bear in mind the need for investment arising from the lack of investment in the past. I am sure that he will join me in welcoming the improved environmental standards in the south-west. The hon. Gentleman should study the report issued by the Centre for the Study of Regulated Industries, which shows that the rise in prices in Scotland has been very nearly the same as that in this country.

Mrs. Peacock: I note what my hon. Friend says about investment in the water industry. He knows very well the amount that Yorkshire Water has invested. What does he say, however, to consumers in Yorkshire, given that Yorkshire Water has recently announced a 5.5 per cent. increase in its charges—more than twice the rate of inflation—and said in the same breath that it is not sure that it will be able to supply water to its customers due to possible shortages?

Mr. Clappison: My hon. Friend will know that, under the regulator's price structure, prices will be stabilised in Yorkshire and will be much lower in future. Particular problems in Yorkshire have been caused by exceptionally dry weather—*[Interruption.]* The Government are anxious to ensure that no water supply problems are caused by dry conditions in Yorkshire. Opposition Members who are shouting would do well to remember that, during the drought in Yorkshire last summer, no standpipes were used and there were no rota cuts, unlike what happened in 1976, when there was also dry weather.

Mr. Dobson: Will the Minister confirm that the average price rise hides the fact that, while water prices generally have been pushed up by 80 per cent., charges for metered supplies have come down by 2 per cent. in real terms? First, is not such discrimination against one group of customers unlawful and, secondly, is not it part of the Government's general secret agenda to force or bribe everybody to go on to meters?

Mr. Clappison: The hon. Gentleman is comprehensively wrong. It is a shame that he chooses to rubbish water metering, when it has important benefits for water conservation and the environment. The longer the hon. Gentleman rubbishes water metering, the more he shows that he is not concerned about the environment, has given no thought to the environmental consequences of water policy and has nothing constructive to say on the subject.

Rural Business

9. **Mrs. Lait:** To ask the Secretary of State for the Environment if he will make a statement about his plans to introduce a new rural business use class. [15495]

Sir Paul Beresford: We announced in the rural White Paper our intention of consulting on the possible introduction shortly of a new rural business use class. A consultation paper is in preparation and the intention is to improve the rural economy by giving local planning authorities more confidence to allow appropriate new businesses to set up in the countryside.

Mrs. Lait: That is welcome progress in helping to reduce rural unemployment in areas such as Rother, where it has been far too high for far too long. Does my hon. Friend agree that councillors and planning officials have been the most opposed to successful, small-scale business development? What plans are there to provide training and information for them so that such developments may be encouraged—so that we may have thriving villages and a thriving countryside?

Sir Paul Beresford: My hon. Friend will be aware that, even at its consultancy stage, the White Paper will contain reassurance on exactly the concerns of local authority councillors and planning officials. I am sure that they will grab the opportunity and move with it when it is fully realisable.

Mr. Foulkes: Will the initiative extend to Scotland, Britain's premier rugby nation?

Sir Paul Beresford: I should have thought that, bearing in mind my accent, the hon. Gentleman was taking a big risk talking about rugby—even at Murrayfield. I shall certainly put his point to my right hon. Friend the Secretary of State for Scotland, who might like to consider it.

Telecommunication Masts

10. **Mr. Jenkin:** To ask the Secretary of State for the Environment what measures he is pursuing to regulate the construction of telecommunication masts in areas of outstanding natural beauty. [15496]

Mr. Robert B. Jones: Except in an emergency, the erection of telecommunication masts in areas of outstanding natural beauty needs planning permission from the local planning authority. Guidance on such applications is set out in the Department's planning policy guidance note 8, which emphasises the need to protect the best and most sensitive environments.

Mr. Jenkin: Can my hon. Friend envisage the great landscape paintings of Constable spiked with telecommunication masts for cellphones? Will he assure me that he will co-ordinate carefully the telephone

companies and the local authority in Dedham vale in my constituency to ensure that masts are not erected in inappropriate and obtrusive places?

Mr. Jones: It is probably just as well that my hon. Friend mentioned Constable, rather than some modern painters whose works already look as if they have telecommunication masts all over them. I certainly accept what he said about the need for proper co-ordination between operators and local planning authorities. After all, the purpose of preliminary notification is to enable authorities to pick out plans for sensitive sites and to ensure that full planning applications are required for them.

Dame Elaine Kellett-Bowman: Does my hon. Friend accept that it is no earthly use his governing telecommunication poles unless he also governs electricity pylons? Will he ensure that in areas of outstanding natural beauty such as the Forest of Bowland, supplies are routed underground whenever possible?

Mr. Jones: I understand my hon. Friend's point, and I shall certainly think about what might be done in that regard.

Mr. Miller: It is good to hear that the hon. Member for Colchester, North (Mr. Jenkin) is sometimes a convert to the need for regulation. What discussions has the Minister had with the Radio Authority and network planners? It is no good dealing with the issue piecemeal. We need a strategic plan in place, and his Department should take a lead role in that respect, ensuring that the proper infrastructure is there and that the environment is protected in the way described by the hon. Member for Colchester, North.

Mr. Jones: The whole point of calling operators and local authorities together is to ensure proper co-ordination. In trying to promote good practice, we shall certainly take into account the concerns that many hon. Members have expressed.

Energy Conservation

11. **Ms Ruddock:** To ask the Secretary of State for the Environment what recent representations he has received regarding domestic energy conservation measures. [15497]

Mr. Robert B. Jones: We have recently widened the formal arrangements for dialogue between the energy efficiency industry and Ministers, and I met representatives of the industry on 20 February. We have received to date 119 responses to our consultation on guidance to the Home Energy Conservation Act 1995. We have also received recent representations on our successful home energy efficiency scheme.

Ms Ruddock: How can the Government still claim to be in favour of sustainable development when they have cut by one third the modest home energy insulation programme, which conserves energy and reduces CO_2 emissions? Is he aware that the number of backlog applications from people who are poor, old and cold is approaching 250,000, and that 1,500 jobs will be lost because of the cut made by the Secretary of State? Will the Minister now reinstate that £31 million, or does he say one thing and do another?

Mr. Jones: If anyone said one thing and did another it is the hon. Lady, because although she is fond of the scheme now, under the Labour Government there was no such support for energy conservation. Judging by what she says, I suspect that she would take an axe to the scheme even now. I have explained to the House several times that £30 million was added to the budget for the scheme in anticipation of the second stage of VAT. That was voted down by the House, so of course the VAT compensation package also fell.

Mr. Harry Greenway: Will my hon. Friend confirm that home energy efficiency schemes save individual households as much as 33⅓ per cent. on their fuel bills? Would it not be a long-term investment of the soundest kind, both for the nation and for the individual, if the scheme were further promoted as soon as it is possible to do so?

Mr. Jones: Indeed, my hon. Friend is right—and of course, even with the changes that we have made, more people will benefit. Those who do not qualify for free fitting of insulation will receive a 25 per cent. discount, which is a substantial incentive for people to adopt such measures in their homes.

Mr. Dafis: The wreck of the Sea Empress has many lessons to teach us, one of which is that we must reduce our dependence on burning fossil fuels. Is not energy efficiency the first priority? How can the Government claim to be serious about the matter when they are cutting the home energy efficiency scheme budget by 30 per cent., and when the Energy Saving Trust will have to make do with £25 million for two years rather than the £350 million that it expected? Is that not a terrible indictment of the Government's lack of commitment and seriousness on the matter?

Mr. Jones: The hon. Gentleman is certainly right that energy conservation is extremely important in tackling environmental problems, and it is also one of the most cost-effective ways of doing so. If I had to name the worst enemy of progress, it would be the complacency of the British public, and that is difficult to address.

Environment Agency

13. **Mr. Steen:** To ask the Secretary of State for the Environment what assessments have been made of the impact that the new United Kingdom Environment Agency will have on the cost of running small businesses. [15499]

Mr. Clappison: Establishing the new Environment Agency will help all businesses by reducing the number of regulators with which they have to deal.

Mr. Steen: As the Environment Agency has the power to introduce new self-financing regulations, what will the Government do to protect the 4 million small firms that will be the victims of rampant and over-zealous officialdom? What is needed is a fast-track approach on

appeal. Can something be done to reduce the impact on small firms of over-zealous officials who constantly want to gold-plate every rule and regulation that comes out of this place?

Mr. Clappison: My hon. Friend is a zealous campaigner on behalf of deregulation, and I hope that he will welcome this as a deregulatory measure that will help business by providing a one-stop shop that can meet its needs. I hope that he will join the warm welcome that has been given to the new agency by the CBI and other representatives of business, including the Advisory Council for Business and the Environment. We will listen carefully to opinions as the agency progresses, but it will be a help to business and it will be deregulatory.

Mr. Bennett: Will the Minister confirm that high environmental standards are extremely good not only for people but for jobs? In meeting those high standards, many small firms have been able to develop a market both at home and abroad. Should we not be doing everything possible to encourage high environmental standards and the jobs that go with them?

Mr. Clappison: Yes, the hon. Gentleman is right. High environmental standards help businesses both large and small. For our part, the Government are prepared to give plaudits to businesses that are successful in winning environmental exports. We are interested in a positive environmental policy that benefits business and the environment. We wait to hear the Opposition's policies—so far, we have heard absolutely nothing.

Local Authority Services

14. **Sir Fergus Montgomery:** To ask the Secretary of State for the Environment what plans he has to meet representatives of the GMB to discuss the provision of local authority services. [15500]

Mr. Gummer: None.

Sir Fergus Montgomery: Does my right hon. Friend agree that the General Municipal Boilermakers Union has waged a sustained campaign against compulsory competitive tendering? Does he further agree that the fact that that union is one of the paymasters of the Labour party should strike terror into the heart of every council tax payer in the country?

Mr. Gummer: There is no doubt that the Labour party in local government is much more interested in the dictates of the unions that represent local government workers than in the needs of the community of electors. There have been recent examples of that union attempting to stop contracting out to protect its closed-shop practices, and there are other similar examples all over the country. The union is supported by the Labour party—and by the Labour leadership—because it puts money into Labour's pockets.

Mr. Betts: When the Minister meets representatives of the union to talk about CCT, will he discuss the waste of money on housing management CCT, particularly in the city of Sheffield? In Sheffield, the authority had to spend £900,000 and not one firm tendered for the work in question. The last firm to withdraw said that it would not bid because it could not improve on the services provided by Sheffield city council. Is it not time that the Minister allowed local authorities to spend money on providing houses for people in need, rather than wasting money on the outdated dogma that he espouses?

Mr. Gummer: All over the country, tenants have found that management has improved, even where they have not gone over to private enterprise, because for the first time, owing to CCT, local authorities are asking them what they want. The right hon. Member for Sedgefield (Mr. Blair) and the Labour party hate CCT as it means that their paymasters have to compete for jobs instead of taking them from the local authorities run by him and his lackeys.

Air Quality

15. **Dr. Spink:** To ask the Secretary of State for the Environment what recent discussions he has had with Her Majesty's inspectorate of pollution regarding air quality. [15501]

Mr. Clappison: My ministerial colleagues and I regularly meet officers of Her Majesty's inspectorate of pollution to discuss issues of importance regarding air quality.

Dr. Spink: I welcome the new duty that is to be placed on local authorities to assess air quality and make improvement plans. I invite my hon. Friend to visit Castle Point to encourage the local borough council to provide additional air quality monitoring equipment in Benfleet, so that a better balance of air quality monitoring may be achieved in Castle Point.

Mr. Clappison: My hon. Friend's point is well made. Last year, under the Environment Act 1995, the greatest progress towards achieving clean air was made since the Clean Air Act 1956. Local authorities have an important part to play in that strategy. I know that my hon. Friend will take a close interest in the progress made at Benfleet and the rest of the country towards the higher environmental standards, including clean air, that the Government seek.

PRIME MINISTER

Engagements

Q1. **Ms Eagle:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 February. [15516]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my meetings in the House, I shall be having further meetings later today.

Ms Eagle: Will the Prime Minister explain to the House whether he knew of the £6.2 million rescue package put together by ex-Tory Cabinet Minister Lord Younger last October to save the hon. Member for

Bromsgrove (Mr. Thomason) from being disqualified as a Member of Parliament? Did the Prime Minister approve of the deal?

The Prime Minister: I have to say to the hon. Gentleman—*[Interruption.]* I have to say to the hon. Lady—forgive me for that slip—that that is not a matter for me, and it was not a matter of which I was aware.

Mr. Pickles: In his busy schedule, has my right hon. Friend had an opportunity to study the book by the hon. Member for Hartlepool (Mr. Mandelson)? What lessons does he draw from it for his own Government—*[Interruption.]*

Madam Speaker: Order. The hon. Gentleman is asking a question about lessons to be drawn by the Government and hon. Members should listen.

Mr. Pickles: May I draw to my right hon. Friend's attention the suggestion in the book that, under a Labour Government, each newly married couple would receive £5,000? Is he aware that the last time that that proposal was seriously made was in Germany under the Third Reich? Does he agree that, in seeking a role model for his own leader, the hon. Gentleman has bypassed domestic role models and seeks the concept of "Ein Reich, ein Volk, ein Führer"?

The Prime Minister: I have not read the book, but it clearly sounds an extremely good buy, even if I have to purchase it myself. I am not sure that the book will do a good deal of good for the hon. Gentleman who wrote it. If he has the influence on Labour party policy that many of us believe, I hope that everybody will take the opportunity of reading the book.

Mr. Blair: The Prime Minister knows that we have supported the Government wholeheartedly in the peace process and will continue to do so. In view of the damaging speculation, will he clarify whether any deal was offered to the Government last night, as has been suggested?

The Prime Minister: I made it clear last night—and I have made it clear on earlier occasions—that I have no intention of doing any deal with any party on any occasion if the price of that deal is any given action by the Government in relation to the Northern Ireland peace process. I appreciate the support that I have had, across the House, on that process. To many Members of the House, the process has been seen as being above politics in many ways, which I believe is right. I am not in the market for deals now or in the future, and I think that every hon. Member is aware of that.

Mr. Blair: I am grateful for that reply. I hope that the Prime Minister will, therefore, deplore any briefing that was given last night about deals being offered to the Government. Does he agree that the issue of Northern Ireland and other issues of intense party controversy are best kept entirely separate in future?

The Prime Minister: I entirely agree that those matters are separate and, as I said a moment ago, there are no deals and there will be no deals, and I think everyone is aware of that.

Mr. Skinner: The DUP?

The Prime Minister: There is no deal with any political party in the House—not with the Democratic Unionist party, not with the Ulster Unionists, not with the Social Democratic and Labour party. No deal—not now, not yesterday, not tomorrow, not at all—on this process.

Mr. John Greenway: Will my right hon. Friend continue to give priority to increasing the number of police officers available for beat duty, especially in rural areas? Does he agree that those officers should be full time, that the fight against crime requires total dedication and commitment from our police and that part-time officers are no substitute?

The Prime Minister: I agree with my hon. Friend about the tremendous reassurance that is given to people by seeing police officers on the beat. He will be aware that we have provided funding in this year's public expenditure round that gives chief constables the resources to put a further 5,000 police officers on the beat.

Having said that, I also believe that those who serve part time in the police force do a very good service for their community, as do special constables. My hon. Friend is entirely right, however, that the public feel deeply reassured by seeing more full-time, fully trained police officers on the beat. That is what we want; we have provided resources to obtain it.

Mr. Ashdown: On GMTV on Sunday, the Defence Secretary said that he believed that a European single currency in Europe is very likely. Does the Prime Minister agree?

The Prime Minister: May I, first, in a spirit of cross-party good will, wish the right hon. Gentleman a happy birthday? I cannot promise that this good will will always last.

I think that many countries in Europe believe that a single currency would be good for Europe and that it will take place: it may, at some stage in the future. I believe that the time scales currently set out cannot safely be met.

Mr. Jacques Arnold: When my right hon. Friend goes to the intergovernmental conference, will he ask his Spanish counterpart how he explains to the young people of Spain, one third of whom are unemployed, why their jobs should be sacrificed on the altar of the social chapter?

The Prime Minister: My hon. Friend directs that question especially at my Spanish colleague, but it might equally be directed at several of my colleagues elsewhere in Europe. Throughout Europe, countries that have signed the social chapter and that have many social provisions that would be included in the social chapter, were this country foolish enough to sign it, have higher unemployment, including youth unemployment, than we have in this country—and, in many cases, far higher unemployment. That is why we believe that it would be quite wrong, in the interests not only of competitiveness but of having people in work, especially young people, to

sign it. We will not, and it is one of the dividing lines between the policy of the Government and that of the principal Opposition parties.

Q2. **Mr. Bill Michie:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 February. [15517]

The Prime Minister: I refc the hon. Gentleman to the reply I gave some moments ago.

Mr. Michie: Does the Prime Minister think it is right that last night's vote on the conduct of two Ministers was won only because the two Ministers concerned decided to vote to exonerate themselves?

The Prime Minister: I know that the hon. Gentleman has always taken a great interest in matters relating to Iraq. He demanded an immediate ceasefire and peace conference before Saddam Hussein had been defeated in the war, so he takes a great interest in this matter.

If the Government had been defeated by one or two votes last night, the hon. Gentleman would have said, "Everything is proved; all must change." Unfortunately for him, the House did not vote to defeat the Government last night. If he reads the debate that took place in the House of Lords—where perhaps a more dispassionate view was taken on many issues—he will see that five Law Lords said unequivocally that they agreed with the legal advice given by my right hon. and learned Friend the Attorney-General.

On that basis, I look forward to hearing the hon. Member for Livingston (Mr. Cook) withdraw the remarks that he has made repeatedly in the past three years. Until he does so, the Government will not be able to take seriously a single word that he utters.

Sir Peter Hordern: Will my right hon. Friend consider publishing a White Paper giving the history of defence equipment sales over the past 30 years or so? Is it not correct that the first super salesman at the Ministry of Defence was Mr. Ray Brown, who was appointed by Lord Healey? Did not Lord Callaghan, as Prime Minister, introduce the Chevaline missile without telling half of his Cabinet or the House? He would certainly never have told the Leader of the Opposition or the hon. Member for Livingston (Mr. Cook), who were members of CND.

The Prime Minister: It is just possible that the reason why he would not tell them was given by my right hon. Friend at the end of his remarks. What happened under previous Governments is a matter of record. It is also a matter of record that this Government sold no hard armaments to Iraq and that the previous Labour Government provided many to Argentina. That is a matter of record, not speculation.

Q3. **Ms Roseanna Cunningham:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 February. [15518]

The Prime Minister: I refer the hon. Lady to the reply I gave some moments ago.

Ms Cunningham: I wonder whether the Prime Minister noticed the demonstration that took place in Edinburgh on Saturday against swingeing Government education cuts. Some 40,000 people—parents, teachers and children—marched in protest against those cuts. That is the equivalent of about 500,000 people marching on the streets of London. Is the Prime Minister aware that his Minister at the Scottish Office said that he would have joined the demonstration if he had been in Edinburgh? If the Prime Minister had been in Scotland at the weekend, would he have joined the demonstration also—bearing it in mind that the slashing of local government budgets means that he would not be guaranteed police protection?

The Prime Minister: The hon. Lady knows that more resources are made available year after year for education in all parts of the United Kingdom. She knows also that the proportion of public expenditure per head of population throughout Scotland is far higher than that throughout the whole of England and Wales. It is only smaller than that in Northern Ireland, where very special circumstances prevail. Of course, the hon. Lady is also in favour of an extra tax in order to provide more money and an extra imposition of £6 per week for every family in Scotland as a result of policies that she supports.

Q4. **Mr. Whittingdale:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 February. [15519]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Whittingdale: Does my right hon. Friend agree that the ending of the IRA ceasefire makes it even more important that the prevention of terrorism Act be renewed? Does he agree that that measure should be supported by all parties in the House and that to abstain, rather than to vote against it—which now appears to be the policy of the Labour party—is not sufficient and will do nothing to help in the war against terrorism?

The Prime Minister: I am grateful to the Labour party for the bipartisan approach that it has adopted: I repeat that point yet again. I was very pleased to hear from the shadow Home Secretary that the Opposition do not intend to oppose the Bill. I hope that, on reflection, they will be prepared to go a little further and support us on that Bill. It would be helpful were the Opposition to do so, but that is a matter that they must consider. I can say only that, on that Bill, I would especially welcome their support in the Lobby.

Q5. **Dr. Wright:** To ask the Prime Minister if he will list his official engagements for Tuesday 27 February. [15520]

The Prime Minister: I refer the hon. Gentleman to the answer I gave some moments ago.

Dr. Wright: After yesterday's events, what advice would the Prime Minister give to a civil servant who is asked by a Minister consistently, deliberately and designedly to mislead the House of Commons?

The Prime Minister: The hon. Gentleman knows that that is not the case and that there is a code of conduct for civil servants, which they follow. That has been, is and will continue to be the case.

Ministerial Visits

Q6. **Mr. Wilkinson:** To ask the Prime Minister when he last visited the Ruislip-Northwood parliamentary constituency. [15522]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Wilkinson: May I assume from that reply that my right hon. Friend the Prime Minister is referring to his last visit to Royal Air Force Northolt in my constituency? On that occasion, he may have climbed out to the south-west over pleasant, open countryside and green belt. Will he ensure that his Government stick to the excellent sentiments expressed by him and the leaders of the Labour and Liberal parties in their letter to *The Times* on 9 February, in which they called for the preservation of the countryside?

The Prime Minister: As my hon. Friend knows, we have recently produced a White Paper on rural affairs as well and our concern for the countryside has not lately arrived, but has been a party concern for many years. That remains the case.

Thameslink 2000

3.30 pm

The Secretary of State for Transport (Sir George Young): With permission, Madam Speaker, I should like to make a statement about the Thameslink 2000 project.

Thameslink services, introduced in 1988, currently provide rail links between north and south London through the City. Capacity is limited by the nature of the infrastructure, especially bottlenecks around London Bridge, which means that, at present, no more than six trains per hour in each direction can be accommodated. The Thameslink 2000 project will provide additional track and station capacity for those cross-London services.

The centrepiece will be a new low-level station at St. Pancras adjoining the channel tunnel rail link terminal. In addition, there will be two new rail flyovers at New Cross Gate and Bermondsey, an extra platform and track at London Bridge, additional tracks through Borough Market, rebuilding works at Blackfriars and Farringdon, and a new connection to the east coast main line north of King's Cross.

The project will quadruple capacity on the existing route from six to 24 trains per hour in each direction. By strengthening the link between the rail network north and south of London, it will provide significant new opportunities for services from points as far afield as Brighton, Eastbourne and Bognor Regis in the south, to Bedford, Cambridge and Peterborough in the north. It will enhance access links to both Gatwick and Stansted airports.

The project will make it easier for passengers to travel by rail to and from the channel tunnel rail link terminal at St. Pancras, and it will relieve road congestion in London. The project's estimated total cost is about £650 million, and the analysis of its costs and benefits shows that it offers excellent value for money, with a benefit-cost ratio of nearly 3:1.

The construction of the channel tunnel rail link terminal at St. Pancras provides a unique opportunity to take forward Thameslink 2000 in parallel. The Government have therefore decided that the successful bidder for the CTRL project should provide the main station structure for Thameslink 2000 and the link to the Great Northern line. We will make available sufficient funding to cover the cost of those works. Railtrack—once in the private sector—will undertake the remaining infrastructure works, including the fitting out of the station.

In addition, the franchising director has negotiated terms with Railtrack that provide Railtrack with the necessary assurance of funding for the additional services provided by Thameslink 2000. Because of the additional revenue generated by the services, it is expected that the effects on franchise operators of the additional services will be broadly neutral.

The cost of the Government's contribution towards the capital costs of the project will depend on the outcome of the CTRL competition, but I expect it to be around £100 million out of the total capital cost of £650 million. With joint funding, and Railtrack and the CTRL promoter taking construction risk, this will be an excellent example of the private and public sectors combining to take forward a major investment project.

The Government will also take Railtrack's need to fund Thameslink 2000 into account in decisions on Railtrack's capital structure for flotation. I am in no doubt that prospective investors in Railtrack will welcome this commitment to Thameslink 2000.

On current plans, Thameslink 2000 services can be expected to start within six years. The precise timing will depend on progress on the CTRL—on which I hope to make a statement shortly—and on the time taken for Railtrack to secure the necessary authorisation for the works under the Transport and Works Act 1992.

The Government remain committed to the progressive, strategic enhancement of the capital's transport infrastructure. Work on the Jubilee line extension is in full swing. Today's announcement provides a green light for Thameslink 2000. Because of the timing considerations resulting from the interaction with the CTRL, Thameslink will now precede work on the crossrail project for enhancing capacity on east-west, cross-London routes. Thameslink 2000 will be a valuable addition to London's infrastructure—complementing the channel tunnel rail link, providing new service opportunities for train operators, and providing additional capacity for commuters into London.

The Government's support for Thameslink is good news for London, but not for London alone; rail users across the south-east will benefit from the increased capacity that it provides. The project is clear evidence of the capacity of a railway firmly rooted in the private sector to take forward major investment projects. Far from fragmenting the railway, we are adding extra capacity and providing a better integrated network. Today's announcement demonstrates our commitment to a dynamic, expanding railway for the next century.

Ms Clare Short (Birmingham, Ladywood): The Labour party greatly welcomes the Secretary of State's long-overdue announcement of the further development of Thameslink—which will, among other things, significantly enhance train capacity north-south across London and improve capacity at Charing Cross, which currently suffers many hold-ups. As the right hon. Gentleman said, Thameslink 2000 will also provide capacity at St. Pancras to deal with passengers arriving on the channel tunnel rail link. That, of course, explains the timing of the announcement, because the Secretary of State will shortly announce the award of the drastically delayed channel tunnel rail link project.

Given that motivation, will the Secretary of State tell the House clearly and exactly when work will start on this project? Does the Secretary of State agree that it is deeply regrettable that the project has been so badly delayed as a result of rail privatisation?

The Minister for Transport in London (Mr. Steve Norris): Nonsense.

Ms Short: That is not nonsense—it is absolutely true. The Minister should not intervene in that way.

Does the Secretary of State agree that it is even more regrettable that the project will cost the taxpayer a massively increased amount of money as a result of rail privatisation? [*Laughter.*] Hon. Members should not laugh—that is true. That is their Government's policy.

[Ms Short]

Is the right hon. Gentleman aware that the old Greater London council funded the original British Rail feasibility study, which brought back into use a small section of railway south of Farringdon that had not been used for passenger services since the first world war, allowing the north-south connection to be made? Conservative Members might wish to know that was achieved by the GLC and British Rail.

Is the Secretary of State aware that British Rail established the Bedford-Brighton service, which runs every 15 minutes, in 1988—and that British Rail had plans to expand the system, in the way that the right hon. Gentleman has announced today, from 1990? British Rail had a Bill ready in 1991, but the Department of Transport would not allow the Bill to be deposited. Is the Secretary of State also aware that, following the 1992 election, everything was subsumed in the preparation for privatisation, and this valuable project was further delayed?

Is the Secretary of State aware that, even more tragically, if the project had gone forward in 1991, it would not only be up and running now, but would be largely paid for, since it is a project that would have been self-financing under the old British Rail system? I understand that, under the privatisation structure, it has been more difficult and expensive for the Secretary of State to carry the project forward, because he has had to arrange further funding for the franchising director to pay extra leasing charges to the rolling stock companies and extra track access charges to Railtrack. I also understand that the Secretary of State must have faced difficulties in persuading the Treasury to release much larger amounts of taxpayers' money than would have been necessary to take the project forward in 1991.

Will the Secretary of State admit that the project clearly demonstrates the folly of rail privatisation? The Thameslink project has been delayed by at least five years, and will cost the taxpayer much more because of privatisation. Even at this late stage, will the Secretary of State learn the folly of his ways and agree to halt the process of rail privatisation? It is holding back investment and costing the taxpayer more, as the Thameslink project clearly demonstrates.

Sir George Young: It would be churlish of me not to welcome the remarks welcoming my announcement that the hon. Lady made at the beginning of her question, but, with respect, she has totally missed the point. It is precisely because we are privatising Railtrack that we can make progress with the capital investment without the need to impose extra obligations on the taxpayer or to borrow more money.

The hon. Lady would be unable to make the statement that I have just made, because she would not proceed with the privatisation of Railtrack. The hon. Lady is not allowed to make any public expenditure commitments, and she could not have made the statement that I have just made because, under a nationalised Railtrack, it would cost extra money. It is because we are privatising Railtrack that we can make faster progress with the project than the Labour party could.

On the hon. Lady's more specific questions, I made it clear in my statement that there will not be any impact on the franchising director's budget. The effect will be neutral, because the additional revenues generated by the capital investment will remove the need for subsidy. On the question of progress, I said that we hoped the project would be up and running within six years. I hope that Railtrack will proceed with the Transport and Works Act 1992 process towards the end of the year.

Mr. Peter Brooke (City of London and Westminster, South): Given that a recent comparative study of European capitals put London in first place both for international access and for access within the city, may I congratulate my right hon. Friend on today's announcement? May I press him on the timing of a further statement about crossrail?

Sir George Young: As I implied in my statement, I hope to make a statement shortly about the progress that we are making with the channel tunnel rail link, but at this stage I cannot go any further in answer to my right hon. Friend's request.

Mr. David Chidgey (Eastleigh): We welcome the Secretary of State's announcement about the progress—at last—of Thameslink, although we have some reservations about the routeing through London Bridge, about which my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes) is somewhat concerned.

Will the Secretary of State tell us his views on the effect of linking the Thameslink project with the channel tunnel rail link, because that could be a recipe for further delay? Will the Secretary of State give an assurance today that the Thameslink projects can be carried out as advance works for the channel tunnel rail link works? That is a very important point. I am equally concerned that it now appears that crossrail will be delayed until after Thameslink and the channel tunnel rail link are in place. Is that so?

Finally, will the Secretary of State give an assurance that provision will be made for an interchange at Farringdon to connect Thameslink with crossrail? That is a very important point for overall access to the system.

Sir George Young: On the first question, there have been informal consultations with the London boroughs involved, and they have given a general welcome to what is planned, but they have reserved their position under the Transport and Works Act 1992. That process will give the hon. Member for Southwark and Bermondsey (Mr. Hughes) and others an opportunity to make their points to the inspector about the impact of the works on specific buildings and on the environment.

As for the CTRL, the box required for the station for Thameslink 2000 is an integral part of the St. Pancras tunnel, and the works will proceed in parallel.

I owe my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) a response on crossrail. As I said in my statement, I expect crossrail to come after the Jubilee line extension and Thameslink 2000. That is a sensible sequence; I am sure that the House will recognise that we cannot do all these major projects at the same time.

The Farringdon interchange will be a matter for crossrail when that project begins.

Sir Sydney Chapman (Chipping Barnet): I had the responsibility—nay, the privilege—as a Back Bencher, of

introducing the original Thameslink Bill—the British Rail (London) Bill—to the House as opposed private business. I warmly welcome my right hon. Friend's statement, which is, in effect, a mark 2 development of that original project. Will he confirm that this project will be a boon not just for all Londoners but for many people wanting to cross London from one side to the other? Of all the projects brought before this House, this must be the ideal one for employing private finance.

Sir George Young: I pay tribute to my hon. Friend's pioneering work in promoting legislation in earlier Parliaments which assisted the development of the railways. When he joined the Government, I inherited from him a private Bill dealing with King's Cross, which I then had the privilege of promoting.

My hon. Friend is right to point out that the benefits go far wider than Londoners alone. Those who want to travel through London will benefit enormously from the strengthening of the links between the rail network to the north and south of London. My hon. Friend is quite right to stand back and take a strategic view of my announcement.

Ms Glenda Jackson (Hampstead and Highgate): I declare an interest as a Member sponsored by the rail drivers' union, ASLEF. I welcome the Government's long-awaited decision on the project; but does not Railtrack's financial investment depend on the Government wiping out part of Railtrack's outstanding debt? Far from being rooted firmly in the private sector, will not the bulk of the money for the project come from the public sector—although such profits as are made, if the Government do not rethink rail privatisation, will go into private pockets?

Sir George Young: It would be churlish of me not to thank the hon. Lady for welcoming the project. I am delighted that ASLEF may also support it. The figures I quoted show that the Government are making a modest contribution: £100 million out of £650 million. As I said in the statement, we shall take account of Thameslink 2000 when setting the capital structure for Railtrack, but I expect that Railtrack with Thameslink will be a more attractive investment for investors, because it offers the potential for growth.

Sir John Stanley (Tonbridge and Malling): Is my right hon. Friend aware that my constituents and I will warmly welcome today's announcement, providing that it benefits my constituency as well as other parts of the south-east? Is he further aware that the Thameslink services extend at the moment along the Kent coast line only as far as Sevenoaks? Can he assure me that, as a result of today's important announcement, Thameslink services can be extended along the Maidstone East line and through Tonbridge along the Kent coast line as well?

Sir George Young: The answer to my right hon. Friend's last point is yes. A number of train operators will be looking to offer additional services as a result of the expansion of capacity.

The announcement will certainly be of benefit to Kent commuters going to Charing Cross, because it increases capacity around Borough Market, where there is often congestion. Extra provision for Thameslink traffic will ease the flow of Kent commuter traffic into Charing Cross.

Mr. Nigel Spearing (Newham, South): Does the Secretary of State agree that there is a welcome for this announcement, in principle, on both sides of the House? That welcome, however, is qualified, because there is little in it that could not have been done some 10 years ago. The right hon. Gentleman has merely announced linkages and an enhancement of the current service.

Does the Secretary of State agree that a drawback of Thameslink 2000 is the lack of an interchange with the Central line, which is important pending the east-west opening of crossrail? Would it not be better to look at the possibility of an interchange in the Snow Hill area—there is none at the moment—to make the service of even greater use?

Sir George Young: I should like to reflect on the hon. Gentleman's last point. He is right, in that I have detected a broad welcome for my announcement, although there has been some carping criticism from Opposition Members about the Government's investment in London Transport. It is worth putting on record the fact that total investment by London Transport in the current year is forecast to be about £1 billion, which is four times as great in real terms as in 1979.

Sir Michael Grylls (North-West Surrey): Does my right hon. Friend agree that his announcement is yet another example—no doubt others will follow—of removing the dead hand of nationalisation from the railway network, and enabling private sector capital to come forward to provide important and badly needed infrastructure?

Will my right hon. Friend be a little kind to the Opposition, who are in a difficult position? They bitterly fought the privatisation of the railways, and therefore cannot welcome something that they would have welcomed had the railways still been nationalised.

Sir George Young: My hon. Friend is right. A dilemma confronts the Labour party. Many of the projects to which my hon. Friend has alluded are possible only because we have privatised nationalised industries. Without embracing the Government's approach, the Opposition would not be able to make progress with projects such as the one that I have announced, without increasing either borrowing or taxation.

My hon. Friend rightly says that several projects in London are being taken forward under the private finance initiative. There is the Lewisham extension of the docklands light railway. Other examples are the Heathrow express, Northern line trains and the Jubilee line extension. All these imaginative partnerships between the public and private sectors have been taken forward by a Conservative Government.

Mr. Tony Banks (Newham, North-West): May I also welcome the Secretary of State's announcement, and remind him that the GLC came up with the proposal 15 years ago? It is a pity that crossrail has been put on the back burner, as it were. Crossrail would be far more significant to London than a developer-led Jubilee line extension.

[Mr. Tony Banks]

Is any new rolling stock involved in the Secretary of State's announcement? If so, where will it come from? When will the right hon. Gentleman make an announcement about the channel tunnel rail link?

Sir George Young: There is no question of crossrail being cancelled. It is a project to which we are committed. If the hon. Gentleman considers publications such as those produced by London First, he will note the recognition that there must be a sequence of major projects. That is exactly what we are doing. We have the Jubilee line extension. We shall then implement the project that I have announced. Crossrail can take its place after that.

Most sensible commentators recognise that there is a limit to the number of major transport infrastructure projects that London can cope with at any one time. It may be that the GLC thought of the project that I have announced. It thought of quite a lot of things, but it did not always find the resources with which to take them forward.

I hope that there will be additional investment in rolling stock to provide the additional services that will be made possible by Thameslink 2000. That will be a matter for the train operating companies as they negotiate with the franchising director to introduce the extra services that they will want to provide as the project comes to fruition.

Mr. John Carlisle (Luton, North): My right hon. Friend has said that existing links between Stansted and Gatwick are to be improved. Rather sadly, he failed to mention that most excellent of all airports, Luton, where, as he will know, a new project is being formulated that will bring about a new rail link between the town and the airport. Perhaps he will tell me whether any funds might be directed to that quarter. If not, perhaps he will tell me what plans he has for the new airport link.

Sir George Young: I recently spent a morning at Luton airport, when I was informed about the ambitions that the airport company has to build an additional station closer to the airport than the existing one. I was told also of the company's plans to improve links between the airport and the station. That is something that my hon. Friend the Minister for Transport in London has much in mind as he considers the transport supplementary grant that is available to Luton each year. Within the resources that may be available, we shall do what we can to assist the imaginative project to which my hon. Friend has referred.

Mr. Jim Dowd (Lewisham, West): Although I welcome the general thrust of the proposal, is the Secretary of State able to assure people in inner south-east London especially that due consideration will be given to stations along the lines being served by Thameslink being used to provide access to the service? The Thameslink line to Sevenoaks was extremely valuable, and extremely well used. Unfortunately, it had to be withdrawn. That meant that people in inner south-east London had no access to the benefits of Thameslink.

Sir George Young: That was a positive contribution, and I shall see whether we can take that forward with the train operating companies, which will be responsible for service provision.

Sir Peter Fry (Wellingborough): I warmly welcome my right hon. Friend's statement, on behalf of my constituents, who will find it much easier to reach more parts of London and the south of England more quickly. They will, however, be able to take the greatest advantage of the new development only if there are adequate connections, not just from Wellingborough station but from Kettering and Market Harborough into Bedford. In view of the forthcoming privatisation of the midland main line, will my right hon. Friend please bear that in mind, and ensure that my constituents can take maximum advantage of his announcement?

Sir George Young: I am grateful to my hon. Friend. This picks up a point made by the hon. Member for Lewisham, West (Mr. Dowd). Removing the bottleneck between the north and the south of London will make it possible to provide services over and above those currently on offer. I expect that the market will respond to that, and that it will then be possible to undertake journeys that simply cannot be made at the moment. That will increase the demand for rail services, which is what every hon. Member would like to see.

Mr. Dennis Skinner (Bolsover): Does the Secretary of State agree that this project, like many others, is connected to the channel tunnel project? Does he further agree that the channel tunnel project is up to the neck in debt, and that few people, it seems, are anxious to bail it out? Will he state on behalf of the Government that under no circumstances will the Tory Government take part in the bailing out of the channel tunnel experiment? If the Tory Government will not do that, is he going to call on his friend, Sir George Younger, other Tory ex-Members of Parliament and banks, and have a Bromsgrove bail-out system?

Sir George Young: The hon. Gentleman will be pleased to know that there is a legislative prohibition on the Government giving assistance to Eurotunnel. It is worth pointing out that it was a Labour Government who cancelled a publicly funded channel tunnel project; it was a Conservative Government who managed to get it built, through private enterprise.

Mr. David Congdon (Croydon, North-East): Does my right hon. Friend agree that, for people south of the river, in places such as Croydon, one thing that will make it less likely that they will use the train to go north is the current frequency of the Thameslink service? He will appreciate that the residents of Croydon will warmly welcome this enormous extra investment in the public transport infrastructure in London, but has he made any assessment of the impact of the transfer of people from road to rail?

Sir George Young: It is indeed good news for Croydon, for precisely the reasons that my hon. Friend outlines. In my statement, I said that the project would help to relieve road congestion by making a number of journeys possible by train that are not currently practicable and that are therefore made by car. Initial assessments show that Thameslink 2000 will increase rail travel by about 3 per cent. in the south-east area, and I expect that some of that will be diversion from the road.

Mr. Tony Lloyd (Stretford): The Secretary of State mentioned the benefits in terms of access to the channel

tunnel, but does he understand the frustration that exists on the west coast main line? Although the Thameslink 2000 project, welcome though it may be, will benefit some, it will do nothing for the many people who get poor service and poor access. It is also apparent from the statement that there is no overall structure and planning framework by which services will be improved nationally. Does that mean that, so long as we have this lousy Government, we shall have lousy services on the west coast?

Sir George Young: I am sorry that the hon. Gentleman has disturbed what otherwise was a consensus that this is a sensible project with which to proceed, at least from new Labour, if not from old Labour. The whole thrust of my announcement was that it would be possible for additional services to be provided by rail. I hoped that the hon. Gentleman would welcome that.

So far as the west coast main line is concerned, the hon. Gentleman will know that, initially, we are taking forward, also under the private finance initiative, signalling projects, on which we hope to make good progress during 1996.

Mr. Robert G. Hughes (Harrow, West): My right hon. Friend has been involved in London politics as a councillor and Member of Parliament for many years. Can he remember a time when there have been as many railway projects under consideration, planning and construction—realistic lines, which will come about in our lifetime? Does he consider that the rather churlish response of the Opposition reflects the fact that they know that this is considerably in excess of anything planned by the then Labour-controlled GLC, or anything that they could manage if they were in government?

Sir George Young: My hon. Friend is absolutely right. He was also kind enough to draw attention to my long connection with London politics—a connection which, sadly, the boundary commission may be bringing to an end.

I have mentioned a number of the other projects that are currently under way. The Central line is to undergo £750 million-worth of modernisation, and to receive 85 new trains; £400 million-worth of Northern line trains will come into service in 1996; and the tendering process to choose the private consortium for the Lewisham extension should be completed in the spring. There are many other projects, including the Heathrow express and the Jubilee line extension. It is difficult to sustain the argument that the Government are not investing in public transport in the capital.

Mr. Simon Hughes (Southwark and Bermondsey): The Secretary of State would expect me, as the Member of Parliament representing the area surrounding London Bridge, to support cross-London rail routes. I presume, however, that he would not expect me to support the alignment south of Blackfriars, given the prospect of substantial demolition of residential and commercial properties and Borough market.

Can the Secretary of State confirm that his announcement does not prejudice the right of the inquiry to decide that that route should not go ahead, and that residents and other interested parties are entitled to argue that there is a viable alternative route south of Blackfriars bridge, via the Elephant and Castle and Herne Hill? That would not involve nearly as much disruption and demolition.

Sir George Young: It would indeed be possible for the hon. Gentleman's constituents to argue to the inspector, under the process provided for by the Transport and Works Act 1992, both that they object to the proposal and that they can suggest an alternative way of meeting the need. It would then be up to the inspector to judge the merits of the argument, and to submit them in his report to me.

Mr. Jacques Arnold (Gravesham): I welcome the way in which my right hon. Friend used his statement to trail an announcement relating to the promoter of the channel tunnel rail link. As he knows, the Government have chosen Ebbsfleet, 19 minutes from St. Pancras, as the channel tunnel rail link intermediate station: that will provide my constituents with magnificent connections to all parts of the country, north and south.

Sir George Young: I am grateful to my hon. Friend for what he has said. I have said on one or two occasions that I hope to make an announcement about the channel tunnel rail link shortly; I can say no more at this stage.

Mr. Henry Bellingham (North-West Norfolk): Today's announcement will be welcome in East Anglia, particularly in King's Lynn and west Norfolk. The borough council has lobbied hard for the project, not least because it will provide new economic opportunities.

Is my right hon. Friend aware of the recent announcement that the King's Lynn to London route is to have new Networkers, and can he confirm it? More broadly, does he agree that his statement shows the Government's commitment to public transport?

Sir George Young: I am grateful to my hon. Friend: what he has said is, indeed, the case. The Thameslink 2000 diagram, which I have before me, reveals new opportunities for the King's Lynn-Cambridge-Royston line, through connections and the opening up of destinations in the south.

I thank my hon. Friend for what he said towards the end of his remarks. The Government are indeed committed to driving up standards on the railways, and enabling them to play a greater part in taking traffic off the roads.

Mr. Peter Bottomley (Eltham): My right hon. Friend has spoken of the benefits for the south coast from Brighton to Bognor Regis. The Kent lines through Eltham and New Eltham will benefit particularly from the flyover at New Cross and the Borough Market junction proposals. Do the Liberals seriously want Borough Market junction to be taken out of the scheme? Virtually everyone has been fighting for better public transport links in south London for the past 20 years.

Sir George Young: As a north London Member, I hesitate to intervene in a dispute between south London Members. My hon. Friend was right in what he said at the beginning, however: Thameslink 2000 will provide enormous opportunities for people in south-east London.

Points of Order

4.3 pm

Mr. Peter Kilfoyle (Liverpool, Walton): On a point of order, Madam Speaker. You will be aware that, last Thursday, I dropped you a note and a copy of a statutory instrument, the Education (School Premises) Regulations 1996. I dropped you that note because that issue—the proposals to change the statutory instrument—was first flagged up three years ago. Certainly the current incumbents of office—the Ministers—at the Department for Education and Employment told me in January that it would be ready in February, and it was. It was rushed through—some people might say hastily—to meet the commitments given in the Standing Committee on the Nursery Education and Grant-Maintained Schools Bill.

The instrument not only lacks coherence: it lacks legibility. When I was a teacher, had a group of students brought it in to me, I would have sent them back—DFEE and all—and told them to repeat the exercise until it was in a form that was legible, coherent and acceptable to the House. I seek your advice on whether the instrument is in an acceptable form to be presented to hon. Members.

Madam Speaker: I am grateful to the hon. Gentleman for giving me notice of his point of order. I understand, as he says, that the instrument laid before the House last week contains a number of manuscript alterations to the printed proof. I have taken the trouble to look at the instrument to see it for myself.

The form of the instrument is a matter for the Department concerned, and I suggest that the hon. Gentleman must pursue his inquiry in that direction. I have myself made further inquiries, and I understand that the Minister was attempting to be helpful to the Committee in laying the draft instrument at the earliest opportunity. Perhaps the reason why there were so many manuscript amendments was his attempt to help the Committee at that stage.

Mr. John Butcher (Coventry, South-West): On a point of order, Madam Speaker. You will be aware that, over the centuries, the House has gained its powers and privileges through its ability to deny or grant the supply of moneys to the Executive, and the decisions that the Executive makes. A decision will soon be made to spend a large amount of money—raised through public subscription—at a particular location to celebrate the millennium appropriately. The Millennium Commission is unelected, and it is a large amount of money.

If the Secretary of State for National Heritage were to come to you and request a short debate and a free vote, in which the representatives of all parts of the country could express a view, I am sure that it would be excellent therapy for those who can become hyper-ventilated over the issue, and would be seen as an endorsement of the decision, or a recommendation, after which there could be no argument over who rightly secured the investment of that money.

Madam Speaker: That is hardly a point of order, but I understand that the hon. Gentleman needed to ventilate the matter. He may, of course, care to put it to the Leader of the House during business questions, because it is a matter for him, not for the Speaker.

Mr. Tony Banks (Newham, North-West): On a point of order, Madam Speaker. This morning, for the first time that I can remember, I noticed that openly armed police officers were around the outskirts of the Houses of Parliament. I understand that you are not responsible for police activity outside of the House, but only for the inside.

I am as interested in security as any other hon. Member in this place, but were you consulted before that rather dramatic decision was taken? If you were not consulted, do you know whether leading Members of the House were consulted? I feel that it is not a welcome development, although we all know the reasons for it. However, it looks as though we are somewhat under siege in this place, and I feel that, by giving that impression, we are in many ways giving way to the terrorists. I wonder whether you would like to reflect on the matter, and tell us exactly how the decision was taken.

Madam Speaker: I refuse to discuss matters of security across the Floor of the House. If the hon. Gentleman would care to see me or the Serjeant at Arms privately, he will be most welcome.

Mr. Jacques Arnold (Gravesham): On a point of order, Madam Speaker. You are the defender of Back Benchers' rights in this House. During our questions to the Secretary of State for the Environment, there was only one question—Question 5—on local authority revenue. You will have noted that, after the question from the hon. Member for Burnley (Mr. Pike) was answered, there was an immediate use of an ancient practice to gag further questions on that subject.

The Labour party is clearly embarrassed by the Government's generosity this year in the settlement for local government finance, and it was an unfair abuse by the Labour Opposition to gag Back Benchers on a very important subject.

Madam Speaker: It is the prerogative of hon. Members to use our procedures. I think that the hon. Gentleman who acted in that way is seeking a full Adjournment debate on the matter, so that more time can be made available for questioning on the Floor of the House.

Mr. Nigel Spearing (Newham, South): Further to the point of order raised by my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle), Madam Speaker. I thank you for your ruling and guidance on that matter, but may I draw to your attention a possible related procedural complication?

The printing of the substantive document and its distribution may be delayed. It has been made available to the Committee, but it is of importance to every school organisation, every school governor and every education authority across the country.

It so happens that the statutory instrument is germane to the Nursery Education and Grant-Maintained Schools Bill, whose Committee stage is drawing to a close. It is also germane to that Bill's Report stage. However, by the time the Bill reaches its Report stage, either the statutory instrument will have been debated in Committee or it will not.

In either case, the question arises whether there will have

been sufficient time for its substantive printed version to have been made available to interested parties. Should it be debated in Committee or on Report?

Madam Speaker: I said that it was a matter for the Department concerned, but I understand the hon. Gentleman's point. Some of the Ministers on the Government Front Bench will no doubt have noted the hon. Gentleman's comments.

Mr. Barry Sheerman (Huddersfield): As a Back Bencher, I seek your advice, Madam Speaker, and, in a sense, your protection. You will know that the list of hon. Members wishing to speak in yesterday's debate on the Scott report was heavily oversubscribed by, I understand, hon. Members of all parties.

I was admonished by Mr. Deputy Speaker because I sought, with no disrespect to the occupant of the Chair, to mention the fact that, of the 12 Conservative Members called to speak, most were ex-Ministers, six were old Etonians, five had been to Oxford university and all were associated with one of the main protagonists in the events under debate. I meant no disrespect to the Chair, but was simply asking whether Government Whips had applied any undue pressure on the Chair to ensure such representation.

Madam Speaker: This is one Parliament where there is no pressure—undue or otherwise—on the Speaker of the House. When selecting the names of Conservative Members to be called yesterday, I did not look in "Who's Who" to see whether they had been to Dewsbury grammar school or to Oxford or Cambridge. It was entirely my selection and, having reflected on yesterday's debate, I thought that a good cross-section of hon. Members was called.

Mr. Dennis Skinner (Bolsover): In the excitement of last night, when the Government managed to get their majority of one, perhaps it went unnoticed that, according to the weekend press, two Tory Members who went through the Division Lobbies to sustain the Government were bankrupt. Do you not think it is time that we examined the matter, because there is speculation that as many as 30 of them are bankrupt as a result of their investment at Lloyd's?

Madam Speaker: That is barely a point of order for me.

Void Premises

4.12 pm

Mr. Hartley Booth (Finchley): I beg to move,

That leave be given to bring in a Bill to require the owners of property which has been empty for more than three months to make the reasons for the vacancy public; to make such property available in certain specified circumstances; and for connected purposes.

I venture to suggest that housing need is at the top of the list of constituents' complaints and worries brought to our surgeries. I happen to believe that the housing problem goes far beyond that of the "void premises" in the Bill's title, and amounts to a scandal.

There are 150,000 homeless people in this country—92,000 are statutorily homeless, 46,000 are in short lets, 8,000 are on the streets, and 5,000 are in bedsits—yet there are 800,000 empty homes. If my modest arithmetic is correct, there are five empty homes for every homeless person. What one hears from officials is incorrect. Many of the empty homes are in areas of greatest need. We must marry the two sides of the matter. That scandal is an indictment of us all, and it is incumbent on us all to deal with it. My Bill proposes to do just that.

The Government have recognised the problem, and have introduced measure after measure to deal with it. During part of the period since 1979, the number of void premises fell. Unfortunately, in three of the past four years the number of void properties rose. Sadly, the number of Government-owned void properties—especially those owned by the Ministry of Defence—has risen faster than any other group of void premises.

My Bill addresses two parts of the problem. Among the people who own the 700,000 void properties in the private sector, we need to enhance persuasion. Through the Empty Homes Agency—an excellent body, which is partly funded by the Government—three or four local authorities, including Reading, Southampton and Brighton, have empty homes strategies. They employ an empty homes officer—that is excellent—who persuades people that their empty private homes should be used, that they are losing £5,000 a year by not using them, and that 95 per cent. of all tenancies are successful. Those persuasive techniques are working. Recently, 200 homes were brought back into use in Reading as a result, for example.

What if persuasion fails? My Bill proposes that every local authority should have a void strategy and employ an officer to deal with the disposal of voids—first by identifying them, and then by persuading people to use them.

In addition, 102,000 empty properties are owned by the taxpayer—the public sector. It is totally unacceptable to permit that. Many of those properties have been empty for a long time. My Bill—it follows a paper that was kindly published by the Adam Smith Institute two years ago, and an entirely successful Government trial project in Clapton Park estate in Hackney—proposes that people on waiting lists in local authority areas should have the right to slap a notice on the doorstep of local authority premises or Government agencies when they have spotted that the homes have been lying wasted and idle for three months or more.

That notice of negligence to public bodies should say: "We, Mr. and Mrs. Bloggs, identify your void property. We call on you to use it, start to repair it, or condemn it

[Mr. Hartley Booth]

within 21 days." If it is used or repairs are begun within 21 days, we have all succeeded. Under the Bill, if that local authority or the Ministry of Defence fails to act within the designated period, one more homeless person will have found a home. Conservative Members, who always applaud efficiency, will sigh with relief, and we especially welcome any relief of homelessness.

If the idea comes to fruition, we shall see not only how homelessness can be tackled in a new way, but that people can be trusted. Beyond the first day when the new tenants go in, they will be told that they must deal with dilapidations and repair the premises. Of course they must, and we should trust them to do that. All over the world, and in our country too, trusting the people in such policies as sweat equity, staircasing and homesteading has brought benefits and has been proved sensible and useful.

I ask the House to accept my Bill, so that all the necessary steps can be taken. Sometimes it is necessary for the House to think the unthinkable. My proposals combine the best of ingredients—common sense, trusting the people, and using national resources better for a good cause.

Question put and agreed to.

Bill ordered to be brought in by Mr. Hartley Booth, Sir Timothy Sainsbury, Mr. David Lidington, Mr. Julian Brazier, Mr. Patrick Thompson, Mr. Piers Merchant, Mr. James Pawsey, Mr. Anthony Steen, Mr. Nigel Evans, Mr. Robert G. Hughes and Sir Sydney Chapman.

Void Premises

Mr. Hartley Booth accordingly presented a Bill to require the owners of property which has been empty for more than three months to make the reasons for the vacancy public; to make such property available in certain specified circumstances; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 8 March and to be printed. [Bill 66.]

Orders of the Day

Criminal Procedure and Investigations Bill *[Lords]*

Order for Second Reading read.

4.21 pm

The Secretary of State for the Home Department (Mr. Michael Howard): I beg to move, That the Bill be now read a Second time.

One of the most important responsibilities of any Government is to ensure that their criminal justice system is fair, efficient and effective—fair towards all those affected by it, efficient in focusing on the issues that really matter at trial, and effective in bringing about the acquittal of the innocent and the conviction of the guilty.

The Bill is intended to meet those aims. Like the Criminal Justice and Public Order Act 1994, it is designed to restore the balance in our criminal justice system—to make life tougher for criminals and to improve the protection of the public. It implements proposals made in three consultation papers that we issued last year. More generally, it represents our response to a number of recommendations made by the royal commission on criminal justice in its 1993 report. The Bill's most significant provisions extend to Northern Ireland. Also, I am pleased to say that it implements the last of the 27 points that I announced in October 1993 to strengthen the fight against crime.

The most important provisions in the Bill are those dealing with prosecution and defence disclosure. The current arrangements require too much of the prosecution and too little of the defence. They do not serve the interests of justice and are in need of reform.

At present, the prosecution must disclose to the defence any material that may possibly be relevant to an issue in the case, unless the material is sensitive and a court rules that it may be withheld. In contrast, with a few specified exceptions, the accused need not disclose anything about his defence before the trial.

The current law has given rise to serious problems. The accused can request the disclosure of reams of material, whether or not it has any relevance to the defence that he proposes to advance at trial. That places heavy burdens on the police in particular.

It is also difficult to protect from disclosure sensitive material, such as the identity of an informant. The current rules oblige the courts to order disclosure in cases where the actual relevance of sensitive material may be marginal at best. An adverse ruling requiring the disclosure of the identity of an informant may place the informant's life in danger. All too often, the prosecution must abandon the case, however strong the other evidence may be.

Let me give an example. Three individuals were arrested in possession of a number of incendiary devices. An issue arose subsequently about the disclosure of intelligence files held centrally by the police, on the organisation to which the defendants belonged. None of the information was to form part of the prosecution case at the trial, but the trial judge ruled that the files should be disclosed to the defence. Since that would have compromised future investigations, the prosecution decided to offer no evidence, rather than comply with the

ruling. One of the defendants commented in a statement to the media that it had been their intention to remove the contents of a vehicle and then damage it. He added:

"The only reason this trial collapsed was because the prosecution refused to reveal to our defence lawyers material about us held on computer by the police."

The presentation of a defence at the last minute—with no advance warning to the prosecution—does not contribute to the efficient conduct of a trial. It encourages defendants to come forward with a plausible, but false, defence at a very late stage.

Sir Ivan Lawrence (Burton): Before my right hon. and learned Friend leaves the subject of sensitive material, will he confirm that questions of sensitive material arise in trial after trial in the criminal courts? Does not that make a total nonsense of the part of Lord Justice Scott's report that seems to indicate that public interest immunity does not apply to criminal cases?

Mr. Howard: I shall be referring later to the relevance of Lord Justice Scott's report to the Bill. Perhaps my hon. and learned Friend the Member for Burton (Sir I. Lawrence) will forgive me if I do not respond to his invitation to pursue that matter at this stage.

The royal commission on criminal justice found the current arrangements unsatisfactory and concluded that changes were needed. Its proposals included the creation of a statutory scheme for prosecution and defence disclosure in stages, underpinned by subordinate legislation or a code of practice. We agree with that general approach, but our detailed proposals differ from the royal commission's in two important respects.

First, the commission's test for prosecution disclosure was very wide ranging. If anything, it would have imposed even more burdens on the prosecution and the police than the current requirements. Our scheme focuses on the likely effect of unused material on the prosecution case and on the defence case when that is known. Secondly, the proposals would have required the accused to give only a general indication of the nature of his case and would not in practice have contributed to narrowing the issues in dispute before the trial. Our scheme requires the defence to provide more detailed information so as to clarify in advance what is really at issue between the two parties. In building on the work of the royal commission, we have set ourselves the task of putting in place a system that will remove the iniquities of the current arrangements without denying the defendant access to material to which he would be entitled in the interests of justice.

We set out our proposals in a consultation paper in May last year. Many organisations and individuals representing a range of interests responded to it. There was widespread support for the Government's proposals, particularly on defence disclosure, and those proposals have formed the basis for the disclosure provisions of the Bill.

The police warmly welcomed our proposals. As the president of the Association of Chief Police Officers said,

"The proposals should help to reduce problems arising out of the bulk of material the prosecution currently has to disclose. It will introduce a more systematic and therefore more accountable system.

We particularly endorse the principle of defence disclosure as an important and positive step which we believe will be welcomed by many working within the criminal justice system."

The president of the Police Superintendents Association added:

"This Bill is a real step forward in the fight against professional crime and is another weight in the re-balancing of the criminal justice system which for too long has protected those who abuse the present arrangements."

To complete the picture, the chairman of the Police Federation described the reaction of his association to the Bill in graphic terms, saying:

"This is a black day for the Lawyers' Angling Society. This Bill should end the farce of the gigantic fishing expedition which has become a notorious tactic amounting, in plain English, to blatant attempts to obstruct and delay justice."

I come now to the detail of the disclosure provisions in the Bill. The disclosure scheme in part I would require the prosecutor to disclose to the accused unused material that the prosecutor thought might undermine the prosecution case. At the same time, he would give the accused a schedule listing all unused material that was not sensitive. In response, the accused would disclose the general nature of his case, the matters on which he took issue with the prosecution and the reasons for doing so. Defence disclosure would be mandatory in the Crown court, but voluntary in magistrates courts.

In response to defence disclosure, the prosecutor would disclose any additional unused material that might assist the defence that had been disclosed. If a dispute arose about whether there was any other material that might assist that defence, it would be resolved by the court. The Bill allows a court to draw an inference if the accused does not comply with the defence disclosure requirements.

Mr. Alex Carlile (Montgomery): Will the Home Secretary clarify a point that has been of concern to the Law Society? The duty to disclose information that may undermine the prosecution case is taken to include material that would support the defence case, and there may be a grey area in between. Will the Home Secretary confirm that if, for example, the police came upon evidence that might tend to support a defendant's alibi, that would have to be disclosed, even though it may not directly undermine any piece of evidence forming part of the prosecution case?

Mr. Howard: With great respect to the hon. and learned Gentleman, the remarks that I have just made could not have been clearer in dealing with that specific point. That situation would not arise in the context of first stage disclosure, for the simple reason that it is not at that stage a part of the prosecution's duty to anticipate any defence that might be disclosed. But if, at the second stage of prosecution disclosure, the defence team had identified its defence as an alibi defence—to take the hon. and learned Gentleman's example—it would certainly be part of the prosecution's duty to disclose any material available to it that supported that alibi defence. That is absolutely clear from what I said—it is a clear part of the scheme that underlies the Bill.

As to sensitive material, the Bill retains the current procedure, whereby the court rules on whether it is in the public interest to disclose such material. However, the prosecutor would not need to bring such material before the court unless he thought that it undermined the prosecution case or unless it might reasonably assist the defence disclosed by the accused.

[Mr. Howard]

Part II requires the Secretary of State to prepare a code of practice for the actions of the police in relation to unused material for prosecution disclosure. It sets out the matters that may be included in the code of practice, including what material is to be preserved by the police. As now, the police would make all the material available to the prosecutor, with whom decisions on disclosure would rest. Although the code of practice is for the police, others conducting criminal investigations would have regard to it. Under the Bill, the code of practice must be subject to statutory consultation and approval by Parliament before it comes into operation.

We have prepared a draft of the code of practice and have placed it in the Library, so as to inform the debates on the Bill in the House. It may be capable of further refinement, but at the moment it represents the Government's best view of what the code ought to contain, taking account of comments by outside interests and the debates in another place.

I do not want to leave the subject of disclosure without saying something about the recommendations of Sir Richard Scott. Sir Richard makes a number of recommendations about prosecution procedures and public interest immunity. Some of those are relevant to the Bill's subject matter, and Sir Richard notes that they will have to be considered in the context of the legislation currently before the House—this Bill. We are studying the recommendations and have not yet reached a decision on them.

Without pre-empting the consideration of those recommendations, I must point out that the recommendations on prosecution procedures take as their starting point the existing law on disclosure. I think that it is widely recognised that the current arrangements are unsatisfactory and, as I explained, the Bill proposes significant changes to them. We shall therefore be considering Sir Richard's recommendations, not against the existing law, but against the provisions in the Bill. We hope to be in a position to announce our conclusions in time for changes to be made in the Bill, if changes should appear to be necessary.

As for the recommendations on public interest immunity, Sir Richard Scott comments that legislative intervention is, in his opinion, neither necessary nor, at present, desirable. In its current form, the Bill does not amend the law on public interest immunity. It preserves the existing common law rules about whether disclosure is in the public interest, and provides for rules of court to be made on the practice and procedure to be followed by the courts in relation to applications to the court and orders by the court.

During our debate yesterday, my right hon. Friend the Member for Witney (Mr. Hurd) and my hon. Friend the Member for Torbay (Mr. Allason) argued that the law on public interest immunity should be put into statute. The Government will consider that issue, and the clutch of detailed recommendations by Sir Richard Scott on public interest immunity, very carefully. As my right hon. Friend the Chancellor of the Duchy of Lancaster promised, we shall ensure that the House has an opportunity to consider those matters further.

Mr. Jack Straw (Blackburn): Plainly, the Government will take time to consider the detail of the recommendations made in Sir Richard Scott's report, but I wish to ask the Home Secretary specifically about the general point that Sir Richard made at paragraph K6.18, where he plainly anticipated the continuing use of public interest immunity certificates in criminal trials, but went on to say, in recommendation (ii):

"PII claims on a class basis should not in future be made",

and distinguished between a class basis and a contents basis. Does the Secretary of State accept that recommendation?

Mr. Howard: That matter will be considered in the consultation exercise. Indeed, my right hon. and learned Friend the Attorney-General is seeking views on that matter and has requested those views by the beginning of May. That is a question to be considered during the consultation.

Mr. Donald Anderson (Swansea, East) *rose—*

Mr. John Greenway (Ryedale) *rose—*

Mr. Howard: I give way first to the hon. Member for Swansea, East (Mr. Anderson) and then to my hon. Friend the Member for Ryedale (Mr. Greenway).

Mr. Anderson: The Home Secretary mentioned a consultation exercise, which obviously will take some time, so I want to ask about the timetable. Is it possible that, in Committee or on Report, the Bill will have the benefit of any conclusions of that consultation exercise?

Mr. Howard: I confess that that is unlikely. My right hon. and learned Friend the Attorney-General has said that he wants replies to his consultation exercise by May, and obviously it will take some time thereafter to consider the responses. I cannot, therefore, hold out any great hope to the hon. Gentleman or the House that, should we conclude that legislation is desirable in that area, such legislation might reasonably be expected to be part of the Bill.

Mr. Greenway: This is a genuine query to which I do not know the answer, but I hope that this matter has been considered, and will be considered as the Bill proceeds through Committee.

One of the overriding reasons why trials have collapsed is that the police have refused to give information about the identity of informers, of premises from which observations of criminal activity have been made and of those who may have been involved in surveillance. Can my right hon. and learned Friend assure the House that, when considering any changes in PII certificates, he will bear in mind the fact that the Security Service Bill will allow the Security Service to become involved in surveillance of criminals? Will he ensure that the interests and identities of members of the Security Service are protected, and that we do not end up with more collapsed trials because the legislation or the changes are not properly in place and because the courts may wish to rule that the identity of a person who has been involved in surveillance should be revealed to the court?

Mr. Howard: I assure my hon. Friend that certainly nothing in the legislation that is before the House or in

the Security Service Bill would increase the prospects of disclosure of any information of that kind or of any trial being stopped on that basis. Those matters will continue to be considered on a case-by-case basis, because a sensible decision can be made only in the context of a particular case. By indicating that the prosecution's duty to disclose is limited by referring to clear relevance to the issues in the case, the provisions will lessen the likelihood of disclosing information of that kind and of trials collapsing in those circumstances.

I refer now to the other provisions in the Bill. Parts III and IV make two important improvements to pre-trial procedures, giving effect to the proposals in the consultation paper on pre-trial hearings, which we published last year. Part III enables a judge to order a preparatory hearing in a long or complex case if he thinks that substantial benefits may accrue. The preparatory hearing would be similar to those held in cases of serious or complex fraud.

At a preparatory hearing under the Bill, the judge may order either party to provide a statement of its case. He may exercise a range of powers to narrow the issues in dispute and to assist the jury's understanding of the case. Such rulings may be appealed against, there are sanctions if either side later departs from its case or fails to comply with a requirement imposed at the hearing, and there is provision for reporting restrictions.

Part IV creates a power for a judge to make a binding ruling on the admissibility of evidence or other point of law in any case at a pre-trial hearing. That power will be available in all cases that are to be tried at the Crown court, except those in which the judge orders a preparatory hearing, when he will be able to exercise the range of powers conferred by part III. Taken together, the measures will encourage the better preparation of cases and the better conduct of the trial. Trials will be more efficient and less stressful and time consuming for jurors and witnesses.

Part V contains a range of reforms to magistrates courts procedures. Among other things, they amend the provisions on transfer for trial in the Criminal Justice and Public Order Act 1994—further amendments on transfer will be needed—they provide for the accused to give an indication of plea before a decision is taken on mode of trial, and they extend the maximum period for the remand of juveniles in certain circumstances.

Part VI of the Bill contains a number of important provisions to protect victims and witnesses and to enhance public confidence in the criminal justice system. Two of the provisions reflect recommendations of the royal commission on criminal justice. The first of them—providing for a retrial if an acquittal has been tainted by jury nobbling—gives effect to the only one of the 27 measures that I announced in October 1993 which has still to be implemented.

There can be no greater threat to the rule of law than if criminals believe that they can bully or bribe their way out of the dock. That is true whether their target is a juror or a witness. For that reason, the Bill goes further than the royal commission recommended. It will make it possible to have a retrial if an acquittal has been tainted by a subsequent conviction for interference with, or intimidation of, either witnesses or jurors. The court that convicts for the interference or intimidation offence will have to certify that there is a real possibility that the original acquittal would not have happened but for the intimidation or interference. An application must then be made to the High Court for an order quashing the acquittal. Both courts will need to be satisfied that a retrial would not be contrary to the interests of justice.

The Bill also implements the recommendation of the royal commission that, as a last resort, judges should be able to protect victims or witnesses by imposing reporting restrictions on false or irrelevant allegations made during a speech in mitigation.

Mr. Alex Carlile: I refer to an important issue of fact. I support strongly the Home Secretary's announcement about the Bill's provision for retrials in the event of jury or witness nobbling. Does the Bill allow for a retrial when the witness or juror who has been nobbled—it is more likely to apply to witnesses—is dead?

Mr. Howard: I see no reason why that circumstance should eliminate the provisions or why the Bill should make specific provision for it. The Bill sets out clearly the requirements that must be met, and I do not see why it should deal with that specific circumstance. It does not provide that the witness or juror must be alive for the provisions to take effect. In that context, the provisions will clearly apply.

Mr. Carlile: I am grateful to the right hon. and learned Gentleman, but I obviously did not make myself clear—that is plainly my fault. A witness may be interfered with and later killed—that happens in serious crimes. Unfortunately, it is not an uncommon experience nowadays. The perpetrator of the original crime may have been acquitted as a result of that now dead witness having been nobbled. Can that acquitted person be retried under the Bill's provisions?

Mr. Howard: I see no reason why such a person should not be retried. The Bill's provisions are set out very clearly. Unless the legislation states that the juror or witness must be alive—and it does not—it is clear that, in the circumstances that the hon. and learned Gentleman identifies, the provisions in the Bill will apply in the normal way. I do not see why those circumstances should affect its operation.

Dame Elaine Kellett-Bowman (Lancaster): As to the intimidation or killing of witnesses, many public interest immunity certificates are issued by quite junior lawyers in cases of drug smuggling or intimidation in prison. They must be laid before the court, as occurred in the recent case.

Mr. Howard: My hon. Friend is correct: there is a clear role for public interest immunity in those circumstances.

Most of the provisions of the Bill, including those on disclosure, apply also in Northern Ireland. The law on disclosure in Northern Ireland is similar in most respects to the law in England and in Wales, and the difficulties to which the present arrangements give rise are potentially at least as serious there as here. We have concluded that the scheme embodied in the Bill is well suited to the circumstances of Northern Ireland. Schedule 3 to the Bill contains a number of modifications necessary to tailor its provisions to the legal context of Northern Ireland.

[Mr. Howard]

I hope that it will assist the House if I give notice of the main amendments that the Government intend to bring forward at later stages of the Bill. First, we intend to table amendments to deal with the misuse of prosecution material that is disclosed to the accused under the Bill. The purpose of disclosing material that does not form part of the prosecution case is to enable the accused to prepare his defence. Sometimes that material is used for a wrong purpose—for example, to harass witnesses or to gain financial advantages for the accused or his associates. We want to deter those who may be tempted to misuse disclosed material and to reassure those who supply information to the police that it will not be used other than for the intended purpose.

Secondly, we are considering further how best to tackle the difficult issue of third party disclosure. Third parties, such as medical practices, banks or local authority social services departments, may have material that would be disclosable if held by the prosecution, so there must be some way of identifying and obtaining it. However, at present, the accused may request such material at a very late stage in the proceedings, without indicating its relevance to his defence. That places heavy burdens on third parties, who then must trawl through their records at the cost of considerable time and effort. More importantly, it results in delay and sometimes the abandonment of proceedings—often in cases where children are the victims.

We have been developing proposals for procedural changes that will benefit third parties without preventing the accused from seeing material that helps his defence. We have consulted the judiciary and others about them, and we aim to bring them forward at a later stage in the Bill's proceedings.

Finally, we intend to bring forward amendments to place beyond doubt the powers of the police in relation to searches of DNA databases. The amendments will ensure that the police can make full use of both DNA data and fingerprints.

The Bill is important and is intended to make our criminal justice system fairer, more efficient and more effective. It will make it easier for courts to reach the right decision. It will do much to improve public confidence in the criminal justice system. As such, it continues the work that I set in hand when I became Home Secretary, to strengthen the fight against crime. I commend the Bill to the House.

4.49 pm

Mr. Jack Straw (Blackburn): As the Home Secretary said, the Bill is important. As I said during the debate on the Loyal Address, we welcome the Bill's principle and purpose, although we shall of course ensure that it is subject to full scrutiny in the House, as it has been in the other place.

The Bill is about procedure. For some people, the process by which courts operate is a dry, technical subject of second order, but in practice the substantive rights that citizens should enjoy, such as the right to justice, depend on the machinery—the procedure—by which those rights can be exercised. The process is therefore of immense importance. It determines our court system's character and the criminal justice system's public reputation.

In the 1970s and 1980s, that public reputation was badly damaged by mounting evidence that the system was unbalanced in favour of the prosecution. Judges' rules which were supposed to provide clear guidance to the police about the treatment of suspects and the taking of evidence from them turned out to be ineffective and unenforceable. Corners were routinely cut by investigators. The culture was that, broadly, the end justified the means and that if it was known to investigators that a suspect had committed a series of crimes it was acceptable to adduce informal oral admissions of guilt and sometimes to encourage confessions by physical force.

The lack of effective supervision of the process inexorably led a minority of investigators down the path of corruption, of allowing the guilty to go free in return for favours and, even worse, of "fitting up" innocent people, either by the manufacture of prosecution evidence or by the suppression of evidence in the hands of the police that would be helpful to the defence.

Public disquiet about those abuses led among other things to the establishment of two royal commissions on the criminal justice system. The first of those, chaired by Sir Cyril Philips, reported in 1981. Its recommendations led to the Police and Criminal Evidence Act 1984 and to the establishment of police and criminal evidence codes. That royal commission said that there should be a change in the prosecution system to detach prosecutors from the direct control of the police. However, the Crown Prosecution Service was then established as a centralised national service, explicitly against that royal commission's recommendation.

Evidence of serious defects in the system continued to emerge. My hon. Friend the Member for Sunderland, South (Mr. Mullin)—having heard part of the Secretary of State's speech, he has had to leave the Chamber, but I hope that he will return to make a speech—played a leading part in shining a light on some of the most disreputable of those practices with his exposure of miscarriages of justice in the Guildford Four and Birmingham Six cases. My hon. Friend may be rightly fêted for that now, but it is worth remembering that, for many years before the truth emerged, he was roundly abused by many people, including Ministers, for his efforts.

Following those notorious miscarriages of justice, the second royal commission was established under the chairmanship of Viscount Runciman. Its report prompted some changes—including a few of the well-known 27 points in the Secretary of State's speech to the Conservative party conference in 1993—such as new and welcome machinery for the investigation of miscarriages of justice. We appreciate that the Secretary of State did not have time during that speech to name the author of every point.

The courts, too, gradually responded to defence lawyers' demands for far greater access to so-called "unused material" held by the prosecution. After a series of Court of Appeal rulings—not all consistent with one another—in the Ward case, the Saunders case, the Davis, Johnson and Rowe case and others, the pendulum has swung from the position 20 years ago when the prosecution was under virtually no duty to disclose any unused material, to the position today, when it must disclose almost all unused material and courts can order

the disclosure of sensitive background information, including the sites from which surveillance has been undertaken and the identities of informants.

The first priority of any criminal justice process must be to ensure, so far as is humanly possible, that no person innocent of a crime is convicted of it. The effect of a miscarriage of justice on an individual is so great that that consideration must outweigh all others. It is for that reason, above all, that the fundamental requirement is on the prosecution to prove its case and not on the defence to disprove it.

Other priorities, however, are also of great importance. They include ensuring that the guilty are convicted and are not able to walk free from court by what amounts to an abuse or a defect of process; that victims and witnesses are accorded a proper role and dignity in the process; and that public confidence in the system is maintained and enhanced. It is widely accepted by hon. Members on both sides of the House and by people throughout the country that criminal procedure, especially in respect of disclosure of evidence, has become unbalanced in favour of the defendant.

There have been two results. First, an immense and disproportionate burden has been placed on the police and the prosecution to disclose anything unused but potentially of relevance to the defence. That has added to delays in the court system and has tied up huge amounts of police and Crown Prosecution Service time. Last year, Brian Johnson, former chief constable of Lancashire police, wrote to me setting out what had happened in just one case in which that force had been involved. He admitted that it was a complicated case, but said:

"For example, during a long running corruption enquiry in Lancashire, a police officer was employed full time supervising access to material by one solicitor for a continuous period of three months. Additionally in that case thousands upon thousands of documents were copied for the defence—the rental costs of copying equipment alone was not insignificant.

Each document in the case had to be considered in respect of each of a number of defendants, firstly to determine whether it was material in relation to a particular defendant and then as to whether it should be scheduled as sensitive or non-sensitive. In the inquiry I quote above, given the number of defendants and the thousands of documents involved, it was estimated that over 5.5 million decisions had to be taken in respect of the disclosure of unused material."

That is profoundly unsatisfactory.

The second result is that some well-founded prosecutions have had to be abandoned because otherwise critical information about informants or surveillance sites would have had to be disclosed, putting at risk not just registered informants, whose safety must be defended, but innocent members of the public who had co-operated with the police to help to secure the conviction of serious wrongdoers.

I give just one example. It relates to a case at Bristol Crown court in 1993. During 1992, police officers mounted an operation in Bristol to curtail a large amount of drug dealing in the city. So that the people dealing in drugs could readily be identified, the police mounted an elaborate operation which involved police officers posing as buyers making test purchases for crack cocaine. They were supported by police officers with a video camera in an unmarked van and by other officers in a static observation point from which the events were also recorded. The defendants were arrested after having sold crack to the undercover officers, but in court the charges against nine of the defendants were withdrawn after the defence demanded to see surveillance film taken from a council flat.

The substance of the defence case—this makes the Secretary of State's point about fishing for artificial defences—was one of identification. The police had already made full disclosure of the video recordings taken from the unmarked police van which gave the evidence of identification—that was all the evidence that the prosecution was going to use—but defence counsel for the nine defendants sought full disclosure of the video recordings taken from the static observation point. That had only one purpose: to disrupt the case to the point at which there had to be an acquittal, which is what happened. As the disclosure of the video evidence from the static observation point would palpably have identified the camera's location and therefore put the innocent person who had allowed that camera to be put there at serious risk, a decision was taken to withdraw the remaining charges.

One could cite many other cases. Although the decision to require disclosure was made by a judge on application in some of them, in many others prosecuting counsel anticipated the judge's decision and instructed the police to disclose the names of informants or surveillance locations. When the police felt unable to do so, cases were withdrawn before reaching open court.

Mr. Donald Anderson: Even under the current system, the trial judge has to perform a balancing exercise as to whether the evidence is relevant to the defence. I do not know all the details of the case to which my hon. Friend referred, but it may be that a more robust judge would have taken a different view from the Lord Chief Justice in the case of the Crown *v.* Keane.

Mr. Straw: I entirely accept my hon. Friend's point. It is on record that, unfortunately, some judges are robust and some less than robust. My hon. Friend makes the point that because of confusion there has been much second-guessing by prosecuting counsels, with cases never reaching court in the first place.

The current Lord Chief Justice, Lord Taylor of Gosforth, has shown, rightly, that no one is more concerned than him to see that the rights of the accused are properly upheld. In his Tom Sargant memorial lecture two years ago, Lord Taylor set out the consequences of the current confused state of the law:

"However, the one-way traffic of disclosure by the prosecution, with no corresponding duty on the defence, has given rise to grave difficulties both for the Crown Prosecution Service and for the courts . . . The prosecution often have to anticipate what may conceivably be of assistance to the accused without any help from the defence so as to narrow the field. Indeed, there are often more and more searching requests by the defence for material on a purely speculative basis . . . The defence of duress, which used rarely to be raised, has suddenly become all the vogue and is used to seek disclosure about informants which, if given, would endanger them. Courts are being required to peruse large quantities of documents and judges, instead of being in court, are sitting in their rooms to decide what disclosure is to be made. This is an unacceptable state of affairs. It shows that the balance in this area has become distorted."

Lord Taylor was entirely right.

The Home Secretary first presented his proposals on 16 May 1995, when he published a consultation paper, which I welcomed at the time. We are glad that he has since responded to the many suggestions made, which are

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reflected in changes to the Bill that we hope will be incorporated in Committee. The Bill has been improved in the other place, but the procedure that the Government adopted there initially was not, in the context of bipartisan debate, of the best. Their Lordships encountered grave difficulty considering the draft code and whether it could be laid before Parliament subject to the affirmative resolution procedure. Following some adjournments in the other place, that provision has been accepted.

The Government were defeated in the other place on a proposal by Lord Ackner to strengthen the indemnity provided to protect justices and justices' clerks against orders for costs and other sums in respect of matters arising from criminal jurisdiction. I am glad that the Government have accepted that addition.

Some parts of the Bill could still be improved, and I invite a response from the Minister in winding up this debate and in Committee. When I responded to the Home Secretary's statement last May, I said that there should be sanctions against the prosecution as well as the defence when the rules in the Bill are not followed. That is important in ensuring equality of arms between defence and prosecution. There are stringent sanctions against the defence for failure to disclose and also against the defendant if he or she makes a late disclosure.

A tiny minority of abuses in the 1970s and 1980s soured the criminal justice system and led to imbalance. A breach of the rules by the prosecution ought to be underpinned by disciplinary action by the police and, in extremis, by criminal action. A palpably negligent and serious breach of the rules should lead to disciplinary action by the police or CPS. A deliberate or reckless breach should be subject to criminal proceedings.

While I accept that one of the Bill's main purposes is to reduce delays, there is concern that it might unwittingly increase them. Clause 1 provides for primary prosecution disclosure in the case of summary and either-way offences only when the accused pleads not guilty. The sensible intention is to prevent unnecessary work for the prosecution where the accused intends to plead guilty—I understand the mischief that is being addressed. However, there is a real danger that defendants will be advised to plead not guilty, as that is the only way that they will gain access to material. That would increase the delays that already bedevil criminal procedures and we must carefully consider how to overcome that difficulty—particularly as defence lawyers have become adept at ensuring that the cost slips that they submit to the Legal Aid Board are as extensive as possible. The existing rules are abused by some defence solicitors so that even in trivial cases, they refuse to proceed to a trial or disposal until all the material to which they are technically entitled is produced.

Paragraph 2.1 of the code of practice places a duty on the prosecutor to provide evidence to the defence that he believes would undermine the prosecution's case. I question whether that is too strong a test. Would it not be better to use the test employed by the Home Office in other contexts, of whether the evidence might cast significant doubt on the prosecution case? Paragraph 6.6 makes reference to sensitive material being that which is given in confidence. Much of the rest of the code is specific, but "in confidence" covers a multitude of categories and that definition should be reconsidered.

The Home Secretary referred to prohibitions in the Bill and to amendments that he will table against the misuse of evidence. In the other place, my noble Friend Lord Williams tabled amendments designed to prevent pornographic material contained in witness statements being circulated in prisons. It is an appalling but sad fact that when a small child is killed, sexually abused or raped, photographs and statements about the family come into existence. Defendants have access to that material for the necessary reasons of their defence, and they are able to circulate it in prison. The material can remain in circulation even after the defendant has left prison. My noble Friend proposed to stop such poisonous material being circulated in that way, and we regret that his amendments were resisted by the Government. I hope that the Secretary of State's amendments will deal with appalling misuse of the kind that I have described.

We agree with the principle that the defence should disclose the general nature of the case on which it relies. I do not believe that once a prima facie charge has been established against a defendant it is onerous for him to have to reveal the general nature of his defence, such as a claim that he was not present when the crime was committed or that he was present but that his conduct did not add up to the charges. We cannot accept a position in which defendants try to plead alternative defences—that they were either not there or their conduct did not amount to the crime charged—or in which, as we know happens, they wait until very late in the trial process and go fishing for defences.

I wish to deal next with the comments that the Home Secretary made about Sir Richard Scott's recommendations on public interest immunity in criminal cases. To answer the point that the hon. and learned Member for Burton (Sir I. Lawrence) made in an intervention on the Home Secretary's speech, as I read section K, chapter 6 of the Scott report, Sir Richard Scott anticipates that public interest immunity certificates could be used in criminal cases and, indeed, it is impossible that circumstances could arise in which they could not be used, given the nature of the material qualified by PII certificates. But Sir Richard recommended categorically that PII claims on a class basis should not be made in future. He said that PII contents claims should not be made for documents which might be of apparent assistance to the defence. He also made some detailed recommendations about the use of PII certificates.

We all listened with care to the Home Secretary's comments, and I am sure that both sides of the House agree that the Scott report is complicated. Sir Richard Scott raised some issues of principle on which the Government could and should make more prompt decisions than they will on others. For example, it would be possible to make early decisions on class claims. Sir Richard explains in detail the reasons behind his view and why, in his judgment, the avoidance of class claims would not in practice prejudice sensitive intelligence material that obviously should not be seen in open court.

We welcome the proposals in clauses 23 to 34 on preparatory hearings. I wish to make a point about the scope of clause 29, which provides for the right of appeal—with the approval of the trial judge or the Court of Appeal—against a ruling at a preparatory hearing on the admissibility of evidence or other questions of law. We agree that that would be a satisfactory way to deal with such issues before trial, but—I genuinely seek

information on this point—it seems that no appeal would be allowed against the striking out of counts in the indictment or, once there has been a preparatory hearing and the prosecution case has been heard, against the dismissal of a case altogether before the defence has put forward its case.

That is possibly the most important power belonging to the trial judge. In most such cases, judges act entirely correctly and there is no dispute about the decisions, but not all judges are robust—the adjective used by my hon. Friend the Member for Swansea, East (Mr. Anderson). Sometimes, the decisions to strike out counts in the indictment or to dismiss a case before it goes to a jury are incomprehensible. If it is right, as we believe, for a right of appeal to be available on decisions on evidential matters or other issues of law in preparatory hearings, it would also be right to allow appeals in such situations. The appeals could be allowed only in controlled circumstances or with the approval of the Attorney-General to prevent a sudden rash of appeals.

The Home Secretary referred to part V of the Bill about transfers from magistrates courts and we will examine those in detail. Clause 43 would change the current law that applies to those aged under 17 who are remanded in custody, and it would allow remands, in certain circumstances, to be extended from eight days to 28 days without a further court appearance. Although we believe that that power should not be used too often, the change in the law would be appropriate given the extreme shortage of secure local authority accommodation. In many cases these days a juvenile may be remanded to secure accommodation hundreds of miles away from the court in which he is to appear.

I visited Mansfield recently, at the invitation of my hon. Friend the Member for Mansfield (Mr. Meale), to talk to the police and social services directors about the total inadequacy of the youth justice system. There, as elsewhere, they have had great difficulty dealing with five persistent offenders who had been arrested 442 times between them before being remanded in custody. One of the many complaints that the people I spoke to made about the current system was that the only secure bed that could be found for the most severely persistent offender from Mansfield was in Southampton. The police officer in the case, who was the only person who could take physical custody of the young offender, had routinely to get up at 3 o'clock in the morning to go to Southampton to bring him to the remand court in Mansfield, for him to be remanded back to Southampton.

I am glad to see the hon. Member for Lancaster (Dame E. Kellett-Bowman) in her place. I was told about a similar offender recently by the Blackburn police. In that case, the nearest secure accommodation that could be found was in Bristol, which led to immense problems for the police.

Dame Elaine Kellett-Bowman: Will the hon. Gentleman give way?

Mr. Straw: No speech of mine is ever complete without an intervention from the hon. Lady, and I am delighted to offer her an opportunity.

Dame Elaine Kellett-Bowman: The hon. Gentleman has raised a point about Lancaster prison. Does he recall that we have had some notable trials there because, since the defendants are on the spot, there is no need to escort them to and from the gaol? That is a good reason to keep the court in Lancaster open.

Mr. Straw: I share the hon. Lady's view that Lancaster Crown court should be kept open. The blood transfusion service should also have been kept open, but that is not our responsibility—it is the Government's.

We welcome the proposals made in clauses 45 to 48 on jury and witness nobbling. I did not quite follow the point made by the hon. and learned Member for Montgomery (Mr. Carlile) about what would happen if the witness was nobbled to the point of death. He appeared to imply that there would be an incentive to murder if the death of a witness could lead to a case being wholly aborted. That would seem to encourage not just the nobbling of witnesses, but their murder.

Mr. Alex Carlile: The problem was entirely my fault and I shall try to help the hon. Gentleman. Clause 45 would provide that before a retrial following a tainted acquittal, there would have to be two preconditions—first, an acquittal and, secondly, a conviction of a nobbler. I was trying to make a point—I confess that I did not do it well—about what would happen if the nobbler was dead. In that instance, there could be no conviction of the nobbler and, therefore, no retrial. I do not see why there should not be a retrial in such circumstances, provided that the requisite evidence comes up to the criminal standard. I hope that I have made that clear now.

Mr. Straw: I now understand the hon. and learned Gentleman's point. There is a big difference between the death of a witness and the death of the person who has nobbled a witness. I accept that the hon. and learned Gentleman's point is important and I am sure that it will be raised in Committee. With great respect, I must say that the point is entirely the opposite of the one he made in his intervention.

Clauses 49 to 52 would make some important changes to the law on derogatory assertions made in mitigation, and we welcome that. I have read the clauses, as the Home Secretary might expect. So far as I can judge, no one person in the court system will have a duty to raise with the bench the question of whether derogatory assertions have been made. Although the power is available to rule out derogatory assertions, there is no specific trigger. I assume that that is left to the judge in the Crown court—who would be alert to the situation—to the clerk in the magistrates court or to the members of the bench. I am sure that a stipendiary magistrate would be alive to the problem, but a non-stipendiary magistrate who has to deal with many cases may be less alive to the possibility that derogatory assertions have been made.

I want to ask two questions. First, should the prosecutor, once mitigation has been made, have a right to make submissions to the court to the effect that these powers ought to be brought into play? My second question is a wider one, but it is important. Should prosecutors have wider duties at mitigation? Curiously, the English courts have the strictest rules of evidence for defence and prosecution when it comes to the trial of an issue. These rules of evidence stretch right back to the moment when a person is identified as a suspect by the police. Elaborate rules govern the cross-examination of

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suspects in police stations—far more onerous rules than those governing the cross-examination of innocent people acting as witnesses for the prosecution in open court.

There are, however, effectively no rules when it comes to mitigation. Uncorroborated evidence about character, background, family circumstances and so on is advanced by defence lawyers as factual. At the moment, it is also unchallengeable.

I have recently been to the courts to refresh my memory of the days when I used to make small but honest living as a junior member of the Bar. It is astonishing to see the nature of mitigation. Sometimes, of course, high-quality people have produced good evidence that is not subject to criticism. But often, especially in magistrates courts, the same standards do not apply. Usually, we find, someone has died or a girlfriend has become pregnant or someone has just found a job—and so it goes on. It may well be true, of course, but these pleas in mitigation seem to spew out of the word processors of defence lawyers and no one challenges them.

That undermines confidence in the courts. It also means that all too often the defendant's previous convictions are skimmed over by the defence. Those previous convictions appear in brief on computer sheets: the bare details of a theft and the punishment for it, for instance. The defence will often try to minimise the nature of the previous convictions. My brief experience of sitting in courts recently showed me that, all too often, an unexpired conditional discharge has been issued but the magistrates courts do not properly take that fact into account or act upon it.

If the prosecutor could point out that someone had been up before, and could show the court files from which it becomes clear that a different bench has said that this was the person's last chance—if he commits the offence again, he will be subject to a custodial sentence—perhaps the problem would be alleviated. Certainly, the information should be given to the court; otherwise there will be no sense of serious progression in the sentencing system.

Mr. Alex Carlile: Is the hon. Gentleman aware that until recently it was the practice in all Crown courts for there to be an antecedents officer, whose job it was to present the previous convictions of convicted persons to the judge, and to make inquiries, as requested by the judge or by the parties, as to the truth or otherwise of assertions that have been made—for example, about the facts of those convictions? Is he further aware that as a result of economies stemming from Government policies there are now virtually no antecedents officers in Crown courts? Would it be Labour party policy to restore those useful officers to the courts?

Mr. Straw: I was aware of that, and the situation is serious. It is ironic that in these days of computers and centralised records the information available to courts—especially magistrates courts, but also Crown courts—is less extensive than it was, say, 20 years ago. The answer to the hon. and learned Gentleman's second question is that I hope so.

We have welcomed the Bill. Although it may be the last of the Home Secretary's 27 points to be implemented, it should by no means be the last of any series of reforms of the criminal justice system. I do not want to be controversial in the context of this debate, but everyone must recognise the seriousness of the problem that too few offenders end up in court. Crime has doubled in the past 17 years, while the number of those convicted or cautioned for offences has fallen by 6 per cent., and the number of convictions has slumped. Convictions as a proportion of serious crimes fell alarmingly between 1980 and 1994: for rape, from 37 per cent. to 9 per cent., and for domestic burglary, from 9 per cent. to 3 per cent. On the issue of rape, I greatly hope that it will be possible to make amendments in Committee to ensure that those who are guilty of charges of rape are more likely to be convicted of them.

Two changes need to be made in this context. First, the Sexual Offences (Amendment) Act 1976 needs amending to eliminate questions about a victim's sexual history—for instance, about past abortions and early sexual relationships which are not relevant to the immediate case. That was recommended by the Heilbron committee. Secondly, it seems to us that there should be proper application of so-called similar-fact evidence, so that where the defendant is accused of more than one sexual assault on different women in similar circumstances, the cases can be heard together. There have been notorious examples of such cases being detached from one another. The result is that an accumulation of probative evidence cannot be built up.

Thirdly, the time is long overdue for reform of the Crown Prosecution Service. I referred in my opening remarks to the recommendations of the Philips royal commission, which reported to this House in January 1981 under Cm 8092. The royal commission said that there had to be changes to the CPS, adding that the last way in which it should be changed was the establishment of a single, national service. The commission went through the arguments carefully, and disputed the case for a single service at paragraphs 7.22 and 7.23:

> "Against this must be set the disadvantages that are likely to accrue from the bureaucratic nature of a large national organisation working in this area . . . We believe it to be hazardous to argue from the experience of other jurisdictions that a national prosecution service would be workable in England and Wales. We know of no common law jurisdiction in which the equivalent of a national prosecution system of the type we are discussing either covers an area with anything approaching the population of England and Wales . . . or deals with a crime load of anything like the same order of magnitude."

Those were wise words—unfortunately not heeded by either party when the prosecution of offences legislation came before the House in 1986. In the light of experience, however, they certainly need to be heeded.

Although the courts have fewer cases to deal with these days, they are taking longer to deal with them. The proportion of remand prisoners dealt with by the Crown courts within the statutory time limit dropped from 84 per cent. in 1989 to 74 per cent. in 1994. There was a most revealing passage about delays in the report of the debate held in another place on 5 February, when the Minister explained that under the existing committal system, the 42-day pre-trial issues guideline for service of the prosecution's case appears to be met in only very few cases. The Minister said that, although no comprehensive figures were available, sampling suggested that as many as 75 per cent. of cases exceeded that period.

Instead of cracking down on the delays, Ministers answered that by proposing to substitute for the 42-day pre-trial guideline a 70-day period to reflect changed

circumstances. That is plainly unsatisfactory. Nor is it satisfactory that the costs of legal aid for criminal cases have rocketed—in a way that is not linked, as some defence lawyers claim, to changes in criminal procedures. The cost of criminal legal aid per defendant has risen in real terms by 127 per cent. since 1979-80. That is wholly unacceptable.

There is also a profound need for a full investigation of the youth justice system, which is hardly working at all.

The Opposition welcome and support the Bill and we shall work constructively to improve it. We all want a criminal justice system that protects the innocent while ensuring conviction of the guilty. The Bill is one step along the path of reform of the Crown Prosecution Service, which is so long overdue.

5.29 pm

Mr. Walter Sweeney (Vale of Glamorgan): I welcome the Bill's central provisions on disclosure. It is clearly desirable that the police should not have to photocopy huge piles of paper unnecessarily. It is important that prosecution cases should not have to be dropped because of the need to avoid disclosing sensitive information, such as the names of informants.

I have in mind a case involving a major banknote forgery where suspects were arrested in a hotel bedroom following a tip-off. There was a large pile of forged banknotes in the room, some of which bore the fingerprints of some of the suspects. The case had to be dropped because the judge ordered that the identity of the person who tipped off the police would have to be disclosed.

The three-stage disclosure procedure proposed in the Bill is welcome: the obligation on the prosecution to disclose any unused material that might undermine its case; the obligation on the defence to outline its case in sufficient detail to identify the issues in dispute; and the obligation on the prosecution to disclose any further information that might assist the defence. That logical sequence should help to improve court procedures.

I am pleased that a code of practice has been prepared to assist the police and the prosecution in producing all appropriate documents. I wish, however, to sound a note of concern, which I hope will be taken up when my right hon. Friend the Minister of State replies. I am concerned about how the exercise of discretion by the police and the prosecution will be scrutinised so that the system can be seen to be effective in protecting the legitimate interests of defendants.

An idea for a defence might occur to a defendant when he and his legal advisers have an opportunity to engage in what Mr. Broughton of the Police Federation described as a fishing expedition. I am talking of an idea or ideas that may not have occurred to the defendant because he was not aware of a loophole in the prosecution's case. The police and the prosecution, from their different standpoints when compared with the approach of the suspect, may not be as acutely aware of potential defences as would be the defendant or his advisers. If the Bill is enacted, it will help to stop guilty people being acquitted. It is even more important that it should help to stop innocent people being convicted.

I hope that my right hon. Friend the Minister of State will be able to provide reassurance that there will be adequate scrutiny of the police and the prosecution, to ensure that, in cases of doubt, the police and the Crown Prosecution Service err in favour of too much disclosure rather than too little.

I welcome preparatory schemes for long or complex cases as they will ensure that cases are well prepared and presented when they reach court. In complex fraud cases, that will be especially useful in helping jurors to understand complex issues.

The opportunity to argue legal points at preliminary hearings will help to avoid confusion among jurors, who feel rather baffled when they are sent out of court while legal points are argued. If issues are argued before the trial begins, jurors will be able to hear the evidence in a more seamless fashion. They will no longer be baffled by unexplained requests to leave court.

The Bill will encourage defendants to enter pleas at an early stage, which will considerably improve the court process to the advantage of all concerned. If a defendant enters a guilty plea, that will avoid the need to prepare the volume of paperwork that would be necessary if the case were going to trial. At the same time the defendant will benefit from increased certainty and increased speed in the disposal of his case. He will be able to take advantage at an early stage of any discount for his plea. The courts will be able to reflect the fact that the defendant, through his action, has saved the court, the CPS and the police quite a lot of preparatory work.

I welcome the fact that the Bill provides powers for the courts to ban reporting of false or irrelevant allegations against witnesses during pleas of mitigation. It has always worried me that once a person has been convicted, or following a guilty plea, the last word is with the defence advocate, once the court has had the opportunity to consider all the available reports, for example. The bench and reporters finish a case with the words of the defence advocate ringing in their ears, and those words may be reported in the press to the detriment of witnesses. That damages the witnesses concerned and acts as a deterrent to other public-spirited citizens in coming forward to give evidence in future.

I congratulate my right hon. and learned Friend the Home Secretary on reaching the end of his 27 points. He has delivered quickly on all his commitments in reform of the criminal law, despite the considerable difficulties created by the Opposition.

The hon. Member for Blackburn (Mr. Straw) has received the Bill in a constructive manner; I hope that his constructive approach will continue in Committee. His concern about court delays is, I am sure, fully shared by Conservative Members. I believe that the Bill will help to reduce those delays and will lead to speedier and more effective justice.

5.37 pm

Mr. Donald Anderson (Swansea, East): I applaud the reasoned and reasoning contribution of the hon. Member for Vale of Glamorgan (Mr. Sweeney), which was much in the spirit of the contribution made by my hon. Friend the Member for Blackburn (Mr. Straw). As my hon. Friend said, we welcome the Bill and support its main provisions. We shall try to work constructively during its remaining stages.

At first glance, this is a lawyer's Bill; it is somewhat technical and long. It seeks to remedy deficiencies that have been revealed in practice. In relates, however, to

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deep issues of principle, such as the respective roles of defence and prosecution in criminal trials. I have in mind the golden thread of Viscount Sankey—the presumption of innocence and the burden that should properly be put on the defence. Those are areas that need properly to be explored in Committee.

The Bill has been introduced at a time when there is deep public anxiety about the criminal justice system. We should heed that anxiety with respect. By their response to consultation documents, the Government have at least given some sign of being prepared to listen.

I make but two preliminary points, the first of which is, perhaps, marginally controversial: that the Home Secretary, by his conduct over the years in criminal justice matters, can hardly be surprised that many reasonable people involved in criminal justice respond with caution and wariness to any proposals that he makes. In the past, many of his proposals have been made in the rather heady atmosphere of Conservative party conferences, which is not most conducive to a reasoned debate about criminal justice. There is always the fear that if one expresses anxiety—as, to be fair, the hon. Member for Vale of Glamorgan did—about ensuring that innocent people are not found guilty and that proper facilities are available to the defence, the Home Secretary will gleefully leap out and accuse us of being the "villain's friend". Let us hope that we can proceed in a rather different spirit today.

On a similar theme, each hon. Member has received a valuable briefing for the debate from a number of outside organisations, including the Law Society, the Bar Council, Justice and Liberty. Some of us have practised—and some still do—criminal law. In my judgment, it is always helpful to have a question and answer response from those who are learned in the field, particularly with a non-controversial Bill of this nature, because so often the atmosphere in Standing Committees is adversarial—we glower at each other across the Benches, which is not the best forum for such a study.

I wonder why the Government have not considered referring the Bill to a Special Standing Committee, which would allow us to examine it in a somewhat more rational atmosphere. I shall not go over the history of Special Standing Committees, but the House will know that they came into being in the early 1980s. I think that only seven Bills have been subjected to that special procedure. Indeed, since 1983-84, only two Bills have been subjected to it, and both were on Scottish business. When the Opposition made that suggestion in respect of the Asylum and Immigration Bill, the Home Secretary stated that it could not properly be referred to such a Committee because it was controversial. He said:

"A Special Standing Committee is a procedure suitable for non-controversial technical Bills".—[*Official Report*, 20 November 1995; Vol. 267, c. 340.]

On another occasion, he said:

"It has always been clear that the procedure was designed for Bills that have a degree of cross-party support. The Bills for which it has been used have been relatively technical and non-controversial."—[*Official Report*, 11 December 1995; Vol. 268, c. 710.]

Does not this Bill fall four square into that category? If that procedure, which has been lauded by the Government in the past, and which, as with the Criminal Attempts Bill, has proved extremely useful to the Government, is to be used at all, is not this Bill a perfect opportunity according to the Government's definition? It cannot take up a great deal of time, because under the relevant Standing Order 28 days are allowed, and it would allow us to call experts.

The Home Secretary mentioned the consultation procedure in respect of PII certificates and the way in which Sir Richard Scott's recommendations would be examined. Would it not be appropriate, as PIIs arise under the Bill, for Sir Richard and other relevant practitioners—academic and otherwise—to be called before such a Committee? Are the Government saying that it is not appropriate for such a vehicle to be used? Surely the Bill is highly appropriate for such a procedure. The Government are not so fizzing with legislation that they have no time to deal with it because the juggernaut must press on. We all know that a substantial part of their legislative programme has already been put into effect. They have said that the consultation document on PIIs will be published in, perhaps, May. It is technically possible for the conclusions of that consultation to be incorporated in the Bill. I make that plea to the Government on the preliminary points.

On the substantive matter of disclosure, and more generally, I am attracted by many of the proposals in the Bill, particularly those designed to speed up the process of trial and to clarify and narrow the issues in dispute beforehand. I accept that the defence should be required to show the relevance of unused material that it seeks to inspect, and not to go on a fishing expedition in the hope that a defence will emerge.

Equally—this point was made by the hon. Member for Vale of Glamorgan—it is wrong that juries should be inconvenienced by having their consideration of trials interrupted, often for substantial periods and frequently while points of law are argued in their absence. It is surely right that, as far as is practicable, all such issues should be disposed of before a jury is sworn, as suggested in, I think, clause 34.

If greater use is to be made of pre-trial procedures, I make the plea that the judge who decides the preliminary issues should also be the judge at trial. All too frequently, particularly in London, a succession of judges deal with such preliminary points and it is highly desirable that the judge who determines such preliminary points should also be the trial judge.

On disclosure, my hon. Friend the Member for Blackburn quite rightly said that the problem of the burden of material must be considered. It is a question of drawing the line. It includes the equality of arms, which has been developed by the European Court of Human Rights in interpreting article 6(1) of the European convention. There is broad consensus that the balance between defence and prosecution obligations is not right, and the Bill goes a substantial way towards remedying that.

There will be a need to examine in detail each stage of the proposed new procedure, which in many ways appears to be cumbersome but which may be the best that we can devise. We should proceed with some humility, realising that the great miscarriages of justice that have tarnished our system over the past decade, and in which my hon. Friend the Member for Sunderland, South (Mr. Mullin) has played such a distinguished part, arose essentially because of non-disclosure.

There will be selective disclosure, and therefore part of the task of the Committee will be to ensure that there are sufficient safeguards. For example, the investigator should be under the clear control and supervision of the prosecutor. Any prosecutor—I spent most of my professional life prosecuting—will understand that, for the majority of the police, there is a crusading element: an element of diffamation professionelle, professional defamation. The prosecutor should be able to make a more objective assessment.

I am broadly happy with the provisions in respect of defence disclosure, which are intended to clarify the issues and to save time. Again, however, certain safeguards need to be written into the Bill. I am prepared to accept the argument for a statement of the prosecution's case, and for a duty of continuous disclosure as new facts come to light. I shall not go into all the details now, but I will say that I welcome the possibility of a retrial in the event of an acquittal following jury nobbling, although I fear that the provision will not have much effect in practice. It is worth reading clause 46 in detail: it draws attention to many of the hurdles on the route to a retrial. I suspect that few, if any, will take place, but I nevertheless think it proper for such powers to exist. It offends our sense of justice that criminals can scoff at the law.

I also welcome the power to restrict the reporting of defamatory allegations in mitigation; in any event, the onus is on defence counsel not to parrot the more lurid suggestions made to him by his client, without investigation. I envisage numerous difficulties, however—not just practical difficulties related to the lack of antecedents officers, which were mentioned by the hon. and learned Member for Montgomery (Mr. Carlile), but difficulties related to the question of who will challenge. In many instances, no one in court will be able to refer the existence of defamatory allegations to the judge, and the family involved may learn of them only after the event. We should consider whether it should be the duty of the clerk at a magistrates court, or of the judge or prosecutor in the Crown court, to stop the proceedings until the family of the victim, for instance, has had a chance to make representations. None the less, I approve of the arrangements in principle.

Let me return to an earlier point. We should be humble enough to realise that we can learn from experts in a non-controversial sphere such as this. Although many of us have experience, it may not be up to date, and it is always possible for us to learn. If the procedure is to be used at all—if the Government do not rule it out—the Bill qualifies for the establishment of a Special Standing Committee.

5.53 pm

Sir Ivan Lawrence (Burton): I shall not labour my connections with criminal proceedings, of which I think the House is aware.

I welcome the official Opposition's support for the trend of improvement set out in the Bill. I have never heard them so supportive. Perhaps our attacks on them are going home; perhaps we should attack them less, in case we are embarrassed by their support for future measures. I caution Ministers: perhaps we should temper our criticisms of the ridiculous "tough on crime, tough on the causes of crime" slogan, lest we find ourselves in that uncomfortable position of being supported by the Opposition.

Mr. Straw: I think it fair to say that, when the Deputy Prime Minister used the words "the villain's friend", the person he had most in mind was the hon. and learned Gentleman, who defended the Krays. Let me add—although I did not wish to make this point, given our consensual approach to the Bill—that it just happens that I made speeches about the need for changes in the disclosure rules rather in advance of the Home Secretary's statement to the House in May. I spoke in early April.

Sir Ivan Lawrence: I accept what the hon. Gentleman has said, but I remind him that the Krays were convicted and went to prison for a very long time. I think that acquitting them would have been an impossible job.

When I went down, with my learned leader, to say goodbye to Ronald Kray, he said, "Thank you very much, Mr. Lawrence, for what you have done for us"—30 years. He added, "We are going to keep our fingers crossed for you in Peckham"—where I was then Conservative candidate—"so that you can become Home Secretary and let us out early." I do not think I need remind the hon. Member for Blackburn (Mr. Straw) that I have never become Home Secretary. There is justice and sense in the system that the Conservative Government have been operating for the past 15 years.

There are two kinds of miscarriage of justice: the conviction of the innocent and the acquittal of the guilty. The Government's criminal appeals legislation has made statutory changes to reduce the incidence of the former, and a number of measures have sought to redress the latter. They comprise many of the famous 27 points mentioned by my right hon. and learned Friend the Home Secretary at the wonderful Conservative conference in October 1993. Some have required legislation; others have not.

Closed circuit television, which is being introduced all over the country, is substantially reducing the incidence of violent crime and crime as a whole—by some 60, 70 or 80 per cent. in some areas. DNA testing is also helping, as is the amendment of the right to silence. In due course, that may help to convict more guilty people.

The introduction of tape-recorded interviews has not only secured the conviction of many of the guilty, but speeded up criminal trials. Witness intimidation has been made an offence, and more police officers have been provided, better trained, equipped and led. They have now been supplemented by the security services. The police have also been given tougher stop-and-search powers. The Bill includes a number of further improvements in the effectiveness of criminal trials, which will help to reduce the number of acquittals of the guilty.

I shall not repeat the changes or their justification, because that would not add much to constructive consideration of the Bill, and we have not much time. Let me make two specific points. First, I am among the staunchest supporters of my right hon. and learned Friend the Home Secretary and my right hon. Friend the Minister of State, who have made determined efforts to turn the criminal justice system more effectively against criminals and in favour of victims and potential victims. I backed most—but not all—of the measures that we have introduced, and I back this Bill.

[Sir Ivan Lawrence]

Let me add, however, that, as long as we retain an adversarial system—which I consider the best way of ensuring that the innocent are not convicted—we shall have to be aware, and constantly remind ourselves, that the prosecution has advantages that the defence has not. It has resource advantages, procedural advantages, time advantages and psychological advantages. The protections for the defence are very important and must never be swept away.

By all means we must amend and improve the protections. We must try to tilt the unnecessary benefits that the defence receives in favour of conviction of the guilty, but we must never let down our guard in protecting the basic rights that we have traditionally accorded to the defence in criminal trials, which are enshrined in the concept of the burden of proof.

We have done so much to reduce the unfairness and injustice against the prosecution that we may soon come to the time when we go over the edge and tilt the benefits too much in favour of the prosecution. We must certainly begin to think about checking our enthusiasms for going further down that line.

I do not think that every provision we have made is very sensible. For example, I do not think that sweeping away committal proceedings in order to be kinder to victims has helped to make our justice system more effective. It just means that bad cases get stopped at a later and more expensive stage in the proceedings.

I am not sure that having a state-funded duty solicitor at every stage after a person has been arrested improves justice very much. It just imposes a much greater cost on justice, because many accused people who would have found a solicitor privately for at least the early stages of the proceedings now find that their representation is paid, quite expensively, by the state, to the substantial disadvantage of taxpayers. I think that we have been somewhat over-enthusiastic about introducing that type of change—which I doubt has been efficient and effective.

We must be careful with this Bill not to make the rules we lay down over-rigid. I very much welcome the response that my right hon. and learned Friend the Home Secretary has made to the early indications that there would be a requirement that the names and addresses of all witnesses, not only in alibi cases, should be revealed to the prosecution. I welcome that change, because of the realistic fear—of which all of us who have practised in the criminal courts are aware—that the police might be able to get at witnesses and, sometimes deliberately and sometimes not deliberately, deter them from giving important evidence for the defence.

It is very easy, for example, for the police to approach potential witnesses who have previous convictions and remind them that, if they give evidence, those matters will be disclosed for all to see. That is a reason why, in the end, the defence has not been able to call the witnesses whom it might otherwise have called. The Home Secretary's response to that has been both generous and sensible, and I very much welcome it.

So, the judge must be given flexibility to consider, if he is asked, whether the circumstances of the case require the waiving of the strict rules which may, or may not, emerge from this Bill. Ultimately, the judge must be given that type of flexibility, to protect the defence. We all have examples of how we have made pleas to the judge to make changes. Sometimes he has said, "Yes, I have the discretion to do that." Sometimes he has said, "No, I have no discretion," and the trial has continued, perhaps unfairly with regard to the matters that had been challenged.

Secondly, my right hon. and learned Friend should be aware that this Bill may have serious resource implications. There is, for example, no point in the defence revealing the details of its case if the police are not available to check up and follow through the information that they have been given. From the defence point of view, it is important—it may also be important for the prosecution—that, between the committal and the trial, the police should consider whether there is an answer to the allegation in the defence case, or whether the defence case is one which is susceptible to challenge, and the trial can be more speedily brought to an end.

It is sensible to have matters sorted out in pre-trial reviews—especially in requiring rulings on points of law, which is long overdue—but there are practical problems. The procedure will require the barrister who is to conduct the trial to be present at the pre-trial review. The trend is to require that to happen, but it may not happen. It cannot always happen at present. What would happen if the barrister who is to conduct the trial is part-heard in another case? One cannot be expected to reschedule the pre-trial hearing. Very often, the current pre-trial hearings are not very efficient and effective, for the simple reason that the barrister who will conduct the trial is not there.

What would happen if, at a later stage, a Queen's counsel is appointed who has a different view about the way in which the trial should be conducted from that of the junior who appeared at the pre-trial proceedings? If one is to get the barrister who will conduct the trial there, one will have to get him to set aside all other business—his work and his income. If barristers have to give up other work to be at the pre-trial review, it might require a substantial increase in the money that is paid in legal aid. The alternative would be conflict between the Bar and the bench when barristers do not appear.

We are here requiring, are we not, a paid activity by barristers, which will further extend the time before barristers are paid? The Bar is currently—it has been at all times that I can recollect, but it is worse now than at any other time—seething with anger and irritation at the delays before the payment of fees. Members of the Bar have to live, just like everyone else. They sometimes have poor cash flows, and they may have to wait up to a year to be paid for their cases.

The Drug Trafficking Offences Act 1986 has extended the waiting time. One cannot put in a fee claim—

Mr. Donald Anderson: Is this a trade union point?

Sir Ivan Lawrence: Yes; but it is one which raises resource implications.

One cannot put in a fee claim until all the proceedings are over and the person is sentenced. That matter was not taken fully into account when the Drug Trafficking Offences Act was introduced. We will therefore have to consider carefully the resource implications of changes. If one does not take a trade union point of view, there will not be many barristers left in the profession. That may be

the direction in which everyone wants to go—I do not know—but I am not sure that the system will be improved if we do away with the dual system of solicitors and barristers.

I hope that the points I have made about the Bill will be borne in mind during its passage through the House. I also hope that we may get some indications of good will from the Government about the manner in which those matters will be handled. I have explained my hesitations. I very much commend the requirement for pleas to be encouraged at pre-trial hearings, because that will speed justice in criminal cases. Provided that there is flexibility and understanding about why, in some cases, pleas are not ready for delivery, I have no doubt that it will be an improvement.

I commend the further weapon against jury nobbling, so that, where it is discovered, the guilty will not necessarily go free. That should further discourage people who may be tempted to pay dishonest people. There was a recent case of a dishonest ex-police officer who asked the family of an accused person for £25,000 in return for naming the jurors. The proposal for juvenile remands, provided there is flexibility, is very sensible, and will spare the trauma of repeat appearances in court for children. I also commend the proposal to give the judge the power to restrict reporting of false or irrelevant allegations made in mitigation proceedings.

The Bill improves the law. Not only will it honour the undertaking given by my right hon. and learned Friend the Home Secretary on all his 27 points, but it will make justice more efficient—as long as we keep in mind the problems that might be posed by the legislation and do not rush helter-skelter to deprive the defence of any citizen's fundamental rights.

6.10 pm

Mr. Alex Carlile (Montgomery): I am afraid that I am the fifth barrister of five speakers so far in the debate. I have practised at the Bar for the past 25 years—not exclusively but considerably, in criminal cases. After the speech of the hon. and learned Member for Burton (Sir I. Lawrence) I am tempted to give him 10 per cent. of my next fee in return for his eloquent, shop-steward-like efforts on behalf of the Bar, but he can do without the money, and I shall not weary the House by backing his undoubtedly correct complaint that payments, especially to young junior barristers, are too long delayed for legal aid defence work. In that context, the Government are among the worst late payers of debt.

We all have bad days. I have had a bad afternoon, because earlier I made two attempts to make a good point, and on each occasion made it badly. It is bad enough making a bad point badly, but making a good point badly is nigh unforgivable. So I should like to return to my point, which relates to part VI of the Bill.

I share the Home Secretary's view that jury and witness nobbling is extremely serious. I thought that, given his great 27-point conference speech, he was going to act toughly on it. In fact, part VI creates a procedural steeplechase for the prosecution before a case arising out of jury or witness nobbling can take place. As the Lord Chief Justice said in the other place on Second Reading, it is very important to ensure that the double jeopardy rule remains effective. It is extremely important to ensure that, wherever appropriate, people do not suffer the risk of double jeopardy on criminal charges.

However, as I meant to convey in my interventions, there may be cases in which clause 45(1)(b) cannot be satisfied because the nobbler of juror or witness will be dead as a result of the sort of gangland warfare that occurs in such cases, or will conveniently absent himself from the jurisdiction. I hope that, in his winding-up speech, the Minister will say that the Government are prepared to consider those circumstances, and examine whether tainted acquittals might not be addressed in that context. It is not a fanciful state of affairs at all.

I am a little concerned about the language used in debates on disclosure. It seems to be a fashion to have at one time more disclosure, and then for the pendulum to swing towards less disclosure. I suspect that, if we are witnessing such a swing of the pendulum, we may, as a result of efforts of people such as the redoubtable hon. Member for Sunderland, South (Mr. Mullin), see the pendulum swinging back the other way in a few years' time, towards more disclosure.

I hope that the Bill, which makes a sensible and creditable attempt to address the issue of disclosure, is not simply regarded as part of that swing of the pendulum. Rather, it would be gratifying if the House for a change produced a piece of legislation that stood the test of time and provided a continuum of rules on which sensible disclosure jurisdiction could be exercised by the courts.

I support the Bill in principle, but not the Home Secretary's rhetoric. I do not believe the Home Secretary's rhetoric that the Bill will have a significant effect on the catching of more criminals—it may or it may not. If we get the Bill right by the time it has completed all its stages, it is likely to strengthen the fairness of the trial process to both sides—the defence and the prosecution.

I am troubled when I hear adjectives such as "robust" used about judges. So far in this debate, the only references to robust judges have been premised by the assumption that robust judges make rulings in favour of the prosecution. It is my view, and certainly the experience of practitioners, that robust judges are sometimes needed to make rulings in favour of the defence, too.

Indeed, the subject, especially someone who is innocent and charged with a criminal offence—believe it or not, that happens from time to time—may be given protection by robust judges on whom he can rely for good judgment where necessary in favour of the defence. So let us not knot ourselves up in political rhetoric about important issues. We should approach the Bill on the basis that it is worth having only if it improves the investigation and the trial of criminal offences.

On improving the trial of criminal offences, I have one great disappointment about the Bill that relates to victims. I am surprised that the Government, who have had much to say about victims—much of which I support in principle—have not seen fit to include in the Bill, particularly in the part dealing with pleas in mitigation, a provision for victim statements to be made available to the court in all serious cases.

Last week, I chaired a multi-disciplinary victim support seminar in Llandrindod Wells in mid-Wales, in which it was the view of all involved—the seminar included very senior representatives of the police and the Crown Prosecution Service—that a victim's statement before each court considering a serious offence would assist the

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judge in passing a just sentence. One of the points made was that a victim's statement would help the judge to assess whether the plea in mitigation put forward by the defence counsel or the defence solicitor was based on honest instructions.

We have a well-established procedure, although it is not used as much as it might be, for what are called Newton hearings. In a Newton hearing, which arises when there is a guilty plea, the judge can hold a hearing to assess the factual truth of assertions made, and in particular the basis of the guilty plea. The introduction of victim statements would enable judges to be much better informed when deciding whether a Newton hearing was necessary. So it is a disappointment that that is not included.

However, other aspects of the Bill are welcome. In dealing with issues of disclosure, I feel bound to take us back to the most fundamental question of all about criminal trials: what is a criminal trial? What is it trying to achieve? There is a common misconception that a criminal trial is some form of public inquiry—a Scott-type inquiry, perhaps, starting with a clean sheet of paper, seeking to discover the truth and occasionally finding it.

In reality, a criminal trial does not involve a search for any absolute form of truth; there is no search for the holy grail of what is true. A criminal trial is an exercise designed to decide whether the evidence produced by the prosecution is sufficient to make the jury, or the magistrate, sure that the defendant is guilty.

A criminal charge is not brought to trial unless it passes the tests set by the rules laid down in its clear published code of practice by the Crown Prosecution Service, led by the Director of Public Prosecutions. Those rules require there to be at least a 51 per cent. prospect of success, in the prosecution's assessment, before the case is brought. So, as the hon. and learned Member for Burton said, when a trial starts, the dice are, in effect, loaded against the defendant.

Although there is theoretically a presumption of innocence, in many minds there is a presumption of guilt. The danger is that the police, too, may be loaded with a presumption of guilt. The hon. Member for Sunderland, South has discovered that that occurred in at least two extremely important cases, and I know that he has been working hard on another, which the Home Secretary has so far refused to refer back to the Court of Appeal for a second time.

We must therefore try to ensure that the disclosure procedure does not, as I said earlier, swing the pendulum back to stack the odds unfairly against the defendant. However, in my experience, especially when appearing in front of the more modern type of judge rather than the lions of an earlier generation, disclosure is a pretty good idea for the defence as well as for the prosecution. The experience of those who have practised in recent years is that, if a defendant, through his lawyers, places a skeleton argument or a case summary before the judge, even before the trial starts, a clearer version of the defence is put to the jury before the trial ends.

Of course, a case statement by the defence requires a reasonable degree of disclosure by the defence. It can do no harm, provided that the rules are even-handed. The rules provided in the code of practice, which is now in draft form and accompanies the Bill, seem fairly even-handed, but I have one concern about them that ought to worry the police.

The code of practice involves another bureaucracy, another burden of form-filling and book-keeping for police officers. It is to be hoped that there will be civilian support to enable police officers to concentrate on the investigation rather than on the disclosure provisions, which could be time-consuming. Well-organised police stations now have strong civilianised clerical support, and that will be needed to deal with a regime that I understand will apply to every case, however big or small.

Given sufficient support for the police, and given that the defence is allowed sufficient legal aid to pursue its reasonable inquiries within the disclosure regime, much of what has been provided should work. However, I have two specific misgivings about disclosure process.

The first question is: how are we to test whether the prosecutor has carried out his duty properly? It will not be possible for the defence to do that, although it may be possible for the scrutiny to be carried out by the new Criminal Cases Review Commission, when it comes into being—although it will probably take years for any case to receive such scrutiny, because it is in the nature of such cases to take a long time to come to fruition if there has been inadequate disclosure.

I therefore ask the Government what sort of audit or quality control will be carried out. Have procedures to ensure that there will be quality control already been drafted by the inspectorate of constabulary, and will they be carried out in every force and every division? It is important to be reassured that the regime will be followed properly, when the defence is in no position to examine what happens as closely as it might wish.

My second misgiving is more specific, and concerns the schedule of unused non-sensitive material. That must be sufficiently detailed to enable the accused and his advisers to make a judgment about the relevance of the material listed for their use.

We have already heard about the issues connected with pleas in mitigation. In an intervention, I referred to the fact that antecedent officers have now been removed from Crown courts. In my view, that was a seriously misguided economy. In the past, such officers, usually at least of the rank of sergeant, and sometimes inspector, were prepared to carry out inquiries.

Typically, I have known of cases in which a defendant has put forward in mitigation the claim that he has a home and a job to go to, but when that has been checked by the antecedent officer in the court, it has been found that the defendant was telling the truth about neither. Such a liaison facility no longer exists in most courts. Such inquiries are not part of the job of the probation service, nor is there any court official to carry them out. Making them is not part of the task of the CPS either. It would be welcome if the Government decided that, for the sake of the more accurate disposal of criminal trials, antecedent officers were to be restored.

The transfer of trial scheme seems unnecessarily complex, bureaucratic, costly and open to error—and it may take up more time than it saves. I hope that, even at this relatively late stage in the Bill's progress, the Government will be willing to consider proposals to redress those criticisms, which may well be valid.

Overall, the Bill seems to make some needed changes in the criminal justice system, but I hope that the Government will recognise that we must be prepared to review the changes, especially those relating to disclosure, so that, if there are signs of weakness in them, we can revisit each area on its legal merits, rather than in terms of political rhetoric.

6.27 pm

Mr. Chris Mullin (Sunderland, [illegible]): For the first time in the debate, the moment has arrived to hear from someone who is not a lawyer. I say that with all due respect to my hon.—and learned—Friends on both sides of the House who are lawyers, but justice is too important to be left entirely to lawyers. I apologise for my absence earlier in the debate, but I had an appointment with a Minister that had already been rearranged four times, and I did not think that I could rearrange it again.

I endorse what my hon. Friend the Member for Swansea, East (Mr. Anderson) said about the possibility of bringing the Bill before a Special Standing Committee so that we could take evidence from parties that have taken a particular interest in the issues covered by the Bill. There is a need for calm consideration of the issues, because they are rather important.

I also welcome the point made by almost everyone who has spoken—certainly by the hon. Member for Vale of Glamorgan (Mr. Sweeney) and the hon. and learned Members for Burton (Sir I. Lawrence) and for Montgomery (Mr. Carlile). I shall put it as the hon. Member for Vale of Glamorgan did, by saying that it is important to err on the side of too much disclosure rather than too little. If we must make a choice, that is the choice that we should make. As the hon. and learned Member for Burton says, the prosecution has many advantages and it is important to protect the defence.

Parts I and II of the Bill deal with disclosure. In my view, the Bill should be a little more controversial. Let me say at the outset that I entirely accept that the criminal justice system should not be just a game of chance in which clever lawyers vie to outwit one another without regard to the interests of justice. Therefore, to the extent that the Bill facilitates a genuine search for truth and justice, I welcome it. I do, however, have serious reservations. I am not at all convinced that the Bill as at present drafted represents an improvement on existing case law.

I understand that the Bill has been prompted by three main considerations, and the Home Secretary referred to some of those in his speech. First, defence lawyers—particularly in fraud trials—have been demanding vast quantities of documents, much of which are said to be irrelevant to the case. Secondly, unscrupulous lawyers are said sometimes to demand details of informants and other confidential information in the hope that the Crown can be persuaded to abandon the prosecution rather than jeopardise its sources. I have no doubt that there is some basis for both of those arguments, and examples can be found—some have been given in the debate—to illustrate them. I believe, however, that those reasons have been talked up by those interested in obscuring the third, and by far the most important, reason for concern about disclosure—that the failure of the police and the Crown to disclose evidence inconvenient to their case has been a feature of most of the proven and alleged miscarriages of justice in the past 20 years.

I shall provide some examples, because we should not talk about the matter in terms of dry theory. The scale of non-disclosure in some of the cases that are now celebrated is truly staggering. In the Birmingham case, about 2,000 statements judged by the West Midlands police to be non-material disappeared. In November 1975—four months after the Birmingham defendants were sent to prison for life, and while their appeal was pending—a number of genuine members of the Birmingham IRA were arrested, at least one of whom gave the police a detailed account of the Birmingham IRA, including a number of names. He gave the police the name of a man said to be one of those who placed the bombs in the pub. This happened in November 1975—one year after the pub bombings and a few months after the trial. Special Branch compiled a long statement from the man, a precis of which did not surface until 1990, and then only because someone with access to police archives felt sufficiently strongly to send a copy to Granada Television.

Among the documents disclosed at the 1991 appeal by the Birmingham Six was a statement from a colleague of the forensic scientist Dr. Skuse, who had obtained a positive test on a swab from the hand of a passenger on the Liverpool to Belfast ferry on the same evening that five of the Birmingham Six were tested by Dr. Skuse at Chorley. The Liverpool passenger had been released after he was found to have been innocently contaminated. Had that statement been available years earlier, it would have had a significant impact on the Crown case. It was obtained in time for the trial, but was not disclosed to the defence. The Attorney-General, in a letter to me dated 17 May 1991, said:

"It is most probable that an oversight or administrative error was responsible for what was undoubtedly a most unfortunate error".

I have a number of letters from the former Attorney-General—now the Secretary of State for Northern Ireland—in which he talks about regrettable oversights which, he has been assured, were entirely inadvertent.

In the Guildford case, non-disclosure took place on an even more shocking scale. On 12 December 1975, four members of an IRA unit were captured at Balcombe street in central London, two of whom were interviewed the following day by Commander Jim Nevill and Detective Superintendent—now Sir—Peter Imbert. During the interview, the two IRA men admitted to bombing the King's Arms at Woolwich on 12 December 1975—one of the offences for which the Guildford Four had just been convicted.

In a further interview on 30 December, one of the men told Nevill and Imbert that four members of the Balcombe street unit had been responsible for the Woolwich explosion. Nevill and Imbert—according to their interview notes—both expressed concern at the possibility that innocent people had been convicted and an anxiety to get at the truth. Nevertheless, no further interviews took place, and no charges or further investigations followed. Solicitors acting for the four persons already convicted were not informed. The Director of Public Prosecutions was informed, but took no action.

When the Balcombe street IRA unit came to trial, not only were the two men who had given the statements not charged with the Woolwich bombing—which they had admitted to—but steps had been taken to excise from the

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statements of the forensic scientists, Messrs Higgs and Lidstone, all references to connections between Woolwich, Guildford and the other offences for which the Balcombe street unit was obviously responsible.

At the Balcombe street trial, Commander Nevill told the court that he instructed Higgs to remove references to Woolwich from his statement at the instigation of the DPP. Let it not be said that it is only the police who lose inconvenient evidence—frequently in such cases it is the DPP. Detective Chief Superintendent Huckelsby was asked at what stage he had been asked to omit from his list of offences the Woolwich bombing and four others that appeared to be linked. He replied:

"This was discussed following the submission of my first major report to the DPP at a conference with counsel."

Documents disclosed to the defence in the Guildford case in preparation for the 1989 appeal at which the convictions were quashed showed that one of the four, Gerry Conlon, had a cast-iron alibi all along—an alibi, incidentally, of which he knew nothing. He was not therefore in a position to request its disclosure. An alibi witness had seen Conlon asleep at the hostel at Quex road, Kilburn, at the time he was supposed to be carrying out one of the bombings many miles away. The witness's statement was properly passed by the police to the DPP, but it did not become available to the defendants for another 15 years.

I could cite many more examples. I realise that it could be said that all of these cases occurred many years ago and that everyone concerned has cleaned up their act since then. However, that is not my experience. I sat through four preparatory hearings for the final Birmingham appeal in 1991 in which Crown counsel Graham Boal tried the patience of the court with weeks of prevarication about disclosure. Nothing in Mr. Boal's demeanour suggested that the DPP had learnt any lessons from the Guildford convictions, which had been quashed two years earlier. On the contrary, I heard him repeatedly argue that the DPP would disclose to the defendants only what he considered to be relevant and only when he was ready to do so.

Non-disclosure has been a feature of many other celebrated miscarriages of justice, and some cases which are still alleged to be miscarriages of justice. In the Judith Ward case, non-disclosure was absolutely central. In the Stefan Kisko case, it was shown that he was convicted of a crime that he could not physically have committed, and it was many years before that poor man's conviction was quashed. Tomorrow, there is to be a debate on the Carl Bridgewater case, in which once again non-disclosure is a major feature. The Minister admitted during Home Office questions on 15 February that nine years had elapsed between the murder of Carl Bridgewater and the revelation that two fingerprints—so far unidentified—were found on the bicycle belonging to the murdered boy. Obviously, if that information had been available at the trial, it might have had a major impact on the outcome of the case. I am also dealing with the case of Brian Parsons, who is in prison for a murder that many people who have looked carefully at the case do not believe he had anything to do with.

The force involved in that case is the Devon and Cornwall police force, which has a good reputation—justifiably so in some respects. It behaved honourably when clearing up the Birmingham bombings case, but in the case of Brian Parsons, which is on its own patch, it is doing everything in its power to obstruct proper access to exhibits. When people tell me that all the cases occurred a long time ago and things have changed now, I do not accept it.

If the pendulum has swung too far, as the Home Secretary and others believe, the police and prosecuting authorities have only themselves to blame. In the light of experience, it will be a long time before I accept that the good will of the Crown and the professional integrity of those involved in investigation and prosecution are a sufficient safeguard against wrongful conviction. That is the background to my approach to the Bill.

I have several specific reservations that are shared by just about everyone—including the Law Society and, I am pleased to say, Lord Runciman—who has taken a serious interest in miscarriages of justice. Those who are most enthusiastic about the disclosure aspects of the Bill are those who were among the last to realise that there was a problem with miscarriages of justice.

My first reservation is that, even with the best will in the world—and I accept that there are many investigators and Crown prosecutors of integrity—the Bill places too heavy a burden on the prosecutor. How can he or she be expected to represent the interests not only of the Crown, but of the defence, when it comes to deciding what is to be disclosed?

My second reservation is that the Bill's definition of what should be disclosed is too narrow. It describes it as any material that

"in the prosecution's opinion might undermine the case".

There is a simple solution to that problem which does not involve great expense or bureaucracy: the defence should have access to material at its place of storage and it should be able to copy material that it decides is relevant. The decision should be made by the defence, not by the prosecution.

My third reservation involves the list of available material with which the prosecution is obliged to supply the defence. How much detail should it go into? It is vital that any schedule should clearly show the significance of what is available.

My fourth reservation involves what is in the public interest. It is true that that is a matter for the court to decide, but we must pay careful attention to it. The record already shows that Her Majesty's customs, the police, the Crown Prosecution Service and the Government have an entirely different concept of public interest than do most ordinary citizens. The Matrix Churchill case offered a rare insight into the official attitude to public interest. It is no good saying that it is ultimately a matter for the judge. We saw yesterday that the Crown was prepared to go to some lengths to outwit the judge in the Matrix Churchill case. My hon. Friend the Member for Livingston (Mr. Cook) yesterday quoted a minute from a civil servant to the Secretary of State for Trade and Industry, which stated that the list of documents on the second public interest immunity certificate should be removed, because to retain the words

"might increase the risk that the judge will call for copies of the documents."

I draw the attention of the House to a book by Mr. David Rose called "In the Name of the Law". At pages 192 to 207, he sets out examples of cases where

the Crown relied on two extreme rogues, John Banks and Graham Titley, and did everything possible to prevent the court from discovering their backgrounds in the sure knowledge that the case would collapse were the truth to emerge. That is an important point because, with the role played by MI5 in investigating serious crime, there will inevitably be more claims that material cannot be disclosed on public interest grounds. I have no doubt that public interest has been, and will continue to be, abused. Our judges will have to be extremely vigilant—nothing in the Bill must limit their discretion.

My final reservation concerns the lack of sanctions to be used when material that should have been disclosed, is not, as a result of negligence or worse. It is a feature of all proven miscarriages that no one has ever been held to account for negligent or deliberate failure to disclose, however blatant.

Ms Janet Anderson (Rossendale and Darwen): I hope that Chris will sit down in a moment.

Mr. Mullin: I hear my hon. Friend the Whip. I will, but as the only representative of non-lawyers present, I feel that I must set out my concerns.

Mr. Alun Michael (Cardiff, South and Penarth): And me.

Mr. Mullin: I am sorry—my hon. Friend, who is to reply to the debate, is also not a lawyer.

The problem of the guilty walking free is undoubtedly a serious possibility that causes considerable public concern. As I said before, however, I believe that it has been talked up with a view to distracting attention from reality. We cannot proceed on the basis that everyone involved comes to court with good will and integrity because the record shows otherwise. We must therefore ensure that the Bill contains safeguards and that the disclosure permitted is as wide as possible.

6.45 pm

Mr. Alun Michael (Cardiff, South and Penarth): It is a great pleasure to follow my hon. Friend the Member for Sunderland, South (Mr. Mullin), who has done so much to try to restore confidence in the criminal justice system by being critical of it. Those two elements are not inconsistent: those who care most about the system are prepared to be critical of it and to expose its failures. I am also proud to be following my hon. Friend as the second non-lawyer to participate in the debate, which is of importance to the general public, not just to lawyers. I sometimes think that debates in the House on criminal justice are dominated too heavily by lawyers.

Today's debate goes to the heart of the criminal justice system. It goes to the heart of two points that both Parliament and the public share as items of great concern. The first is the frustration felt when the guilty walk free or when the resources of justice are diverted into a waste of time and energy; the second is the fear that the innocent will be incarcerated. We need to cut out the massive waste of time involved in needless disclosure and the pursuit of fishing trips, as they have been described. It is right for my hon. Friend the Member for Sunderland, South to balance that aim with the importance of ensuring that the way in which we achieve it protects the innocent and does not go too far the other way.

I am not new to such issues; during the passage of the Criminal Justice and Public Order Bill in 1994 I moved amendments that, had they been accepted, would have introduced a system of defence and prosecution disclosure in a balanced way. Since my hon. Friend the Member for Blackburn (Mr. Straw) has been shadow Home Secretary, he has repeatedly reinforced the need to tackle the issue—he made specific proposals to do so in his speech on 5 April 1995.

I am not sure whether the complaints about payment made by the hon. and learned Member for Burton (Sir I. Lawrence) were made personally on behalf of his union, so I shall not comment on that part of his speech, but he made the one divisive contribution to the debate—perhaps with his tongue in his cheek. He has been described as the villain's friend—he should not express surprise at our support for a measure that helps justice. The Labour party's attitude is always to offer critical and constructive support for such measures. He had the grace to welcome our approach and, in the same spirit, I invite him to support Labour measures to tackle violence, the carrying of weapons, drug-related crime and stalking, and to nip things in the bud when youngsters start to offend. Those are just a few of the issues on which he—like the Home Secretary—has voted against our proposals. If he will join us in the fight against crime, we will welcome that.

Mr. Howard: Rubbish.

Mr. Michael: It is the absolute truth and no amount of circulars from Conservative central office or misleading statements made outside the House by the Home Secretary can fly in the face of evidence—contained in the record of the House, in *Hansard*—of the way in which we have sought to be both tough on crime and tough on the causes of crime.

As my hon. Friend the Member for Blackburn said, the atmosphere surrounding the speeches today, including those of the Home Secretary and my hon. Friend, was not as divisive as usual; those speeches were about finding a way to resolve the two halves of the dilemma.

I believe that the Home Secretary missed the speech by the hon. and learned Member for Burton, which I have just said—I hope that the Home Secretary will listen—was the one divisive contribution. The aim of the Home Secretary, the shadow Home Secretary and others has been earnestly to deal with the issues that the Home Secretary brought before the House. I have simply balanced the contribution of the hon. and learned Member for Burton.

My hon. Friend the Member for Blackburn emphasised the importance of process in setting standards of justice and in the public reputation of the court system. We should be aware that people feel considerable disquiet about the operation of the criminal justice system.

It is disappointing that the organisation to investigate miscarriages of justice is not yet active and effective. Tomorrow, we shall debate a case that it would be appropriate to refer to that organisation. I say that because, if we are to speed up processes and avoid the duplication and reading of excess material, we need to ensure that machinery is in place to avoid and to correct miscarriages of justice.

What sanctions will exist on the prosecution? Will the Minister agree to explore ways to strengthen the law regarding any failure to fulfil those obligations?

[Mr. Michael]

That argument was strongly made by my hon. Friend the Member for Blackburn. We must have a balance of duties and rights and, if we lighten the load on the prosecution, we must be able to trust the prosecution to achieve the balance. There must be a heavy punishment when that trust is breached. In Committee, we should consider the emphasis that is placed on the prosecution's responsibilities to disclose, not only when—in what laymen would understand by that term—a case would be undermined, but when doubt might be cast on a case by the evidence that is available to the prosecution.

What will the Minister's attitude be to the arguments made by my learned Friend Lord Williams of Mostyn in another place about the circulation of evidence as pornography in prison? Several cases have come to light, causing outrage, and I took the matter up some years ago. I hope that the Minister will be willing to accept, or to table, amendments in Committee. It is surely right for us to impose strict protection so that such material is not made available or circulated in prison or elsewhere. The prisoner has a right to see material that is to be used in the case against him and to discuss it with his lawyer, but that material need not be in his possession, and it need not be possible for him to circulate it in prison.

The hon. and learned Member for Montgomery (Mr. Carlile) made a valid point about clause 45. The requirement of a conviction may be an obstacle to some cases being treated properly. An addition is needed to give the court the power, if given evidence that there is a good reason why a conviction could not be sought or obtained, to consider the available evidence. It should not be too difficult to meet that point, and I hope that we may discuss that issue in Committee.

The hon. and learned Gentleman was right to emphasise the victim's interests. We are right to insist on reminding the courts that crime, especially serious crime, is a crime because of damage done to a victim or victims. I am not sure that a victim statement is the right way to proceed, especially if the responsibility for preparing the statement is pushed on to the probation service. The Government rejected a proposal that I made a couple of years ago to require the Crown Prosecution Service to consider and consult the victim before downgrading or dropping serious charges. We must find a mechanism that will properly bring the victim's needs into the centre of consideration.

My hon. Friend the Member for Swansea, East (Mr. Anderson), in an excellent speech, suggested a Special Standing Committee for the Bill. This is the second measure—the first was the Security Service Bill—about which it has been possible to say, "Here is a measure that is doing something worth while and sensible. Instead of arguing divisively across the Floor of the House, let us try to ensure that the Bill is better when it leaves the Chamber than when it came in, and that it succeeds in meeting the requirements of justice."

My hon. Friend the Member for Blackburn mentioned the important issue of pleas in mitigation being open to challenge. I have sat in magistrates courts—especially juvenile courts—and heard mitigation, after a gap for the preparation of a social inquiry report, and been bemused, having been in court on the previous occasion, because there appeared to be no relationship between the mitigation and the events that had convinced the court that a finding of guilt was appropriate. We must tackle that anomaly.

We should heed the warnings by my hon. Friend the Member for Sunderland, South that in some cases things go wrong and innocent people are found guilty. I am especially worried after studying the case of Mr. Bernard Wilson, who was found guilty in my constituency of events arising from the involvement of a police informer in promoting the activities that led to the prosecution. The judge expressed grave concern, and I continue to feel much concern, about the way in which the Crown Prosecution Service dealt with that case. Many remaining serious issues must be tackled if we are to restore confidence in the criminal justice system.

In Committee, we shall work constructively to improve the Bill. We all want a criminal justice system that protects the innocent and ensures the conviction of the guilty. The Bill is one step along the path of reform. We need to ensure in Committee that we end up with the best possible and most balanced legislation, but the measure is long overdue, and it is only one step. We have a long journey to travel before we can claim to have restored public confidence in the criminal justice system.

6.56 pm

The Minister of State, Home Office (Mr. David Maclean): I was going to take all of the four or six minutes allocated to me to reply to some interventions, but I must start by putting part of the record straight.

I detected no divisiveness in the speech of my hon. and learned Friend the Member for Burton (Sir I. Lawrence). Moreover, the debate was good natured throughout and the opening speeches by my right hon. and learned Friend the Home Secretary and the hon. Member for Blackburn (Mr. Straw) were paragons of virtue in cross-party consensus.

The hon. Member for Cardiff, South and Penarth (Mr. Michael) cannot come to the Chamber and try—even in a low key, even in a quiet bluster—to restate the record of what Labour has done. Purely what he said in his introduction forces me to take about one minute of my time to place on the record some of the information that I extracted from *Hansard* last week, because I found some time to peruse *Hansard* carefully.

I went back only as far as 7 March 1983, when the House debated the prevention of terrorism Act. Labour voted against. [HON. MEMBERS: "Guilty."] In November 1983, Labour voted against the Police and Criminal Evidence Act. [HON. MEMBERS: "Guilty."] In January 1984, Labour voted against the prevention of terrorism Act. [HON. MEMBERS: "Guilty."] In February 1985, Labour voted against the prevention of terrorism Act. [HON. MEMBERS: "Guilty."] In January 1986, Labour voted against the Public Order Act. [HON. MEMBERS: "Guilty."] In February 1986 and February 1987, Labour voted against the prevention of terrorism Act. [HON. MEMBERS: "Guilty."]

Then, in January 1988, when we voted on the Criminal Justice Act, increasing the penalty for cruelty to children to 10 years, Labour voted against. [HON. MEMBERS: "Guilty."] Labour voted against the proposal to increase the maximum penalty for dealing in hard drugs to life imprisonment. [HON. MEMBERS: "Guilty."] It voted against the maximum penalty of life imprisonment for taking a

gun to a crime. [HON. MEMBERS: "Guilty."] Labour also voted against the Attorney-General's right to appeal against lenient sentences. [HON. MEMBERS: "Guilty."] Labour voted against the Government in February 1988, January 1989 and in March 1990 when the prevention of terrorism Act was renewed. [HON. MEMBERS: "Guilty."] Labour also voted against the prevention of terrorism Act in March 1991. [HON. MEMBERS: "Guilty."]

The Criminal Justice Act 1991 gave the courts the power to impose longer sentences on persistent, violent and sexual offenders. Labour voted against it. [HON. MEMBERS: "Guilty."] Labour voted against the requirement for parents to attend court proceedings with their children. [HON. MEMBERS: "Guilty."] The Act gave the courts the power to make the parents of 16 and 17-year-olds pay their children's fines. Labour voted against that and other measures in the Act. [HON. MEMBERS: "Guilty."]

For the sake of brevity, I shall move on to February 1992, when Labour voted against the prevention of terrorism Act. [HON. MEMBERS: "Guilty."] It voted against that Act again when it was renewed in 1993. [HON. MEMBERS: "Guilty."] The Criminal Justice and Public Order Act 1994—we are now up to date—reformed the right of silence. Labour voted against it. [HON. MEMBERS: "Guilty."] It did not vote against the police stop-and-search powers, but it argued against them. Labour had no opinion about the whole Act: so it decided to abstain rather than support it. [HON. MEMBERS: "Guilty."] Labour voted against the establishment of secure training centres and against the prevention of terrorism Act in March 1995. [HON. MEMBERS: "Guilty."]

Sir Ivan Lawrence: Will the Labour party's repeat offending entitle it to the sternest of minimum sentences in the wilderness for the next 20 years?

Mr. Maclean: I have examined Labour's record on law and order and I have discovered that it has a considerable criminal record.

Of course, I welcome the Opposition's support for the Bill. I welcome also what the hon. Member for Blackburn said on television on Sunday, in supporting some of the measures suggested by my right hon. and learned Friend. I welcome his half about-turn in supporting the prevention of terrorism Act. Those actions are correct. However, because Labour has not voted against absolutely everything that we have proposed in the past few months, it does not expunge its record of voting against our proposals in the 1980s. That record speaks for itself: it is an absolute disgrace.

I refer now to some of the issues raised during the debate. My hon. and learned Friend the Member for Burton said that judges should have discretion to waive the rules. He called for more flexibility, but he did not refer to any rules that he thought were too inflexible. He may have in mind the requirement to produce a defence statement in all Crown court cases, which was raised during debate in another place. The Government said then that the Bill lays down a clear rule because of the advantages in all cases of narrowing the issues in dispute before the trial, for which defence disclosure is essential.

The hon. Member for Swansea, East (Mr. Anderson) called for the establishment of a Special Standing Committee. I am not persuaded that the Bill meets the criteria for that procedure.

Mr. Donald Anderson: There has not been a Special Standing Committee in relation to England and Wales for 12 years. As the Home Secretary has said, the procedure was set up specifically to consider non-controversial Bills—I believe, of this nature. Given that there are no time constraints, how can the Government not accede to that request?

Mr. Maclean: We should not grab this Bill and send it to a Special Standing Committee just because the hon. Gentleman believes that it is remotely suitable and because no other Bill has been before such a Committee in 12 years. As the debate in the other place showed, there is a great deal of interest in the Bill. There has been an awful lot of consideration and scrutiny of the Government's proposals, as set out in the discussion paper. I cannot see what role a Special Standing Committee would have that was not performed by the experts in the other place. The legislation has been subject to considerable detailed scrutiny.

My hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney) asked how we can guard against inadvertent non-disclosure by the prosecutor. The Bill requires the prosecutor to give the accused a schedule of all material that is not sensitive. If the accused believes that material disclosed in the schedule may help the defence, he may apply to the court to obtain it.

I shall touch upon several points raised by the hon. Member for Blackburn. He referred to categories of sensitive material in the code of practice and suggested that they included material given in confidence, which he thought was a very wide-ranging definition. The code does encompass a number of categories of sensitive material, including material given to the police in confidence. However, the prosecutor, and not the police, must decide whether the material meets the test for disclosure in the Bill. If the material is sensitive and the prosecutor seeks to withhold it on public interest grounds, the court will decide the issue.

The hon. Gentleman suggested that the test for primary prosecution disclosure should be "casts doubt upon" rather than "undermines". We believe that "undermines" is the right test. It catches material that has an adverse effect on the prosecution case and should be disclosed. However, it is not so wide as to require the disclosure of anything that has no more than a small, peripheral effect. The alternative formulation would move us backwards to the current unsatisfactory disclosure test and it would put unnecessary burdens on the police. No doubt we shall debate the issue in more detail in Committee.

The hon. Gentleman inquired about prosecution disclosure only after a not guilty plea in summary trials, and he suggested that that might result in delay. We understand his concern, but we take a slightly different view. In summary-only cases, disclosure currently occurs after a not guilty plea; the Bill does not change that. In either-way cases, it will usually be clear whether the accused intends to plead guilty or not guilty. There is also the incentive of a discount in sentence for an early guilty plea, and there is a disincentive if there is no such plea. We believe that that should eliminate delay and reduce costs also.

[Mr. Maclean]

The hon. Gentleman suggested that a breach of a code of practice by the police should lead to disciplinary or criminal proceedings. If the breach is serious and amounts to a criminal offence, a prosecution may be brought. It is correct that that should occur. In other cases, a breach may result in disciplinary proceedings under the arrangements that we are devising currently following the Police and Magistrates' Courts Act 1994 and the new disciplinary procedures for police officers. The court may take such a breach into account if it is relevant to the proceedings.

I come to the final main point that the hon. Member for Blackburn raised—we may deal with some others in more detail in Committee. He suggested that sanctions should be imposed on the prosecution as well as on the defence, for failure to comply with the Bill's requirements. I understand his concern, but sanctions different from adverse comment, for example, will apply to the prosecution. For example, failure to make primary prosecution disclosure in the Bill will absolve the defence of its requirement to make defence disclosure. A change in the prosecution case must be notified to the accused, otherwise the court can stay the proceedings. I think that it is a good Bill.

Mr. Straw: I am grateful to the right hon. Gentleman for referring to the points that I raised—I know that it was a long list. Can he comment on the two other main issues to which I referred: the possibility of an appeal by the prosecution against a decision by the judge to end counts on the indictment or to dismiss a case altogether before it goes to the jury; and whether the prosecutor should have a role in pleas in mitigation?

Mr. Maclean: We considered the first point carefully. We decided that we could not see a role for it and we did not include it in the Bill. No doubt the case in favour will be argued sensibly in Committee. As to the prosecutor's role in a plea in mitigation, we see some merit in the prosecutor's presenting to the court the full facts of the case as they affect the victim. We must ensure that the effect on the victim is made known to the police. That information must then be passed to the Crown Prosecution Service, so that its prosecutors have the full facts and can ensure that the court is aware—certainly before sentencing—of the impact on the victim and can take that into consideration. While victim impact statements have a superficial attraction, there are some potential difficulties. For example, a defence counsel might want to question or cross-examine on some of the things that are said in a victim impact statement.

What matters to the law-abiding public is a criminal justice system that pays proper regard to the needs of victims and witnesses as well as defendants. The Bill is another stage in redressing the balance in our criminal justice system, which for too long has protected criminals at the public's expense. The pendulum will not swing wildly. The Bill's provisions are here to stay for some considerable time, and that should be the case.

The Bill makes improvements across the board to procedures for dealing with criminal cases. It will do much to improve public confidence in the criminal justice system. That is why it deserves the support of all hon. Members.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

CRIMINAL PROCEDURE AND INVESTIGATIONS BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Criminal Procedure and Investigations Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to that Act in the sums payable out of money so provided under any other Act.—*[Mr. Ottaway.]*

Question agreed to.

Offensive Weapons Bill (Instruction)

7.9 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I beg to move,

That it be an Instruction to the Committee on the Offensive Weapons Bill that it have power to make amendments to the Bill so as to make provision about—

(a) supplying any article which has a blade or is sharply pointed to any person under the age of sixteen years, and

(b) having any such article, or any offensive weapon within the meaning of section 1 of the Prevention of Crime Act 1953 or section 47 of the Criminal Law (Consolidation) (Scotland) Act 1995, on school premises.

The Government fully support the Offensive Weapons Bill. It delivers a well-aimed blow at the growing evil of knife carrying, but we are especially concerned about the growth of that evil among young people. We want the Bill to be as effective as possible in relation to that age group. That is why the Government will introduce amendments in Committee.

First, our proposal will make it an offence for a person to sell a knife to someone under 16. It will be a defence for that person to prove that he exercised due diligence. There will be an order-making power, under which the Secretary of State for the Home Department may designate articles that are excepted from the ban. So far, it has been decided to designate small, folding pocket knives. The maximum penalty for an offence will be six months' imprisonment, a level 5 fine or both.

Secondly, the proposal will extend to schools and their grounds the offences of carrying a knife or offensive weapon. Those offences currently apply only to carriage in public. Police powers of stop and search for knives and offensive weapons will be extended to schools and their grounds. Penalties for offences committed on school grounds will be the same as those proposed for offences committed in public places—two years' imprisonment or a fine for carrying a knife, or four years' imprisonment or a fine for carrying an offensive weapon.

There is wide support for the introduction of such measures and I hope that the House will agree to the motion.

7.11 pm

Mr. Alun Michael (Cardiff, South and Penarth): I welcome the motion. It gives me the opportunity to point out the ludicrous display of the Minister of State, Home Office, with his false theatrical presentation and his Greek chorus behind him.

The motion brings into effect something that was requested in 1988 by my hon. Friend the Member for Dewsbury (Mrs. Taylor) and that was called for more than once, before the Bill was introduced, by the shadow Home Secretary, my hon. Friend the Member for Blackburn (Mr. Straw).

Conservative Members are guilty as charged. We could give a list of items on which they are guilty as long as your arm, Mr. Deputy Speaker. Most of our proposals were introduced when the Home Secretary and his deputy were responsible for criminal justice system matters. I do not intend to delay the House with references to those proposals, because the motion is limited, which, as I can see from your expression, Mr. Deputy Speaker, you also appreciate.

The motion gives the Committee that will consider the Bill the capacity to make proposals that go wider than the private Member's Bill introduced two weeks ago. We supported that Bill. The debate on it was another of those occasions when hon. Members on both sides of the House and both Front-Bench teams were united in supporting the need for action to deal with the possession of weapons. The capacity of the Committee to make such amendments goes a stage further in dealing with the possession of weapons by people under the age of 16.

During that debate, there were calls for problems of advertising and of the sale of weapons to be dealt with. I hope that, although the matter is not covered in the limited motion, the Government have given serious consideration to regulating the advertising of weapons. During the debate, we gave examples of some disgraceful heavy weapons that are available and that are advertised in a variety of publications, and for the possession and advertising of which there can be no reason or excuse.

I hope that, when the Committee considers the Bill, we shall find that the Government have co-operated with the hon. Member for Sutton and Cheam (Lady Olga Maitland), who introduced the Bill, to ensure that we can deal with the issue of advertising as well as those dealt with in the motion. We called for those developments and we shall support them.

Question put and agreed to.

Cold Weather Payments (Barking and Dagenham)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

7.14 pm

Ms Margaret Hodge (Barking): I am grateful to you, Mr. Deputy Speaker, for the opportunity to raise this issue, which is of enormous importance to many of my constituents who are the most vulnerable members of the local community—the elderly, the disabled, the sick and the young families living on low incomes. The debate is an excellent opportunity for the voices of those constituents to be heard, but at the same time I am horrified that it has proved necessary to call for it. The debate is not about a disagreement between me and the Government on a matter of principle, but about the way in which government works for ordinary people. It is about elderly and vulnerable constituents who have suffered unnecessary hardship because they have become the victims of absurd and bureaucratic rules and regulations.

If the Government had demonstrated one ounce of common sense in the way in which they administered their policies, this debate would not have been necessary. The debate is about practice, not policy—about reality in the real world outside, not debate in the closed world of the Chamber. If the Government had acted with humanity and compassion and shown proper flexibility in the implementation of their policies—flexibility such as they extolled yesterday in the Scott debate when looking after their narrow party interests, but which they reject today when it concerns poor elderly pensioners—today's debate would not have been necessary.

One means by which we can judge whether the Government provide the framework necessary to ensure a compassionate and humane society involves the way in which they treat elderly people. The blunt and crude way in which the cold weather payment system is implemented in my constituency provides overwhelming evidence of the Government's failure to act in that compassionate and humane way. The Government are preoccupied with the greed of the few, not the need of the many—with tax cuts for the rich, not cash benefits for the poor.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I hope that the hon. Lady will shortly come to Barking and Dagenham.

Ms Hodge: I will indeed, Mr. Deputy Speaker. My constituents in Barking and Dagenham are suffering. The Government are fostering division in my constituency, not creating social cohesion. They will be judged on that. For the sake of my constituents, I hope that the day of judgment will come before next winter and before they have to endure yet another winter without the benefits of the emergency cold weather benefits system, when they will not dare to turn their heating on or up in order to stay healthy and keep warm.

Ten years ago, the Government introduced a national system of cold weather payments because the previous system of local office discretion was deemed to be unfair. The aim of the current scheme is to help the most vulnerable groups in society and to ensure that they are not frightened to turn up the heating in cold weather. The intention is to provide extra money to poor and vulnerable people when the weather is extremely cold. Over the years, the scheme has been amended, but its purpose has remained unchanged. In 1991, when the right hon. Member for Chelsea (Sir N. Scott) was the Minister responsible for the scheme and amended it in response to pressure from Opposition Members, he said:

> "I propose to assure eligible people that if very cold weather arrives, they can turn up their heating."—*[Official Report,* 14 June 1991; Vol. 192, c. 697.]

If cold weather arrives, and one lives in the wrong part of Barking, that assurance is utterly worthless. If some of my constituents turn up their heating, they will have to fork out for the extra bills—which now include the Government's 8 per cent. value added tax on domestic fuel.

Eligibility for cold weather payments is triggered by the temperatures recorded by the Meteorological Office acting on behalf of the Benefits Agency. The temperature must be 0 deg C or less every day for seven consecutive days. That is a tough criterion, but it reflects the limited help that the Government will give to vulnerable groups. Only pensioners on income support, disabled people, and families on income support with a dependent child under five years of age can claim cold weather payments. We are not talking about a large group of people or about huge sums of money. Figures supplied by the Library show that last year the Government spent just over £76,000 on the scheme and that in the extremely cold winter of 1991-92 they spent £23 million.

Large numbers of vulnerable people do not receive the payments because they do not claim income support even though they may be entitled to it. Age Concern estimates that in 1991 between 22 per cent. and 23 per cent. of pensioners entitled to income support did not claim it. People with incomes even a few pence above the support threshold receive nothing.

If one lives on Lodge avenue—which has one postcode—on the Dagenham side of my constituency, eligibility for cold weather payments is triggered by temperatures taken at Stansted airport. If one lives on the Keir Hardie estate, which is on the other side of Lodge avenue and has a different postcode, eligibility is triggered by temperature readings at Heathrow airport. Quite apart from the fact that neither airport is anywhere near my constituency, there is something rather sickening about the use of airports to assess temperatures when the old, cold and poor in my constituency can only dream about flying off for a sunny break on the Costa del Sol.

This winter, constituents in Barking received cold weather payments for only one week while their neighbours on the other side of the road—who, for administrative convenience, have a different postcode—received four payments. I am talking not about different villages or constituents who live on opposite sides of a dual carriageway or motorway, but about people in neighbouring streets, whose relatives living just up the road receive cold weather payments that they themselves are denied.

The temperature at Heathrow may be slightly above that at Stansted—it is all to do with the east wind, apparently, but that makes no sense if one is old, cold and living in Barking: the weather does not change with the postcode. Even the high and mighty cannot ensure that it snows on just one side of the thin white line.

On 18 January, in response to a written question from my hon. Friend the Member for Don Valley (Mr. Redmond), the Under-Secretary of State for Social Security said:

"Our aim for the social fund cold weather payment scheme is to have a simple network of weather stations that covers the whole country and allows automatic payments to be made quickly to those most in need. We achieve this by using weather stations chosen by the Meteorological Office which are considered representative of the postcode areas they cover, and are sophisticated and reliable enough to provide the quality of data required for the scheme."

In reply to another written question, the Minister said:

"We are content that the current network of 55 weather stations used for the cold weather payment scheme . . . provides straightforward and effective national coverage which at the same time takes reasonable and practicable account of local conditions."—[*Official Report*, 18 January 1996; Vol. 269, c. *724*.]

The Government have got it wrong. The Minister may say that the Government can do nothing and respond with the tired, "Yes Minister" riposte that a line must be drawn somewhere. Of course a line must be drawn somewhere, but that somewhere must make common sense. The public must understand and accept it. It must mean something, and no one in Barking accepts the current nonsense.

When the temperature dropped on one side of the road in Barking in the week from 5 December, it also dropped on the other side of the road. That did not help Mrs. Havers, who is 86 years old, hard of hearing and lives on the wrong side of the street. She survives on a paltry £71 a week and has no central heating. Ten years ago, the council took away her old boiler, so she even lost the benefit of the heat that that old-fashioned equipment gave out in her kitchen. She needed the £8.50 cold weather payment to keep warm. When the temperature dropped in the week from 21 January, that did not help Mrs. Oakes, who is Mrs. Havers' next-door neighbour and in her 70s. She lives on £65.10 a week. She has no central heating but two gas fires, yet she cannot afford to use them both. The £8.50 payment would have made all the difference to that lady—the difference between basic comfort and distressing cold.

When the temperature dropped on one side of the road in Barking in the week from 28 January, that did not help Mr. Knight, who is unemployed, desperately looking for work and has a six-month-old baby. His parents on the other side of the line received a cold weather payment but Mr. Knight, his partner and their baby, struggling to live on £75 a week, had no emergency help. They have no central heating. For them, £7 extra a week to pump up the heating from their gas fire represents 10 per cent. of their weekly income. What a way to have to bring up a baby in a modern industrial country. Is that really what the Prime Minister meant when he lectured the country about a classless society?

Another of my constituents, Mr. Bardwell, is living on income support and sickness benefit following a triple heart bypass operation. He receives a pitiful £57 a week. This winter, he has had to fork out an extra £5 to £6 every week for heating. That again is 10 per cent. of his income. It is hard enough for him to make ends meet without having to try to find that extra money, which he would receive in benefit if he lived at the other end of the same parliamentary constituency. What a farce. Is that fair? Can that be described as a commonsense approach? Is that how we want to treat our old folk, our disabled folk and our young children?

Child poverty has trebled under the Government and now those living through that poverty are being denied the meagre assistance of cold weather payments. That cannot be fair or right. The Government must think again.

According to the Government's census, my constituency has a higher percentage of families with children under five than the average for London. So if Barking misses out, more children miss out than elsewhere. In my constituency, a higher proportion of the population are pensioners than elsewhere in London. Barking also has the highest proportion of single-pensioner households. The Minister may sigh, but that is true. So if Barking misses out, more elderly people miss out than elsewhere. My constituency has the highest percentage of the population who are long-term sick and disabled in London. So if Barking misses out, more disabled people miss out than elsewhere. In Barking, we have the lowest proportion of families who enjoy the benefit of central heating. The costs to those families of heating their homes are higher than elsewhere in London. When they miss out, that costs them more.

Research undertaken by Age Concern in 1993 showed the results. It found that single-pensioner households on income support spent as much as 18 per cent. of their gross income on fuel bills, while single non-pensioner households spent a mere 5 per cent. If the elderly heat their homes, they cannot afford to eat. What a choice. Age Concern found that a third of the older people it interviewed lived in temperatures below 16 deg C, preferring food to fuel. Yet medical research suggests that the risk of respiratory infection increases sharply when temperatures drop below 16 deg. This is a typical Tory con and the health service picks up the tab for the Government's penny-pinching approach to social security.

We know that the number of deaths in winter in the United Kingdom is three times greater than those in places such as Sweden and Germany, where the winters are much more severe but the homes much warmer. I am not prepared to stand by and see that unfair and, in the end, life-threatening maltreatment of my constituents just because of a temperature difference between Stansted and Heathrow.

The unfairness is shown by some further facts that I have gleaned from the Library. In the week to 11 December, when the temperature at Stansted averaged 0 deg, at Heathrow it was just 1 deg above the trigger. The same is true for the week ending 27 January. That marginal difference of 1 deg in temperature made all the difference to the old, the disabled and the young living in Barking. They lost out on their entitlement to an essential payment that would help them to keep warm.

The whole point of the emergency payment is to ensure that the very old and the very young keep warm in cold weather. It is the Government's job to make the system work and they have plenty of options. Why cannot the temperature, for instance, be measured at every benefit office or at the local town hall or civic centre? Is it that difficult to get an accurate measurement? Why cannot the boundaries be more sensibly defined, so that at least everyone in the same borough gets treated equally? Why cannot the home energy efficiency scheme be maintained? Why cut that scheme by £31 million, when investment by the Government today would ensure affordable warmth for pensioners tomorrow? If people's homes were effectively insulated, the savings could be immense.

[Ms Hodge]

Why cannot the Government make greater use of forecasts of periods of cold weather, rather than the actual temperature recorded? In 1991, the right hon. Member for Chelsea stated:

"The Meteorological Office can now supply daily a forecast for each of the weather stations which we use which will indicate, with sufficient accuracy, the likely average temperature over the next seven days."—[*Official Report*, 14 June 1991; Vol. 192, c. 697.]

Mr. Bowen Wells (Lord Commissioner to the Treasury): The forecasts are used.

Ms Hodge: The hon. Member tells me—from a sedentary position—that the forecasts are used. They are not. On 24 December—Christmas eve—in the one week in which the whole of Barking qualified, only one weather station, in Dumfries, chose to use the forecast to trigger eligibility for those living in that area. Only in Dumfries could the elderly feel secure over Christmas that they would get their cold weather payment. One of the purposes of the changes to the scheme in 1991 was to provide reassurances to the vulnerable by introducing a fast-track system of eligibility and triggering through the use of forecasts.

Mrs. Havers came to my surgery last Friday. She told me, "I know those people over the avenue have had four payments. How can it be that it is colder over there than it is over here? It is crazy. We are virtually next to them. I have to have my little electric heater on all the time to stay warm." Mrs. Oakes also came to my surgery last Friday. She said, "It is so cold in my house I have to go to bed with a huge scarf wrapped around my head and wearing bed socks. I take a hot water bottle and I wrap myself up in all the blankets I have." That is not what we should be hearing from elderly people in Britain today. We are talking not just about woolly hats, but about intolerably cold homes. That is the human dimension of the bureaucratic nonsense.

Age Concern has estimated that around 8 million households cannot afford to heat their homes to adequate standards. Too many of those people live in my constituency in Barking. I urge Ministers, on behalf of my constituents, to think again. The rules are unfair and wrong. The points I have made may seem trivial to Ministers, but they are vital to the very old and the very young in my constituency who simply want to enjoy the right we all have—to keep warm in winter.

Mr. Stephen Timms (Newham, North-East) *rose—*

Mr. Harry Barnes (North-East Derbyshire) *rose—*

Mr. Mike Gapes (Ilford, South) *rose—*

Mr. Deputy Speaker: Order. I understand that the hon. Member for North-East Derbyshire (Mr. Barnes) has permission from the hon. Lady and the Minister, but I am not aware that the same is true for the hon. Members for Ilford, South (Mr. Gapes) and for Newham, North-East (Mr. Timms).

I must also remind hon. Members that the debate is about cold weather payments in the London borough of Barking and Dagenham.

7.38 pm

Mr. Harry Barnes (North-East Derbyshire): I congratulate my hon. Friend the Member for Barking (Ms Hodge) on initiating the debate. If she succeeds on behalf of Barking and Dagenham, that might have a knock-on effect that would correct the situation in the rest of the country. My hon. Friend might win a minor victory that would affect only her area. For instance, it could be decided that the lowest of the two measurements from Stansted and Heathrow should be taken. The arrangements made under the scheme should be equitable in respect of distribution.

My hon. Friend the Member for Barking has argued in favour of various methods of measuring temperature. Temperatures should be taken locally, so that the needs of people in local areas can be met within the rules of the system. If my hon. Friend can make any progress on those terms, the effects will be felt further afield than Barking and Dagenham. The new arrangements will have to be applied universally, thereby improving a system that operates in the most dismal fashion across vast areas of this country.

The weather seems to be improving now. It is easy for politicians to forget a problem that is over with; easy to put down some markers for future changes; and easy to be distracted by more immediate concerns. But people have been in desperate straits recently, and it is likely that some could die because of the shortcomings of the scheme in my hon. Friend's constituency. Now is the time to keep up the pressure to correct the faults in the scheme.

My hon. Friend's constituents do not need a new system just for the next time the big freeze arrives. They need retrospective provisions to ensure that they receive the three payments that they appear to have missed. They have been encouraged to put their heating on so as not to die from the cold—on the promise that some money would be forthcoming. That money has not appeared, even though people thought it reasonable to try to keep warm.

The cold weather payments scheme is limited in its scope. It applies to pensioners, disabled people and parents on income support with children under five. Possibly many other groups should be considered for inclusion. In 1994, 300 pensioners in this country died of hypothermia—not counting the deaths to which it was a contributory factor.

The payments that people receive are modest: £8.50 a week. They are made when the temperature reaches freezing point for seven consecutive days, or when it is forecast to do so. If meteorological stations are being used for this purpose, the information that they give out should be much more widely available. The problem is that people need to know where to look for the forecasts for their area. In my hon. Friend's constituency, for instance, some forecasts will apply to one airport and some to another. What are people supposed to do? In some parts of the country people may have to tune in to television stations because their temperatures are being measured miles away from where they live. There must be places nearer their homes that could more sensibly be used to determine temperatures for this purpose.

I know of a person who has spent £10 on telephone calls trying to sort out being missed out for the payments. Supposedly, once a meteorological station has issued temperature details, the payments are triggered and then

automatically made. We know, however, that the system does not work that well. Not everyone receives his entitlement. I am sure that my constituent's experience applies also to people in Barking and Dagenham, and that there are people who have never pushed hard for what they are entitled to.

The whole scheme needs looking at. Even under the current rules, the triggering arrangements and the determinations of who should be paid what are in need of serious review. The Government are very good at developing formulae that apply to the whole country but which are not tailored to particular areas. The standard spending assessment is one example; the method used for cold weather payments is another—it is crazy.

Weather stations alert the Department of Social Security, which decides on the basis of postcodes which areas should receive payments. I need not point out that postcode areas were not designed for cold weather payments. They exist for the administrative convenience of the Post Office. Some careful analysis would have to be done to show how such areas are compatible with the areas that deserve cold weather payments.

Some places are higher and more exposed than others. The "heat factor" sometimes operates in town centres, where there are surrounding buildings. It is therefore essential to measure temperatures locally so as to provide correct information.

I should love to use this opportunity to spell out the problems in Derbyshire, where the system is completely nonsensical, but I know that you, Mr. Deputy Speaker, are keen that I should relate my remarks to Barking and Dagenham. If the principles outlined in my hon. Friend's speech are adopted, I will be able to go back to Derbyshire and say that something has been achieved. I intend to elaborate at length on the nonsensical system in Derbyshire if I am lucky enough to secure an Adjournment debate on the subject.

As I have said, meteorological stations that are nowhere near the areas affected are being used. Postal districts that bear no relation to areas with differing climates are also being considered. Moreover, some of the meteorological stations are being de-manned, with the result that certain areas are transferred to other stations. Further de-manning can lead to chaos in such circumstances.

I hope that the Minister will indeed take a serious look at the points made in this debate. It is difficult to squeeze retrospective measures out of the Government to cover the problem, but I hope, at the very least, that there will be some reassessment—even under the present rules—of how areas and their temperatures are considered under the scheme. We should then progress to local temperature taking, as suggested by my hon. Friend the Member for Barking.

7.48 pm

Mr. Mike Gapes (Ilford, South): I congratulate my hon. Friend the Member for Barking (Ms Hodge) on initiating the debate. Our constituencies share a local authority. Although the bulk of my constituents live in Redbridge, half of one of the wards in Goodmayes was transferred to the borough of Barking and Dagenham in April 1994. Therefore, I have constituents who live in Barking and Dagenham and I am well aware of the problems that they have experienced. I am also well aware that those problems have been experienced by those of my constituents who are neighbours of those living in Barking and Dagenham but who live in the borough of Redbridge.

I tabled early-day motion 499, which referred specifically to the problems faced by my constituents, which are identical to those experienced by the constituents of my hon. Friend the Member for Barking.

Three weather stations monitor temperatures for the whole of Greater London: one is far to the south, outside London, in Gatwick airport; the second is far to the west of London, in Heathrow airport; and the third is far to the north-east of London, outside London in Stansted airport. These three airport stations are used to determine which of the London postal districts will have a temperature level assessment on any particular day.

In logic, one might assume that areas to the north-east of London would be assigned to the station north-east of London. Similarly, it might be supposed that those to the west would be assigned to the station which is to the west, and those to the south assigned to the station which is to the south. But when the Government introduced cold weather payments in 1988 they decided to present us with a puzzle.

It is interesting to assess the regulations and to read the listings of postal districts in the respective national climatological message stations for London. It is clear that the criteria are not straightforward. National climatological message station 26, which is at Gatwick airport, includes some of the Croydon CR postal districts, but not all. The station at Heathrow airport includes many postal districts, including the rest of the Croydon ones. The Heathrow station, being in the west of London, is responsible for the postcodes E1 to E18, EC1 to EC4, EN1 to EN11 and various others, including IG1 to IG11, which cover the bulk of my constituency and large parts of Barking. I should explain that my hon. Friend and I share the IG11 postcode.

Some of my constituents live in Mayesbrook road, which is on the borders of Barking and Dagenham and Ilford. Before talking about Mayesbrook road I shall refer to the Stansted weather station, which covers an area with RM postcodes. These are Romford postcodes. The station covers RM1 to RM20 as well as Colchester, Chelmsford, Southend and various other parts of Essex.

Romford is in the London borough of Havering and the relevant postcodes extend to Essex. But RM postcodes include postal districts in Barking, Dagenham and Ilford. I have constituents who have RM postcodes and are assessed by the Stansted station. I also have constituents who live a few yards away from them who have IG postcodes and are assessed by the Heathrow station.

Nos. 1 to 73 Mayesbrook road have the RM8 postcode; Nos. 75 to 143 have the IG3 postcode. Someone living at No. 73 Mayesbrook road has been eligible for four cold weather payments. Of course, if he was not eligible for income support he would not have received the payments. Theoretically, however, the payments could have been made. The person living next door, at No. 75, has an IG3 postcode: tough luck. That person was eligible for only one payment.

On the side of Mayesbrook road with even numbers, Nos. 2 to 72 are part of the RM postcode; Nos. 74 to 134 are in the IG3 postcode. It is not merely a matter of different assessments on each side of the road. Along both sides of the road people are being treated unjustly as a result of a mad bureaucratic system.

[Mr. Mike Gapes]

How do we deal with this madness? How do I explain the system to my constituents? I have received several letters and telephone calls querying what has happened. One of my constituents said, "My mother has received extra payments but I had a payment for only one week. My mother lives only half a mile away from me." I repeat: how can I justify the system?

Some of my constituents who live in the borough of Redbridge are treated differently from others who live in the borough. Some of my constituents live in the area of the IG3 postcode, and they are treated differently from those in RM postcode areas.

According to the list attached to the Social Fund Cold Weather Payments (General) Regulations 1988, SI 1988/1724, there are 54 climatological message stations. The list includes some stations that have disappeared. In other words, there are not quite 54 stations. We know, however, that 56 million people live in the United Kingdom. In logic and fairness there should be some relationship between the number of stations and the population, or a relationship between numbers of stations and geographic areas. I estimate that the population of Greater London and of areas beyond is about 8 million or 9 million, yet we have—this includes Barking and Dagenham—only three stations.

If an airport station is supposed to be in London, why is London City airport not used as an assessment point? It is more likely than other stations to have temperatures closer to those in the boroughs of Barking, Dagenham and Redbridge and those in the IG3 and RM postal districts. Oh, no; that is too easy. Instead, we have an absurd, nonsensical system. I look forward to the Minister's explanation. Having read "Alice in Wonderland", I look forward to hearing him try to justify the present system.

I do not want to detain the House for much longer. I merely say that I hope that this will be the last winter during which anguished constituents will come to us, write to us or telephone us to try to secure an explanation of the cold weather payments system from us, elected Members of this place. As I have said, the regulations are nonsensical. Let us hope that a system can be introduced that is fair and just to all the residents in the constituency of my hon. Friend the Member for Barking and to all my constituents. Let us have a system that makes sense in logic and can be publicly justified. The present regulations are absurd and must be amended quickly.

7.58 pm

Mr. Stephen Timms (Newham, North-East): I congratulate my hon. Friend the Member for Barking (Ms Hodge) on securing the debate, and on the powerful case she made on behalf of her constituents in both Barking and Dagenham. My constituency adjoins those of my hon. Friend and of my hon. Friend the Member for Ilford, South (Mr. Gapes). That being so, I am very familiar with the problems that they have described. I associate myself with the proposal so recently made by my hon. Friend the Member for Ilford, South, that London City airport would be an appropriate place for a weather station. I hope that the Minister will consider that suggestion.

This is an extremely serious matter. A report produced this month by that excellent organisation, Neighbourhood Energy Action, entitled "Heating Action for Older People", reminds us that, in the winter of 1991-92, there were 33,000 cold-related premature and avoidable deaths in the United Kingdom. That is an enormous number. As my hon. Friend the Member for Barking said, it is two or three times more than the number of comparable deaths in countries such as Canada and Sweden.

It is clear that we have a serious problem with the way in which we deal with cold in this country and how it affects older people. We have not managed to resolve the problem in the same way as other countries. The present winter has been a good deal colder than that of 1991-92. It is estimated that, in the most severe weather—this estimate was made before the present winter—during a winter period, there could be up to 50,000 premature and avoidable cold-related deaths.

My hon. Friend also mentioned the high cost to the health service of treating illness caused by cold in winter. I understand that it spends about £800 million a year on treating illness caused by cold and damp housing. The failure to deal adequately with it is a costly national failure, as well as being tragic for a remarkably large number of people.

I agree with my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) about the narrowness of the application of the current cold weather payments scheme. Not everybody on income support in Barking and elsewhere is eligible for such payments. What about people who are not on income support?

I had a telephone call today from a widow aged 76 who had lived in the same house for 49 years. Her husband died five years ago. She is living on the savings that they had accumulated, which are dwindling. She asked, "Why should I be penalised for not being dependent on the state?" That is a hard question to answer, and it is one that many people are asking.

In a recent letter, Councillor Jim White, of Rushmoor borough council, argued that the scheme should be extended to all pensioners. There is much sympathy for that case. I take the point that was made about the narrowness of the application of the present scheme. I hope that something more generous will be introduced.

The cold weather payments scheme is part of the measures that are needed to tackle the problems caused by the cold each winter. Another part is energy conservation. My hon. Friend the Member for Barking made the point that, tragically, the Government's home energy efficiency scheme has had £31 million cut from its budget of £105 million, despite the fact that, in December 1994, we were told that about £100 million a year would be available for three years.

Such a severe cut will mean greatly increased dependence on cold weather payments in Barking and elsewhere. For example, the amount available to people over 60 who are not on benefit will be cut from £315 to £78. That will mean that less home insulation will be carried out in Barking, and that there will be greater dependence on the cold weather payments. I very much regret that.

I make a specific point to the Minister. If he cannot answer it when he replies, perhaps he will write to me. One of the criteria for the higher rate of payment under the HEES is that the person is on disability living allowance. That should be amended to include the attendance allowance, because DLA is not paid to people over 60. There may be an inconsistency in the regulations.

I understand that the HEES is to be cut further, because the money is being top-sliced to fund the new requirements on local authorities under the Home Energy Conservation Act 1995, which was piloted by the hon. Member for Christchurch (Mrs. Maddock). It is an excellent Act, but it is regrettable if it means that less will be paid for home insulation. Poorer insulation will mean greater dependence on the cold weather payments.

I was interested to learn recently of the proposed project for the Gascoigne estate in Barking, which is modelled on pilot work in my borough of Newham, where the money that has been put aside by London Electricity through its £1 per customer levy is being used, with funding under the HEES, to improve home insulation and reduce the consumption of electricity. That is welcome. It is hoped that that scheme will be adopted more widely, but there will problems, given the cuts in the overall amount that the Government are making available for the HEES. The cuts undermine the excellent training and employment opportunities that are provided, for example, by Newham Wise and Miller Pattison, network installers in my constituency.

There is much unhappiness about the scheme, as my hon. Friends demonstrated powerfully this evening, caused by narrowness, meanness and the arbitrary nature of the decisions related to it. I very much hope that the Government will be able to make changes in the light of those concerns.

8.6 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): I hope that Ministers will always listen when Members of Parliament come up with a sound argument based on an allegation about the differential effect of a policy that has disproportionate consequences on particular constituencies. That is what Adjournment debates are for, and that is why we are here to discuss the particular problem in Barking.

The hon. Member for Barking (Ms Hodge) strayed from the important and central task of her argument, to make wider allegations about the Government's "penny-pinching" approach. I must tell her that the Government are spending £90 billion a year on social security—the largest amount by far of any Government in British history. I also heard talk about the narrowness and meanness of approach, but, frankly, the context is so astonishingly different that her specific case is undermined by a grotesque exaggeration of the context.

In trying to formulate Government policy, the targets that we have are to provide the most effective help at the most appropriate time to the most vulnerable people. The cold weather payments scheme has been very successful indeed. Last November, for this winter we increased the sum for the seven-day period from £7 to £8.50—a substantial increase of 20 per cent.

As the amount paid each year depends on the weather, it is not surprising that last year's winter led to payments of only £76,000, as the hon. Lady said, because it was an exceptionally mild winter. This winter, we have paid out £62 million so far—whether more is paid out depends on the weather criteria being met—which means 7 million individual payments to 3 million individuals.

The particular problem in focusing the scheme comes about in this fashion. The year 1991 was the key one, when the modern scheme came into operation. There is no mystery to the modern scheme. There is no accident in the linkage between postcodes and meteorological stations, because the regulations each year list both. It is not a question of discretion thereafter by the Government or the Benefits Agency. Parliament lays it down, and alters the list each year to some extent. I am told that the annual amendment regulations have never been prayed against to permit a debate to take place. Perhaps the system is less controversial than we might have gathered this evening.

The key factor in the 1991 change, in terms of administration and the provision of a better service, was that computerisation in the Benefits Agency had reached a point at which we could introduce an automatic payments scheme. That dispensed with the need to make a claim: when the average temperature was recorded or forecast to be below the qualifying level—0 deg C over seven consecutive days—computer scans would be carried out weekly, and everyone who met the criteria would be paid. The conditions relate not just to individuals whose qualifications depend on the scheme that we discussed earlier, but to the postcode of the area involved.

In the modern world, it is commonplace for commercial organisations to use the postcode system—which has become increasingly developed—to determine, with the help of a computer database, which groups should be targeted in one way or another. We have managed to arrive at a detailed local arrangement by using the postcode system, while linking it with the current number of meteorological stations—55.

Let me tell Opposition Members, who have made various local complaints, that the list of meteorological stations is reviewed after each winter, and it has been our practice to amend it to some extent. I stress that, on the basis of its professional judgment on climate grounds, the Meteorological Office advises Ministers on which meteorological stations, in climatic terms, can most appropriately be linked with particular postcodes. That is amended by regulations as may be.

Having received correspondence on the matter, I have slightly more sympathy for those who live in mountainous areas. When we were discussing Barking, the hon. Member for North-East Derbyshire (Mr. Barnes) used a tremendous amount of parliamentary imagination to hint at problems in his constituency; I have no doubt that he will write to me about them at greater length.

Mr. Barnes: I am supposed to be receiving a response to letters that have already been written, and points raised in business questions, about problems in Derbyshire.

Mr. Evans: The hon. Gentleman's letters have not reached me yet, but when they do, they will be replied to, and the particular circumstances involved will be considered.

Normally, problems with cold weather payments relating to meteorological stations concern mountainous areas in Scotland, Wales, the Pennine region or the west country, where there are climatic differences between the tops of mountains or hills and coastal stations. We amend the list each year. Complaints were made, with some force, that a community in Braemar had been the subject of unfair prejudice through being linked with Aviemore; last year, we changed that.

The problem in London is slightly more complicated than was suggested by the hon. Member for Ilford, South (Mr. Gapes). There are four meteorological stations to

[Mr. Evans]

deal with the Greater London area: Heathrow to the west, as the hon. Gentleman mentioned, Stansted to the north, Gatwick to the south and RAF Manston in Kent, which deals with a portion of east London—including the south bank of the Thames, a stone's throw from the constituency of the hon. Member for Barking. It is no accident that those stations tend to be airports. Traditionally, the Met Office has been provided with the service by either commercial operators or the RAF.

Ironically, this year—I suspect that it is an accident of this year's weather, which has highlighted the difficulties in London—Stansted has been triggered four times, which would provide £34; Gatwick has been triggered three times, which would provide £25.50; Manston has been triggered twice, which would provide £17; and Heathrow has been triggered once, which would provide £8.50. The problem of the constituents of the hon. Members for Barking, Ilford, South and Newham, North-East (Mr. Timms) is that, in that portion of Greater London, the overlapping boundaries meet. It is frontier territory.

Ms Hodge: In fact, the circumstances are not peculiar to this year. I understand from constituents who have approached me that my predecessor, Jo Richardson, had been campaigning on this very issue for many years, drawing attention to the absurdity of the bureaucratic differences.

I understand that a mountain would make a difference. If there were a mountain in the middle of London, the weather on one side of it might well be different from that on the other side. The point is, however, that there is no mountain in Newham, Ilford, Barking or Derbyshire. All those areas experience the same amount of cold at the same time.

Mr. Evans: I hear what the hon. Lady says, but mountains are a more obvious example than Greater London. The fact remains that temperatures have been different at those four points around London.

It is possible that, on a different basis, there might have been a less favourable result for the centre of London, which tends to be warmer. The fundamental problem is administrative, however, and the Government think it important. Obviously, money can be spent on administration and the creation of more weather stations—our minds are not closed, and we review the issue each year—but I wonder whether the hon. Lady is being realistic when she asks why there cannot be a weather station at every benefit office and town hall.

I also question the hon. Lady's suggestion of boundaries based on parliamentary constituencies. I do not see why drawing a line on a simple, arbitrary, administrative basis would deal more rationally with her constituents or those of her neighbours.

Mr. Gapes: I did not suggest that every constituency should have a meteorological station; I suggested that London's City airport should be used. It is in the constituency of my hon. Friend the Member for Newham, North-East (Mr. Timms), as well as being close to my constituency and that of my hon. Friend the Member for Barking (Ms Hodge). The provision of a meteorological station there would meet the needs of people living in east London, and would end the absurdity of parts of our boroughs being dealt with by Heathrow and other parts being dealt with by Stansted.

Mr. Evans: If the hon. Gentleman had been a little more patient, he would have heard me respond directly on that issue.

Whenever a Member of Parliament presents us with a specific proposal about a meteorological station, we are prepared to listen. I do not know—and I have no instructions immediately to hand—whether there is an appropriate meteorological station at City airport, but if there is, if the Met Office will then advise us, and if it is suitable, I will certainly consider the proposal when we review the scheme in the summer.

Ms Hodge: I do not understand why we need the whole meteorological outfit. All that is necessary is to measure the temperature: we need only a thermometer. Surely a simple system, rather than a huge bureaucratic system, would be more sensitive to real temperatures in London.

Mr. Evans: This is not a monstrous administrative or bureaucratic measure. Nowadays, everything is done electronically. The temperature is taken at 9 am and 9 pm GMT, and automatically relayed to the headquarters of the Met Office, which is, I believe, at Bracknell. I can also comfort the hon. Lady with the information that, because of the advance in technology, the cost of meteorological stations is falling. That depends, however, on the Met Office's being satisfied that the station is of a certain standard, and that the integrity of the data is sufficient.

Ms Hodge *indicated dissent.*

Mr. Evans: The hon. Lady shakes her head. She says that the requirements are simple; if they can be met, I will give careful consideration to any proposals that are put to us, but I warn her that there may be a problem. If there is a meteorological station at City airport, I shall be intrigued to know whether she will want me to find out exactly what it has recorded in the past few weeks. I wait to see whether it will be better than Stansted for all her constituents. She will no doubt come back to me on that. It may well be better on that gamble—neither of us knows; whether she comes out better is another matter.

The serious and important point is that it would not be rational to follow administrative boundaries. All that would happen if we were to do that is that I would have two hon. Members sitting next to each other on opposite sides of the House, saying, "Does it really matter whether you live in this constituency or that one?" It is better to operate the system on a climatological basis, on the basis of advice from the Meteorological Office. I have heard hon. Members ask whether that was too broad-brush an approach, but it seemed to us to be much more reasonable than introducing administrative boundaries.

It would be technically feasible, with the appropriate expense and the rewriting of computer software, to alter the Benefits Agency computer to have boundaries by parish, street, borough, county or whatever other small division might be desired. However, the modern method to do such things is by postcode. That method is extant, and it is the well-established and modern way of doing it.

The difficulty is that the postal districts do not coincide with the constituency boundary of the hon. Member for Barking. Therefore, I can appreciate that the differences are particularly clear cut.

I do not want unduly to prolong this debate. I am prepared to listen to individual arguments for extra meteorological stations when we review the matter this summer. This year, because of the exceptionally bad winter, the operation of the scheme has been much more apparent, and the consequences of its operation have been more clear cut than last year, when the scheme scarcely operated at all because of a much milder winter. There is some opportunity for flexibility in this matter. Ultimately, however, Ministers will be guided by meteorological advice rather than special pleading on behalf of areas which contain constituents.

I am glad that the hon. Member for Barking had her facts right. I was a little concerned to read in *Hansard*—on 20 February 1996, at column 157—of her speaking about one side of Lodge avenue being covered by one station and the other side by another station. She probably did not mean Lodge avenue, but the places that are off Lodge avenue. The hon. Member for Islington, South and Finsbury (Mr. Smith) said:

"It does not make sense that the residents of Nos. 450 to 472 Lodge avenue have received one . . . payment . . . when the residents of Nos. 453 to 469 Lodge avenue have received four".—[*Official Report*, 20 February 1996; Vol. 272, c. 208.]

That is wrong. That portion of Lodge avenue—with all those numbers—is in the same postal district, and has been treated exactly the same.

I appreciate that hon. Members, very properly, wish to represent their constituents. However, the Government must have a scheme that is simple and effective, and that automatically delivers payments without a need to claim—which was the difficulty with predecessor schemes. I could go through the long history of those schemes, but, in terms of helping greater numbers of people, paying out greater amounts of money or the take-up arrangements, they were nothing like as successful as the current arrangement. That is one of the advantages of information technology, and the ability to perform computer scans based on local geographical areas and to say that the people who are within the qualifying groups can be paid automatically.

The system is effective. It pays more vulnerable people in the appropriate circumstances than anything that has existed before. As I have said more than once, we will listen to representations each year on whether specific meteorological stations are appropriate for specific postcode areas.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes past Eight o'clock.

House of Commons

Wednesday 28 February 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Chief Inspector of Schools (Annual Report)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

9.34 am

Mr. David Lidington (Aylesbury): I am grateful for this opportunity to introduce a debate on the annual report of Her Majesty's chief inspector of schools.

There is no more an important task for policy makers and education professionals than to drive up the standards of education enjoyed by our children. It is both a moral and a practical challenge: moral, because it is plain wrong that a child who gets only one chance of education should not be stretched and tested to the limits of his or her God-given talents, and practical, because in the 21st century our children will need a better grasp of language, number and scientific principle than ever before if they as individuals or our country as a nation are to prosper.

I welcome Mr. Woodhead's report and the 4,250 individual inspections on which its conclusions are based. The creation of the Office for Standards in Education and the introduction of a programme of regular school inspections increasingly appears to be one of the most important of the Government's many education reforms. Before the reforms, the average primary school could expect to be inspected roughly once every 200 years. Now each school can expect to be inspected roughly ever four years. I applaud the vigour and independence of spirit with which Mr. Woodhead and his team approached their responsibilities.

I draw the attention of the House to the fact that the chief inspector finds much to praise about British schools. There is a long list of outstanding schools in all parts of the country.

Dame Elaine Kellett-Bowman (Lancaster): Does my hon. Friend accept that we in Lancaster have been exceedingly fortunate—as opposed to Lancashire, which is unfortunate—in that we struggled and kept our grammar schools? The result is that our primary schools never went what I would call mushy. They all had to aim at the 11-plus, and they were all good. One school—a village school—had 12 applicants for the 11-plus, of whom 11 passed and one was educationally sub-normal. That is probably one of the reasons why we have had such excellent results from school inspections in my constituency.

Mr. Lidington: I am grateful to my hon. Friend, who, as always, is a doughty exponent of the virtues of Lancaster. As I come from a Buckinghamshire constituency, I very much share her views on selection, and am grateful that Conservative-controlled Buckinghamshire county council was able to fight successfully against the efforts of the noble Baroness Williams to impose comprehensive education on our county, despite the objections of the majority of parents.

The long list of schools to which I referred includes four in my constituency. I was delighted to write to Sir Henry Floyd school, Aylesbury grammar school, St. John's combined school in Lacey Green and Great Missenden Church of England combined school to congratulate the head teachers and all their staff on their achievement. I hope that the teaching profession will see in the list of schools published by the chief inspector a tribute to the dedication and hard work of head teachers and their staff over the previous years—

Dame Elaine Kellett-Bowman: And parents and children.

Mr. Lidington: And parents and children, too, as my hon. Friend rightly reminds me.

The chief inspector also pays tribute to two schools—one in Durham and the other in Derbyshire—which had previously been described as failing, but which are now noted by inspectors to be well on the mend. That is another illustration of the way in which the system of inspection, to discover faults so that remedies can be set in hand, is working to the benefit of all children.

Mr. Woodhead says that

"Standards of pupil achievement and teaching are satisfactory or better in the majority of schools",

and that

"teachers are meeting National Curriculum requirements more confidently".

He also points out that there are nearly three times as many exceptionally good teachers as poor teachers in our schools.

I dwell on those positive remarks at some length, because I feel that the headlines in some newspapers that accompanied the publication of the report did not do justice to the praise that Mr. Woodhead rightly gave to particular schools and to the education system in general.

The quality of education depends crucially on teachers. No profession has a higher responsibility, and there is no nobler vocation. So I hope that the teaching profession will reject the rather glib view that the inspector's report is in some way an attack on teachers' professionalism. It is not; it is a challenge to them as professionals to reflect critically on what they do, and to learn not from Whitehall edicts, but from the best practice and the outstanding achievements of their fellow professionals in our schools, for the shortcomings that Mr. Woodhead describes are serious and need to be remedied.

Perhaps the inspector's critique can be summarised by saying that we are too tolerant of mediocrity and that our expectations of what pupils are capable of achieving in school are still far too low. The report concludes that standards need to be raised in about half our primary schools and in about 40 per cent. of our secondary schools. About 10 per cent. of the schools inspected had serious weaknesses.

[Mr. Lidington]

The predictable excuses and protestations have been made—such as, that all we need do is chuck some extra money at the problem, that parents do not support schools or the authority of teachers any more, or that the problems of a difficult catchment area overwhelm the best endeavours of teachers.

I am prepared to acknowledge that those are all relevant points, and have some merit. But they avoid the central question: why can we identify schools of similar size, with similar budgets, similar catchment areas and the same sort of parents, some of which achieve the highest standards, while others fail dismally in the duty that they owe to pupils and parents?

In that regard, the inspector's report backs up the findings of the Select Committee on Education—and, frankly, the anecdotal evidence from our constituencies that we can all bring to the debate. Time and again, the report returns to the central issues of the leadership of the head teacher and the quality of classroom teaching.

On page 9 of the report, Mr. Woodhead says:

"Some schools serving extremely deprived areas achieve very good standards. This is because they are invariably led by men and women of exceptional ability."

He tells us that such a school

"believes in the possibility of success and takes responsibility for its failures"

when they happen. Unsurprisingly, he concludes that

"The most successful primary schools place great emphasis on initial literacy, expect all their children to learn to read and to learn quickly, and approach teaching generally in a structured and diagnostic way."

That is Mr. Woodhead's critique. What is now to be done? It is not a simple matter of passing new laws; we need a constructive partnership between the teaching profession and the Government to set right that which is wrong. I shall deal first with what I consider to be the responsibilities of the teaching profession.

The inspection evidence shows that in seven out of 10 lessons described by the inspectors as good, whole-class teaching figured strongly. Ofsted's work bears out the conclusions of other studies, notably that of the so-called three wise men, which was published in 1992, that excessive reliance on group work fritters away precious teaching and learning time. We need a better balance between whole-class, group and individual work.

We also need better planning of lessons, especially in primary schools. In one telling criticism, the inspector says that only half of primary schools have really planned how to use their teaching time to maximum effect. We must continue to question the fashion for mixed-ability teaching that took hold in the 1960s. Judging by my visits to schools in my constituency, I suspect that some commentators exaggerate the extent to which mixed-ability teaching ever became universal. Setting and streaming have always continued in some schools, and I believe that they are now growing in popularity among teachers again.

I draw the attention of the House to paragraph 166 of the report, which points out that in primary schools

"grouping by ability for maths and English is common and"—

this is the key phrase—

"often results in a better match of work and in higher standards."

There is much there upon which the teaching profession can usefully reflect.

The Government, too, have a tremendous responsibility. Their motto could be, "So much done, so much more to be done." They have introduced the national curriculum, national testing, regular inspections, teacher appraisal and freedom of information, through prospectuses, annual reports, test results and inspectors' reports. They have also held firmly to the principle that greater diversity in our education system will help to drive up standards, whether that is achieved through grant-maintained schools, city technology colleges, specialist magnet schools or, where it is wanted, formal processes of selection.

It is worth remembering that almost all those Government initiatives during the 1980s were bitterly opposed not only by the Labour party, but by its allies—in this debate, its absentee allies—from the Liberal Democrat party. It is a great shame that the Liberal Democrats, who frequently preach to us about their concern for quality in education, cannot be bothered to send a representative into the Chamber for a debate on the annual report of the chief inspector of schools.

What further issues should the Government now tackle? First, a real problem is caused by the minority of teachers who provide poor teaching in the classroom. The inspector concludes that the performance of a small minority of teachers is consistently weak, yet it is rare for action to be taken to deal with the problem.

I do not have an instant answer. I do not know whether we need a change in the law or simply better guidance and training for heads and governors on how to deal with the problem. Governors in my constituency tell me that it is almost impossible to sack a teacher on grounds of incompetence, even when that individual has been given chance after chance, yet has consistently failed to deliver adequate standards of teaching.

I repeat that such criticisms apply only to what the inspector describes as a small minority of teachers. None the less, it cannot be in the interests of children, nor can it be good for the reputation of the teaching profession, for that state of affairs to be allowed to continue and for that small minority of consistently poor performers to go on teaching classes in our schools.

Secondly, the Government need to focus on teacher training. I welcome the review of in-service training set in hand by the Teacher Training Agency. The Government and relevant agencies need to take a rigorous approach both to initial teacher training and to INSET, to tackle the specific weaknesses revealed by the inspectors' reports.

Dame Elaine Kellett-Bowman: I am sorry to be so greedy as to want two interventions, but again I am incredibly lucky in Lancaster, because University College of St. Martins, which used to be a teacher training college and is now a fully fledged college, has always kept to the old standards and turns out students whom I see practising in schools and who are welcome in any school in the country.

Mr. Lidington: I am grateful to my hon. Friend. Again, what she says of Lancaster is true of Buckinghamshire. Her constituents will note how she again champions their achievements.

I applaud the doughty battle waged by my right hon. Friend the Secretary of State for Education and Employment to gain a greater share of the Government's cake for education in the forthcoming financial year. The teaching profession and all people concerned about education should know that they have a fine champion in my right hon. Friend. Paragraph 230 of the inspector's report makes some interesting comments. It states:

"Few schools spend more than they should, but nearly two-fifths should be making better use of their resources . . . In about four schools in ten value for money is reduced because significant aspects of their work are not sufficiently cost-effective".

Whatever the arguments in any year about the total sum available for education, I hope that we can agree that we need to find ways in which to encourage a rigorous approach to value for money in individual schools, to ensure that available resources—however big the sum, it will always be finite—are used to the greatest effect.

I ask the Government to think forward and perhaps to reconsider their stand up to now on the disparity between the funding of the primary and secondary sectors. In his report, the chief inspector calls many times for primary schools in particular to do much more in terms of better planning of lessons and of in-service training, to equip primary school teachers—who tend to be generalists—with a firm grasp of subject knowledge, which the national curriculum requires them to have and which they did not require during initial teacher training. One of the problems with that historic disparity is that it inevitably means that primary schools have a less flexible timetable and less staff time available to meet those demands by the chief inspector to tackle the deficiencies in in-service training and in lesson planning.

In local education authorities of all political colours, less money is given per pupil to primary schools than to secondary schools. I understand why Ministers, not just in this Government, but in previous Governments, have always believed that it is up to the local education authority to decide how much should go to primary and secondary schools respectively and that, if the LEA changes the balance, the standard spending assessment provision will follow that choice. The strength of the chief inspector's critique and the importance of the issue are such that I ask the Government to revisit that question.

Mr. David Porter (Waveney): Before my hon. Friend leaves the question of the disparity of funding between primary and secondary schools, will he consider the problem raised by middle schools, which exist in his constituency and in mine? A middle school may be deemed secondary, but it may have many primary pupils. The disparity of funding problem is often compounded by the wide range of age groupings in a school. That has not been dealt with by either the Government or local education authorities.

Mr. Lidington: My hon. Friend makes a telling point. Although the systems in his constituency and mine are not the same, I have encountered comparable problems in considering budget allocations for schools in Buckinghamshire.

As more schools become grant-maintained, the Government will have to revisit the issue in any case and take a view, at least in relation to the grant-maintained sector, about the proper sum per pupil to be spent on primary as against secondary schools. That issue may be dealt with through tilting grants for education support and training or other specific grants from the Department more towards primary than secondary education.

I have not time to dwell at length on two other problems, but they are important. One is pupil referral units. Both the chief inspector in his report and a separate study on pupil referral units by Ofsted concludes that they are failing badly in their task. Obviously, that causes concern and I hope that the Government and the education agencies will act to deal with that.

The second problem is the under-achievement of boys at all levels of our education system, from the early key stages to GCSE. In the past couple of decades, much thought and energy has rightly gone into finding ways in which to provide equal opportunities for girls. I am becoming increasingly concerned that boys seem to be lagging behind girls at all levels of compulsory education. That is especially worrying in a world where unskilled men are most likely to end up as long-term unemployed.

My conclusion is that improving standards in schools should be one of the main priorities of any Government, and that that requires a partnership between the Government and the teaching profession. The chief inspector's report shows that serious problems still afflict our education system. Pupils are still not achieving as much as they are capable of, but, at the same time, the inspectors signal that much good is being achieved by teachers and that those achievements show us the way forward to improve the opportunities and standards of achievement for everyone.

9.57 am

Mr. Graham Riddick (Colne Valley): We all owe my hon. Friend the Member for Aylesbury (Mr. Lidington) a great debt, because he has raised an extremely important issue. I find it surprising that so few Opposition Members are present. Of course, an Opposition Front-Bench spokesman is here, along with the Labour Whip, but the normal pattern of Wednesday morning debates is that hon. Members on both sides of House speak. Obviously, Conservative Members are pleased to have more opportunities to speak, but it is interesting that no other Back-Bench Labour Member is prepared to speak on this important issue. It may just be that Labour Members are totally confused by their party's education policies and would not know what to say.

The good news, as stated by the chief inspector in the Office for Standards in Education report, is that

"Standards of pupil achievement and teaching are satisfactory or better in the majority of schools".

The bad news, however, is that

"it is evident that overall standards of pupil achievement need to be raised in about half of primary and two-fifths of secondary schools. The most successful secondary schools achieve GCSE results twice as good as others in similar socio-economic circumstances and six times better than those achieved by the least successful in less favoured areas . . . there are still too many schools which are failing to give their pupils a satisfactory education."

My hon. Friend mentioned teaching methods, which are an important aspect of the debate, and to a certain extent the report concentrates on them. It states:

"Teaching methodology needs to be improved in nearly half of primary schools and in a little more than one-third of secondary schools . . . About seven-tenths of good lessons involve, for example, a balance of whole class teaching and group work."

[Mr. Graham Riddick]

That is significant because, over the past two or three decades, there has been concentration on what people often refer to as "trendy" teaching methods that have been introduced as part of the comprehensive ideal. I was astonished to read in my newspapers this morning that the Labour party now says that comprehensive schools are a disaster. That is how the newspapers portray the speech that was made by the hon. Member for Sheffield, Brightside (Mr. Blunkett).

Ms Estelle Morris (Birmingham, Yardley): Will the hon. Gentleman give way?

Mr. Riddick: I shall be happy to give way to the hon. Lady if she wishes to tell us that the hon. Member for Brightside did not say that.

Ms Morris: My hon. Friend did not say that, and I suggest that the hon. Gentleman reads the speech that was made last night by my hon. Friend the shadow Secretary of State for Education and Employment. In that speech, he praised comprehensive schools, but made it clear that a change of name on the school gate was not enough to raise standards. He said that although comprehensive schools achieved a great deal, we must strive more and aim even higher to bring high standards of education to all our children. The words used by the hon. Gentleman do a terrible injustice to last night's speech by my hon. Friend.

Mr. Riddick: It is plain that the hon. Member for Brightside needs to express himself more clearly, because just about every newspaper has interpreted his speech as an attack on comprehensive schools and mixed-ability classes.

The comprehensive system has been imposed throughout the country by the Labour party over the past two or three decades. It did that, first, when it was in government in the 1960s and 1970s and, secondly, while it was in control of local education authorities. That system has betrayed hundreds of thousands of young people in the past two or three decades, and many of those who have been betrayed are in the most unfortunate circumstances—living in poor, rundown inner-city areas. The policies were imposed throughout the 1980s and 1990s by Labour LEAs, including the one in Sheffield, in the hon. Member for Brightside's area. Someone once told me that, when the hon. Gentleman was the leader of Sheffield council, he was one of those arguing against school uniforms in Sheffield schools. If the hon. Gentleman has changed his views, that is all to the good. However, the solutions that Labour proposes do not amount to much.

The hon. Member for Birmingham, Yardley (Ms Morris) has just confirmed that Labour wants to tinker with comprehensive schools. We hear much sweet, reassuring rhetoric, but in practice Labour's policies are fairly meaningless. It is interesting that the Secondary Heads Association refers to Labour's education policies as "naive, vague and unconvincing". It also referred to them as

"simplistic, bland statements with little research or policy ideas. There is no sign of how the policies will be paid for."

That is a fairly damning criticism of Labour's education policies by the people who count, that is, head teachers.

As my hon. Friend the Member for Aylesbury said, a good head teacher who provides real leadership is crucial. Too many practitioners in education are inculcated with the comprehensive ideal. They have been sold the idea that schools are there to deliver egalitarianism. The truth is that the comprehensive system was introduced by Labour administrations as part of their social engineering approach, to try to make us all more equal in society. Of course it has not worked but, sadly, in the process many young people have been damaged.

I recently read an article by a head teacher of a good school. It was published in the wake of the Harriet Harman affair, and we all know what happened there. His argument in favour of comprehensive schools was that they were not divisive, but he put no education argument whatever, and that is regrettable.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The hon. Gentleman might care to tell the House about the inspector's report.

Mr. Riddick: I am happy to return to that report, which reflects the success, in some instances, of the Government's education reforms. Those can be summed up in three words—choice, diversity and standards. We have taken steps to drive up standards. We introduced the national curriculum and formal tests in schools, and Mr. Woodhead refers to those policies in his report.

The disappointing results of English and mathematics tests for 11-year-olds, which were published last month, clearly demonstrate that more work needs to be done on those fronts. I hope that, as with secondary schools, the test results achieved by primary schools will be made public.

One of the surest ways to drive up standards is to give parents more choice and more say in the schools to which they can send their children. To exercise that choice, parents want more information about local schools. Therefore, since 1979 Conservative Governments have changed the law, to make it more difficult for LEAs to veto parents' choices. We have also introduced measures to allow the publication of examination results by schools. The introduction of nursery vouchers is a radical, further step in extending parental choice.

The recent Audit Commission report into nursery education revealed that 46 per cent. of the mothers who had been surveyed were not happy with the places that they had for their four-year-olds. Vouchers will give parents a much greater feeling of involvement in the education process and will allow them to exercise real choice about nursery places for their children.

Mr. Matthew Banks (Southport): My hon. Friend makes a powerful point about choice. Does he agree that it illustrates the fundamental difference between the various political parties, in that only the Conservative party is prepared to give parents more choice? Are not the other parties trying to take choice away?

Mr. Riddick: My hon. Friend is right. We introduced city technology colleges and grant-maintained schools, and we have maintained existing grammar schools.

We have attempted to increase diversity in the system but, as far as I can see, in practice, Labour policies would stifle that diversity, and that would be detrimental to education.

I come to another aspect of the Ofsted report—religious education. That is an important issue, and in his report Mr. Woodhead states:

"Provision for RE varies widely from school to school. Pupils achieve well in RE in about two-fifths of primary and nearly half of secondary schools. Standards require considerable improvement, however, in about one-sixth of primary schools and at least one-fifth of secondary schools."

That is a rather sad state of affairs.

Last year, Dr. Nicholas Tate, the chief executive of the School Curriculum and Assessment Authority, expressed his deep concern about religious education when he said:

"the key problem is a failure to take the subject seriously and a blinkered view of the world which dismisses anything to do with religion as relics from the infancy of mankind, unworthy of serious study . . . even in terms of basic knowledge we appear to be far advanced in becoming a religiously illiterate society."

Baroness Cox in another place revealed that a recent Gallup poll found that 49 per cent. of 16 to 24-year-olds had no idea what Good Friday commemorated and 79 per cent. did not know what happened on Palm Sunday. That is very sad, and we ought to be taking more steps to try to improve matters.

I suggest that the problem is that religious education is something of a mishmash. My local authority, Kirklees, recently published its guide to RE for its schools. I would not for a moment want to criticise that document; much thought and effort clearly went into its production and it basically follows the statutory guidelines on RE.

At key stage 1, children have to study Christianity plus one other faith; at key stage 2, Christianity plus two other faiths; and at key stages 3 and 4 Christianity plus five other faiths. The law says that Christianity should be the predominant religion taught in schools. If I were to criticise the document, I would say that that predominance of Christianity does not come through. We need to consider the matter more closely. Children should learn about Christianity and the Bible, especially in the early years. It is not realistic to suggest that young children should learn about other faiths. Learning about other faiths should come later, in key stages 3 and 4.

There is an interesting debate going on in the Muslim community. Muslims want their children to be taught predominantly Islam in RE classes, and they have a very strong case. In *The Daily Telegraph* recently, Mr. Mukadam, who is one of those fighting for predominantly Islam RE teaching in the Birmingham area, said:

"Mr. Mogra"—

who is the teacher—

"teaches our RE from an Islamic perspective. A multi-faith lesson is a confusing mishmash offering nothing to promote spiritual or moral development.

Multi-faith lessons are more of a secular approach teaching that all religions are equal. We believe that Islam is the true religion. That is what our children are taught at home and it is only natural that the teaching is continued at school".

It seems unrealistic, and frankly not right, to try to force Muslims to adopt the Christian faith. Muslim parents are therefore perfectly entitled to expect that their children learn predominantly about Islam at school. I would argue that case.

I would also argue the other side of the coin, that much greater emphasis should be placed on Christianity in the majority of schools where most pupils are not from a different religious background. Muslims should have more teaching of Islam in their classes and Christianity should be emphasised more in all other pupils' RE classes.

This has been a useful and timely debate. Mr. Woodhead and Ofsted are doing a very good job. They are trying to improve standards, and I wish them well in their efforts. I especially wish the Under-Secretary, my hon. Friend the Member for Hornchurch (Mr. Squire), well in his efforts. I know that Ministers are absolutely determined to give parents more choice, drive up standards and create more diversity in education. Having listened over recent years to what Labour education spokesmen have had to say, I believe that it is apparent that parents can trust only Ministers in a Conservative Government to give them choice and diversity and to drive up standards.

10.15 am

Mr. David Porter (Waveney): I congratulate my hon. Friend the Member for Aylesbury (Mr. Lidington) on two counts—first, on securing this debate and, secondly, on representing a constituency in the only Conservative-controlled shire county in the land.

The Office for Standards in Education has played a key part in the necessary changes that have had to be made in our education system during the past 15 or more years. No one owes this country a living and no one owes an individual in it a living. That is the economic reality of life today that we have had to learn over the past 15 years. Ensuring that schools and children reach certain standards is self-evidently a basic necessity and Ofsted has begun to deliver that.

I am glad that there is no longer a debate about whether there should be an Ofsted or an equivalent to inspect schools as Ofsted does. There was certainly criticism and some uncertainty about the idea at the outset, and even now there is no doubt that much stress is put on teachers in advance of an inspection, which Chris Woodhead has described as a "neurotic" reaction. That is not an overstatement in some instances and needs to be taken account of. Many of the teachers I have talked to in my constituency feel that, with hindsight, the inspection was worth it but that there was tremendous strain in the long run-up to it. They and the head teachers often complain about the excessive bureaucracy involved in preparing for the Ofsted inspection, which is quite expensive and time consuming, and the purpose of which they do not always appreciate. That could be addressed in future reports.

Some schools in my north Suffolk constituency have had some excellent results—a real vindication of schools, teachers and Ofsted. The critical reports are also a vindication of Ofsted and the four-yearly inspection system. None the less, the system could be improved. The very style of the inspector's report suggests that the process is evolutionary and open to development.

As my hon. Friend the Member for Colne Valley (Mr. Riddick) said, the Secondary Heads Association has suggested that head teachers and their schools should have a direct input in the inspection process if secondary school standards are to improve. Its new document, which is based on the "sometimes traumatic" introduction of the new inspection system, says that the present round of

[Mr. David Porter]

inspections are about accountability rather than school development. Instead, it proposes a twin-track approach of external inspections running alongside a continuing process of school self-review and evaluation. Both have a place, but school evaluations need to dovetail with external inspection, not replace it.

The association also criticised the standards of some of the inspection teams and said that there are sometimes conflicts of interest when, for example, local authority teams inspect schools in their own area. There is also concern about the percentage of teams that are comprised of local education authority people who win the contracts. Although there are uneven standards of expertise, it will—perhaps—settle down as the process moves forward.

Dame Elaine Kellett-Bowman: Does not it seem especially unfortunate that a local authority team should inspect a grammar school that the authority had consistently tried to close?

Mr. Porter: That is certainly one of the unfortunate consequences of so many home-grown teams. Unfortunately, I have had no such experience in my area as it has no grammar schools.

Will the Department reconsider the system for the four-yearly visits? The whole school inspection was vital at the beginning and I accept that, in a primary school, a generation of children and perhaps several staff will have moved on within four years, but once the original whole school inspection has been carried out, the next inspection—four years later—could be devoted to particular weaknesses that were highlighted in the previous inspection. In addition, or instead, it could concentrate on particular issues that reflect current concern, such as numeracy, reading, science or whatever.

It has been suggested—in the jargon—that Ofsted inspections are hit-and-run affairs. It has been made quite clear that, after an inspection, a school must respond with an action plan designed to improve standards. The chief inspector says that there are clear signs that the processes of inspection and action planning are helping schools to improve teaching methods. However, they need further development. They should be followed up in a much more structured way to take account of feedback on the initial report from teachers and parents, who often read the reports with concern. There needs to be more direct input from teachers at the time of the inspection. The whole process needs to be seen as a professional development tool, in the same way as teacher appraisal. It also needs to be seen as a tool for developing the professional expertise of heads and deputy heads.

The Government intend to promote various ways in which the inspections can be better targeted—which I welcome—and which need emphasising at this stage. Inspectors will report examples of excellent or very poor teaching to the head. That is welcome, but it needs to be followed up to ensure that action has been taken to correct the teaching or to spread the examples of good practice around the school.

I expect that the Government will say that inspectors will pay special attention to weak schools and make return visits. Often, however, a particular department or area, not the whole school, is weak. That could slip through the net under the present system.

We take a great deal of notice of what parents and governors say, but we sometimes forget that many of our secondary school pupils are quite able to articulate what is happening in the classroom. Their views should be taken into account. I refer not only to sixth formers but to younger children, who also have a view. The children are the experts in the education system, yet the present inspection system does not take account of their views.

The changes of the past 10 years have put an incredible amount of stress and pressure on teachers, other staff, governors, local education authorities, parents and children, but the point is that the changes have been necessary because the world has changed. Further reforms are needed because the world does not stand still. There is no such thing as a vacuum in education. Currently, however, there is a need for a period of consolidation and less change. The report is a step towards a balance between consolidation and further reform.

10.22 am

Mr. Jacques Arnold (Gravesham): I thank my hon. Friend the Member for Aylesbury (Mr. Lidington) for initiating the debate, which is further evidence that education rides high in the political debate and that, at long last, that debate is very much on Conservative terms. For too long, despair has prevailed about our failure as a nation to provide excellent education for all. The best in British education is among the best education in the world—there can be no doubt about that. Grammar schools have survived in Kent and Buckinghamshire and they figure among the very best in the recently published league tables. It is significant that, time and again, grammar schools are at the top of the range.

Mr. Lidington: I draw my hon. Friend's attention to the fact that among the outstanding schools listed by the chief inspector is Holmer Green upper school in Buckinghamshire—a secondary modern, in the old parlance. That shows how, in a well-managed system, not only grammar schools but non-selective schools can achieve high standards through good teaching and sound leadership.

Mr. Arnold: Indeed. There are similar examples in Kent. Well over half of our education is of a high quality, which shows that both grammar and many other schools are succeeding, but we should be concerned about the fact that some 30 per cent. of our youngsters leave education inadequately trained for the modern world. We must ask why that happens—and the answer is social engineering.

Mr. Matthew Banks: My hon. Friend is touching on a point mentioned by our hon. Friend the Member for Waveney (Mr. Porter). I want to highlight another point about grammar schools, which our hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) touched on. More than a decade ago, I was the chairman of the Wirral schools committee. Although I now have nothing to do with that authority, in the run-up to the 1979 general election, the overwhelming majority of parents—irrespective of their political persuasion—were keen to keep the remaining grammar schools. I am sure it was the same in other areas. It was only because a Conservative Government were elected in 1979 that parents were given the option of sending their children to grammar schools.

Mr. Arnold: That is right; indeed, the same was true in Kent. It has kept its grammar schools and success has ensued.

As I was saying, 30 per cent. of our youngsters are being let down, to the detriment of the country, because of social engineering in schools—in the structure of schools and in the teaching methods employed in them. Unfortunately, the teaching establishment has made unfashionable the teaching approach taken in the past—for example, the basic principles that pupils should face the front and that there should be whole-class teaching. There needs to be a properly structured and diagnostic education system in the classroom.

We seem to have turned our backs on the very basics such as the three Rs. Surely we should be educating our youngsters through the proper teaching of phonetics and through whole-class reading. Those practices have been highly successful in the past and we should return to them. Reading and writing are important.

With arithmetic, we should revert to teaching through the use of exercises. I am delighted that my right hon. Friend the Secretary of State has made an announcement on the use of calculators. Although they are marvellous—we all use them—too many young people fail to understand magnitudes in maths. If they press the wrong button, they still think that the answer is correct—whereas if they had a concept of magnitude, they would realise that the answer could not possibly be correct. It is rather like the old computer adage: garbage in, garbage out. If they put the wrong data into the calculator, they will get the wrong result. We are not giving our youngsters the necessary sense of magnitude to ensure that they recognise when the answer is wrong.

There is a weird insistence on small groups in the classroom. When we go into primary schools, we see children grouped around tables, which inevitably means that a proportion of them have their backs to the teacher. We all know that the little darlings will follow their own interests and misbehave if given half a chance. Insisting on small groups is expecting teachers to be like jugglers, keeping many plates rotating in the air. They are so busy doing that that they are unable to carry out their teaching effectively.

We all know that thousands of excellent teachers cope with those conditions and operate small groups in classrooms—I have seen many of them in my own constituency—but the fact is that that practice loads the dice against many teachers, who cannot cope with it. Too many of our youngsters idle their way through school, which is the cause of the 30 per cent. or so of youngsters who come out of schools ill educated.

The current situation has come about not least through teacher training and the impositions on teachers of local education authority inspectors. Over the years, I have heard of far too many teachers who very effectively applied old-fashioned methods of teaching being told by local education authority inspectors to desist from using them. Ultimately, teachers are human, and they will put their career high on their scale of priorities and change to a system that they do not believe in but accept because they are required to do so by the education authorities.

Extraordinary teaching methods and structure have been imposed on the teaching profession by the very Labour-controlled local education authorities that have been guided by the usual fashionable whims of the left-wing establishment. We all know that, in the past, such authorities latched on to comprehensive education out of a particularly illiterate understanding of the meaning or use of the word comprehensive in that context. For educationists, comprehensive education was meant to provide the widest possible range of education in one establishment. We all accept that there are terrible problems in trying to do that. The Labour party latched on to the idea that it would be socially comprehensive to put all children into the same schools, as that was good for its ideology.

Dame Elaine Kellett-Bowman: Except for their own children.

Mr. Arnold: Yes. It is not good enough for their children, but it is good enough for their constituents' children. The result has been that too many schools have been unable to cope with the burden, imposed on them, of providing a wonderful education across the full range of subjects for a full range of children, regardless of their aptitude. I am glad to see that the Labour party is at last waking up to the fact that that is not the way to deliver education to young people.

Last night, the hon. Member for Sheffield, Brightside (Mr. Blunkett) made a speech. He was wearing sackcloth and ashes for the way in which the Labour party has, for many years, tried to impose its education policies through local authorities. It is interesting to note that he said:

"Our commitment to comprehensive education cannot be a commitment to continued mediocrity, to sameness or to tolerance of failure."

Who has imposed those very attributes? Labour-controlled education authorities and the Labour approach to education and teaching.

The Labour party has come out with another document, called "Excellence for Everyone". Does not that sound marvellous?

Mr. Greg Pope (Hyndburn): What does that have to do with the report?

Mr. Arnold: The report is essential to education precisely because of the failures brought about by Labour party education policy, pushed through local education authorities. If the hon. Gentleman cannot see the connection, he needs to go back to school.

Let us talk about people who are in school. What has been the Secondary Heads Association's response to the latest Labour party education policy report? Its response states:

"The document is an uncomfortable mixture of the naive and messianic and the commendable theme of a crusade loses its impact in a welter of mini-crusades and objectives, many of which, though presented as such, are far from new".

So much for the Labour party in relation to that matter.

Today, we are debating the inspection of our schools, which is highlighting the problems and the way ahead. I find it very encouraging that the Government have introduced the national curriculum, because—despite the vicissitudes caused by loads of paper and problems that the enthusiasm of the education establishment has created—it has laid down what our youngsters should achieve at different ages. It has been laid down in the face

[Mr. Arnold]

of carping, negative criticism from the Labour party all the way down the line. We have now started testing, which is highlighting the performance of pupils and schools. That policy also was introduced in the face of the votes and opposition of the Labour party.

We are receiving the results of those policies, and it is now up to parents and teachers in the schools that educate their children to improve standards. The inspectorate is vital in that process because its reports on schools give parents, teachers and, of course, governors the detail of the qualities and successes of a school—and the aspects that require considerable improvement.

This debate is very encouraging. We are talking about the quality of education, opportunities for youngsters and choice for parents, which are the very heart of Conservative education policy. The debate is now on our field and on our terms. I see the Labour party crawling on to our field to discuss education. May it learn—but we will remain in government to push through the reforms.

10.35 am

Ms Estelle Morris (Birmingham, Yardley): First, I should like to congratulate the hon. Member for Aylesbury (Mr. Lidington) on securing this debate. It is an excellent idea to have a debate on the report of the chief inspector of schools. It is, to some extent, worth considering making such a debate an annual event because there are too few occasions on which we can consider education in its broadest sense. In future years, it may be a debate that can take place in the Government's time so that we do not have to trust to an hon. Member's good luck in securing a place in the ballot.

I also congratulate the hon. Member for Aylesbury on the way in which he presented his arguments. They were measured, gave due recognition to our school system's achievements and recognised some of the areas in which improvement is needed. Unlike some of his colleagues, he introduced the debate in a manner which generally opened the discussion rather than trying to score political points.

Mr. Jacques Arnold: Will the hon. Lady give way?

Ms Morris: Not at the moment; I have just started. I shall be happy to give way when I have made some progress.

Other Conservative Members did not follow the good example set by the hon. Member for Aylesbury.

Mr. Arnold: The hon. Lady said that this is an extremely important debate, and she referred to the fact that four Conservative Back Benchers spoke in the debate. If education is so important to the Labour party, can she explain why not one Labour Back Bencher has attended this debate, let alone spoken in it?

Ms Morris: We will hear no lectures from Conservative Members on the importance of education. I am responsible for what I do in the House. I am here and I am about to answer this debate. I am not responsible for other hon. Members, on either side the House, or for how they choose to spend their parliamentary time.

The hon. Member for Waveney (Mr. Porter) made some very interesting points about the school inspection process, and I found myself agreeing with a great many of them. I should like to pick out one or two things that he said. He gave a depiction of the situation in his constituency, in which staff in schools experience almost a neurosis as the inspection starts. That is certainly one of the problems with the inspection being a one-off look—a snapshot view—of how a school is doing at a particular time. I have been to schools where the staff say that they hold up projects or develop them only to a certain extent so that they are at their best during the week of inspection. It cannot be helpful if schools and the education service regard the inspection process with that attitude.

One way round that problem would be to reach a situation in which the one-off inspection by a team of outside inspectors is just one item in the on-going process of school inspection and self-evaluation. I think that we can get rid of that neurosis if schools expect that advisers will occasionally come in—to be friends, to give support or to give criticism—and that someone from outside the local authority will give an outsider's view to check standards. Like the hon. Member for Waveney, I hope that that approach to school inspection is something that can evolve, and that we can get rid of many schools' defensive posture.

Before moving on to the report, I should like to make two or three further points about the inspection process. Inevitably, we must deal with the information as it is presented in the chief inspector's report, but the raw data on assessment tests do not give the whole picture. One of the dilemmas is that we are dealing with a set of results based on student achievement at seven and another set of results for students at 11. Under the present system, no one appears to know what is happening in between. We must move to a system of setting year-on-year targets for every child in every school. We must measure at the end of the year whether children have reached the standard that they could reasonably have been expected to reach and whether the school has helped the children to reach those standards. The one-off look and the one-off collection of raw data at seven, 11, 13 and 16 do not give sufficiently high-quality information—

Mr. Jacques Arnold: Will the hon. Lady give way?

Ms Morris: Not again. It was bad enough last time.

We are not getting the right information to enable us to make reasonable judgments about the progress of individuals or the progress of schools.

It is a matter of concern that primary schools will not be inspected every four years. In an answer to a recent parliamentary question, it was revealed that £12.8 million is being taken out of the Ofsted budget for 1995-96. That will mean only that fewer schools are inspected than should be. If inspection is as important as people have said today, it is important that Ofsted is given the resources it needs to carry out the inspections that it and the Government feel appropriate.

I recognise the achievement of many pupils in the school system. The inspector says that the successes this year are many and real. He also says that there are twice as many really excellent teachers as there are poor teachers; that is the case. I congratulate not only the schools mentioned in the introduction to the report,

but the schools that have also reached high standards, but which have not been inspected this year. They sometimes feel aggrieved because they have been left out of the list.

I join the hon. Member for Aylesbury in putting on record my congratulations to Brookside special school in Derbyshire and Crook primary school in County Durham. They were considered to be failing schools and faced quite inexcusable press publicity about their situation. The determination, skill and energy that the schools have put in to turn round the position is a tribute to the teachers, governors, parents, pupils and communities that they serve.

Many young people are making real progress, not only in academic terms, but in community activities, sport and cultural activities. Many of the schools listed at the beginning of the report are mentioned not necessarily for academic achievement, but for achievement in the wider area of things that we expect schools to give our children.

The big problem that comes through in the report is one that has always plagued the British education system. The report talks about unacceptably wide variations in school performance. For all the achievement and for all the youngsters who go forward with confidence, qualifications and the surety that they have something to contribute to society—doors are opening for them and opportunities beckon—there are too many students who are not getting that chance and who are not able to reach their expected level of attainment.

Some 30 per cent. of A-level students fail to complete their course; that is not a statistic mentioned in the chief inspector's report. Some 5 per cent.—one in 20—of our youngsters leave school with no GCSEs, although they are often bright children who could achieve more. There was a decline in English and mathematics results at GCSE last year. One fifth of pupils are below expected standards at the age of seven, rising to one half of pupils being below expected levels in English and mathematics at the age of 11. If that continues, we shall not reach the national targets that we as a nation have set ourselves and we shall not raise the standards of all our children.

We have a decision to make. Either we can choose to be what we have always been as a nation—giving opportunity and resources to a few and trusting the future of our country to the skills of a few—or we can set about raising standards for everybody and trying to achieve a high-skill, high-wage economy in which the future of the nation rests not in a few, but in the strengths and skills of all. We have never had an education system that has tried to do that. Historically, we gave opportunities only to the rich and to males. More recently, we gave opportunities to children who passed the 11-plus. In the past 17 years, we have seen the havoc wreaked by differential funding and by the failure to address the problems of schools that under-achieve. That is the challenge for this country and that is the challenge for all the partners in education. We must not rest on the achievements of a few. The Prime Minister was right when he said that we have always done well by 15 per cent. of our young people. The challenge is to do better by the 85 per cent. of people who have always been failed.

I now turn to a few specific areas of concern that have been raised in the report. There are many, but there is neither time nor opportunity for me to go through them all. It is of concern that children in inner-city schools are under-achieving. I taught for 18 years in an inner-city school before I came to the House, so I am always conscious that there is just as much under-achievement in the middle-class suburbs and in the comfortable areas, and by the children of the more affluent which is masked because those children get reasonably good results.

We must have a means of measuring progress so that we can identify both achievement and under-achievement. Achievement is about making progress from where people start; it is not necessarily about how many children gain five A to C grades at 16. The chief inspector says that in areas of urban disadvantage, there is more chance of children achieving less, more chance of under-achieving and more chance of the community and teachers having lower expectations of young people. That is true. If there is one kernel that teachers have to take from the report, it is that we must have an end to low expectations. Teachers and many others understand why some children find it difficult to succeed. The task must be to address the barriers to success rather than accepting them as causes of under-achievement.

One sentence in the report is crucial. The inspector says:

> "Some schools allow their necessary and understandable preoccupation with pastoral care to distract attention from teaching focused on achievement."

That is right. Teachers are trained to teach and that is what they should be doing. Every minute that is not spent teaching a child, no matter how rich or how poor, no matter how able or how much in need of special support, is a minute taken away from raising standards.

However, what do teachers do when children turn up at school who suffer from the most horrific home situations, such as overcrowded housing, abuse, ill-health caused by poverty, a lack of confidence or a lack of any one showing an interest in them? I am not pretending for a minute that that happens in the majority of areas. However, those are the children who are coming through the gates of some of our schools. Many teachers feel that they must address those issues before they can address the teaching. I ask the Minister to recognise that standards in education will be raised only if we address the wider areas of Government policy so that children can come to school in the morning ready to learn, which will enable teachers to be ready to teach.

I now look forward. The myth about which we have heard today that, somehow, things were better in the old days when there was selection makes me wonder where some hon. Members were 20 or 30 years ago. The expansion in higher education, which is welcome, has happened on the back of the comprehensive system. The children who have gone through that system and who have not been labelled failures at 11 are now going into higher education. My parents' generation and Conservative Members' parents and grandparents' generation were just as able as hon. Members who have had a university education, were just as bright and could have made just as much contribution, but they were in a system that labelled them failures at 11 and they were never given a chance. I do not know what the hon. Member for Gravesham (Mr. Arnold) means by social engineering. Comprehensive education gives opportunity to the many and prevents doors from being closed.

It is clear what the way forward must be. It must involve top-quality nursery provision, properly resourced schools, raising the morale of the teaching profession,

[Ms Morris]

restoring schemes such as reading recovery schemes and reducing class sizes. It is, indeed, the biggest task that faces our nation. The word "partnership" was used earlier. What a shame it is that we have not had that for the past 17 years.

10.49 am

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): I will not be able to cover all of the matters raised by my hon. Friends in the 11 minutes available to me, but I am grateful to all of those who have taken part. The debate was kicked off by my hon. Friend the Member for Aylesbury (Mr. Lidington), who gave his customary excellent speech on the subject. He was nobly, trenchantly and intelligently supported by my hon. Friends the Members for Colne Valley (Mr. Riddick), for Waveney (Mr. Porter) and for Gravesham (Mr. Arnold), and there were incisive interjections from my hon. Friends the Members for Lancaster (Dame E. Kellett-Bowman) and for Southport (Mr. Banks). It was a tremendous achievement.

I shall take up two points made by the hon. Member for Birmingham, Yardley (Ms Morris). First, I shall certainly consider her suggestion that we provide a debate in Government time on the chief inspector's report, if only—as my hon. Friend the Member for Gravesham said—to ensure the attendance of Opposition Back Benchers. Secondly, she implied that the Government have reduced Ofsted's budget. She knows—although the House may not fully be aware of it—that because of good budgeting, Ofsted has advised us that it will not be able to spend its full budget this year. The Government were advised in time, and we have made the appropriate adjustments and increased the budgets appropriately for the ensuing years.

I shall refer to the other main points of the debate as time allows. First, I wish to pay tribute to the work done by Ofsted in raising education standards. The chief inspector's annual report is one of the key education documents produced during the year. It provides a thorough review of the state of the nation's schools, and shows both success and failure in the classroom. It is based on evidence from actual inspection reports, and therefore has an authority that is difficult to challenge.

A number of key points in the report have been raised this morning. In particular, the report provides evidence that all types of school can achieve excellence. More than 200 successful schools were picked out for special commendation, some of which—as has been made clear—are in the constituencies of my hon. Friends. The schools range from inner-city primaries to shire county secondary schools. The report records that the majority of schools have satisfactory or better standards of pupil achievement and teaching, and adds that there is generally good behaviour in all but a few schools and a growing confidence among teachers about meeting national curriculum requirements. These are the positive points, and the teachers in the schools concerned deserve our warmest congratulations.

The report does not seek to disguise the fact that there are still areas that require major improvement. These include the need to raise standards of pupil achievement in half of our primary schools and two fifths of our secondary schools, and the need to improve standards of teaching—one lesson in five remains unsatisfactory. The report has given clear messages about what needs to be done, and the Government have already put a wide range of measures into effect to secure improvement. I shall spend a few moments on those.

The inspection system introduced by the Government means that schools are now inspected on a regular basis. Some 6,000 schools have already been inspected. All have had reports published and all have had to draw up action plans which have addressed any areas of weakness identified in the inspection report. That is crucial information in helping schools to improve, and is the sort of independent expert analysis that schools did not routinely receive in the past.

The report observes that there are already clear indications that the process of inspection and action planning is helping schools to improve their teaching methods. We know that inspecting all schools is a massive undertaking, but it is one that we are determined to achieve. Ofsted has taken decisive action through the recruitment of a large group of additional inspectors to ensure that the four-year inspection target is met.

For our part, the Government have introduced the new post-inspection grant for education support and training to help schools with their action plans after inspection. The grant enables LEAs to target help on schools with serious weaknesses. My hon. Friend the Member for Waveney helpfully raised the subject of the nature of future inspections. We are considering carefully how we should proceed once the current initial cycle of inspections has been completed. More than half of all secondary schools have already been inspected and all schools will have been inspected by July 1998. Now is a good time to take stock and to consider what our permanent inspection arrangements should be.

There is already a fair degree of consensus that any new arrangements should ensure that all schools are regularly inspected, but perhaps with more targeting towards schools with serious weaknesses. The Secretary of State and the chief inspector are giving thought to the matter, and we hope to announce further details on our thinking by Easter.

The key to high achievement is good teaching, and the report makes it clear that while there are many excellent teachers, there are still a small minority whose performance is consistently weak. This problem must be tackled. We in the Government can help, but ultimately only the school itself can secure a lasting improvement. Some hon. Members already know that, from April, Ofsted inspectors will be working to a new and more sharply focused inspection framework that is the product of extensive consultation. As my hon. Friend the Member for Waveney said, from the same date, the inspectors will be reporting to the head when they find examples of excellent or very poor teaching. That will not diminish the role of the head and senior staff, but should be a valuable management tool. It will also provide useful feedback to the teacher concerned.

On the wider front, the Teacher Training Agency is also actively involved and is working to improve the quality of initial teacher training by drawing on inspection reports from Ofsted that are also now being published. It has also undertaken work to target in-service training priorities—for example, subject knowledge at key stage 2; improving behaviour; and discipline and school leadership.

In recognition of the very important role of head teachers—this is highlighted by the report—the TTA is working to establish a new national professional qualification for aspiring head teachers that will set a rigorous national standard for headships. The qualification will be in addition to the head teachers' Headlamp training scheme that is already well under way.

The chief inspector's report shows that there is a need to tackle mediocre and poor standards of literacy in many schools. It recommends that schools should review the quality and consistency of teaching to set and achieve higher targets. Similarly, there is much that could be done to improve the progress and attainment of pupils in terms of number work. It is because we share the chief inspector's wish to see such an improvement that we have announced the establishment of up to 20 literacy and numeracy centres, aimed particularly at improving teaching in primary schools. There are also new rules for training primary teachers, with at least 50 hours to be spent on training in the teaching of reading and 50 hours on arithmetic.

My hon. Friend the Member for Aylesbury made several comments, and in particular highlighted what he saw as the difficulty of dismissing bad teachers. No one denies that in schools, as elsewhere, there can be difficulties in dismissing inadequate staff. I must stress that teachers have the same rights under employment protection law as any other employee but, because of our legislation on the local management of schools, any well-run school now has powers to take the necessary action either to improve performance where a teacher has been identified as being currently deficient, or, if necessary, to dismiss.

I await clarification from the Opposition of their recent comments about hastening the process. It seems at first sight, however, that their proposals will lead either to the weakening of the employment position of teachers—which seems unlikely—or to the Opposition in some way taking back the powers that we have given to school governors. I would personally deplore either of those options.

My hon. Friend the Member for Aylesbury also referred to primary and secondary funding but, with precisely two minutes remaining to me, he will not expect me to go into that subject at great length. He will know that powers do lie with LEAs to vary their local management of schools schemes, and to ensure that greater assistance is given by those schemes to primary schools relative to secondary schools on the per-pupil funding basis.

In conclusion, I have outlined some of the steps that the Government have taken to improve school performance. Many of our other measures—such as the national curriculum, assessment and testing, local management and the publication of performance tables—are already well in place. Indeed, we have recently announced our plan to publish next spring school performance tables showing the 1996 national curriculum assessment results for 11-year-olds.

We in government can do only so much. We cannot ultimately impose improvement on a school; that must come from within it. We know that schools can improve. As my hon. Friend the Member for Aylesbury and the hon. Member for Yardley said, two former failing schools—Brookside special school and Crook primary school—have improved so significantly that the chief inspector singled them out for specific commendation. Six schools, including those two, have come off special measures because the inspectorate recognises that they are delivering good-quality education. They and other schools throughout the country show what can be done with good teaching, effective leadership and strong support. Those qualities, more than Government exhortation—

Mr. Deputy Speaker: Order. We must move to the next debate.

Bridgewater Four

11 am

Mr. Dennis Turner (Wolverhampton, South-East): I am glad to initiate this debate, which will be the first time that this distressing case has been fully discussed in the House.

The tragic and outrageous murder of newspaper boy Carl Bridgewater, whose parents and family deserve our sympathy, has been shrouded in controversy since November 1979 when four men were convicted for the killing. Vincent Hickey and James Robinson went down for life for the murder and Michael Hickey was also convicted of murder and detained during Her Majesty's pleasure. Pat Molloy got 12 years for manslaughter.

Six weeks after the convictions, a man called Hubert Spencer shot his friend Hubert Wilks through the head in the farm next door to the one where the murder was committed. It emerged at once that Spencer had been an early police suspect for the Bridgewater murder, that he knew Yew Tree farm—where the murder had been committed—had coveted antiques there such as those that were stolen during the robbery and had access to shotguns. It also emerged that a blue Vauxhall Viva, driven by a man in uniform, was seen going into the farm an hour and a half before the murder. Intensive police inquiries throughout the midlands could establish only one owner of a blue Vauxhall Viva who wore a uniform—Hubert Spencer.

The convicted men consistently pleaded their innocence and a huge array of evidence has been uncovered to challenge the slender case that was made against them at their trial. Replying recently to questions in the House, the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope), who I am pleased to see in his seat, referred twice to the numerous police inquiries into the case since 1981. He said that the latest batches of new evidence

"have been thoroughly examined—extremely thoroughly examined". —[*Official Report*, 15 February 1996; Vol. 271, c. 1126.]

He asked my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) whether he recognised the thoroughness of the police investigations that had been carried out.

Hon. Members who are worried about the case recognise the thoroughness of the police investigations and the inordinate length of time that they have taken but, as we have discovered recently, thoroughness is not always the same as fairness. There is a great deal to suggest that the recent investigation into the case by Merseyside police, though intensely thorough, has not been fair to the convicted men and their families.

Most of the recent new evidence submitted to the Home Office by the men's lawyers has dealt with the confessions of Pat Molloy, which are the kernel of the case. He was arrested on 8 December 1978. He was held at Wombourne police station and refused access to friends, family and lawyers. On 10 December, he signed a confession that he was upstairs at Yew Tree farm when the murder was committed. The confession named the other three men as the boy's killers.

Molloy was refused access to a lawyer for another eight days, until 18 December. The moment that he saw a lawyer on that day, and ever since, he insisted that he had never been at the farm, that his confession was wholly false and that he had signed it out of fear of the police and for revenge against the Hickeys, who, he was led to believe, had implicated him in the crime. At his trial, however, acting on legal advice, he did not give evidence and did not deny his confession. Though he pleaded not guilty and denied that he was at the farm, his lawyers asked the jury to conclude that if it thought that he had been at the farm, he was guilty not of murder but only of being an accomplice.

That tortuous defence, and Molloy's failure to give evidence, was the turning point in the trial. He was convicted of manslaughter and the other three of murder. Almost immediately after his conviction, he submitted an appeal. He regretted his silence at the trial and insisted again that he had never been at the farm. He said that his confession had been beaten out of him by police officers, whom he identified. He set out the details of his beatings in a series of memoranda to the Court of Appeal and in conversations and letters to his sister, to his son, to Jimmy Robinson's then girlfriend Carol Bradbury and to Ann Whelan, the mother of Michael Hickey, who had visited him. In July 1981, before he could get to the Court of Appeal, he died of a heart attack in Gartree prison.

The new evidence submitted by Molloy's family lawyers in 1993 provides powerful—some would say overwhelming—evidence in support of Molloy's story. For instance, the lawyers had proved 14 separate visits to his cell at Wombourne by police officers connected with the inquiry. The records show no recorded interviews during any of those visits.

The Home Office asked Merseyside to interview the police officers concerned. Those officers do not dispute—they cannot really since it is on record—that they went to Molloy's cell on all the occasions alleged. They do not dispute that there were no recorded interviews. By way of explanation, they claim that they were inquiring after his welfare, checking that he was properly fed and so on. That is all accepted by the police investigators. Is it credible that the police at Wombourne should have shown such assiduous concern for a man who had just signed a confession to one of the worst murders ever known in the area?

A more credible explanation for the 14 missing interviews may be that the officers were searching desperately but unsuccessfully for a single shred of evidence to corroborate Molloy's confession. On 14 December, in desperation, officers from another force took Molloy to Yew Tree farm. It was plain to them that he did not recognise the place where only three months earlier he had allegedly taken part in the killing of the young boy.

The plain fact is that over 17 years not a single piece of evidence has been found to corroborate Molloy's confession. The likelihood that the 14 mystery visits were inspired by an anxious determination to authenticate what the officers rightly feared might be an entirely false confession is not even considered by the investigation's police officers, who simply took the word of the Wombourne police on trust.

Here is another example. The police investigation attempted to uncover a number of occasions on which Molloy is said to have confessed to police and prison officers after the trial. Each of those alleged confessions is highly dubious. One, provided by a prison officer at

Winson Green, is flatly contradicted by prison records, but the Merseyside police blamed the records rather than the officer. Moreover, the list of alleged confessions has been submitted as hard evidence without the other side of the story ever being considered. Molloy's son Nick, Ann Whelan, and Molloy's sister Frances—all of whom can testify to Molloy's strenuous denials of his confession right up to the day before he died—were never interviewed by the Merseyside police. One side of the story is set out at great length; the other is not even investigated.

There are many other examples. When overwhelming linguistic evidence proved that Molloy's confession interviews could not have been taken down verbatim, as the trial was told, the police investigators promptly switched the goal posts and claimed that the confession had been taken down in response to "trigger notes".

A man called Mike Chamberlain stated on television in the summer of 1993 that his friend the late Detective Constable Perkins—the police officer who had taken Molloy's confession—told him clearly that he intended to "extract a confession out of Molloy".

Chamberlain is dismissed by the Merseyside investigation on the basis of a statement that he made a year earlier that he did not want to speak to the police.

At the appeal hearing, much was made of the fact that Spencer had not had access to a gun at the time of the murder; yet, when the police investigators discovered that he had been sold a shotgun in the summer before the murder, they dismissed it as irrelevant. There is powerful evidence that yet more misleading statements were made by the only substantial witness against Jimmy Robinson—Mervyn Ritter, a man already exposed in the courts as a pathological liar. That, too, seems to have been dismissed too easily by the investigation.

It is simply not good enough for the Home Secretary to take it on himself to dismiss all that new evidence solely on the basis of a private police inquiry. That is at the heart of the argument for reopening the case in public. The Home Secretary cannot and should not usurp the role of the courts by deciding himself about controversial evidence that has been tested only by police officers in secret, not by discovery of documents and cross-examination in open court. If, as many believe, a terrible injustice has been done to those men, each year that passes compounds that injustice. Each year brings new evidence, all of it exonerating the men and none of it implicating them.

In 1993, Tim O'Malley, who had been foreman of the jury at the 1979 trial, came forward. He had, he said, been convinced of the men's guilt at the trial, but was now even more convinced of their innocence. What plainer proof can there be that a verdict is unsafe than such a statement from the jury foreman, made at some risk to himself? Surely the honourable and open thing to do is to send the case back to the Court of Appeal.

11.14 am

Mr. Roy Hattersley (Birmingham, Sparkbrook): I shall speak only briefly about the case that was set out so clearly, and in so much detail, by my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner).

In one way or another, I have been involved with the case for the past 14 years—initially because Ann Whelan, Michael Hickey's mother, was a constituent of mine and visited my advice bureau. I pay tribute to the dogged determination with which she has argued her son's case for the past 15 years, but I confess that, when she first spoke to me, I was sceptical about her son's innocence. My hon. Friend the Member for Sunderland, South (Mr. Mullin) will confirm that it has never been my way to assume automatically that cases that he regards as miscarriages of justice are miscarriages of justice. He would say that I had come late to the defence of the Birmingham Six and the Guildford bombers, as they were once wrongly described.

My natural instinct when I first met Mrs. Whelan was to assume that mothers are inclined to believe that sons are innocent. At the time, her son was on the roof of the prison in which he was incarcerated, and I believed then that there was more emotion than evidence to her case. Over the years, however, I have become utterly convinced that the case that she made then was right. Week after week, month after month, additional evidence has been supplied to support that case.

Looking back, I now realise that the case began with the basic ingredient for a miscarriage of justice. Locally, there was a sense of absolute outrage—which was proper and understandable—that a newspaper boy doing his rounds in the morning, wholly unconcerned with what was going on, should stumble on robbers and be shot dead. In my experience, such outrage—fuelled by the newspapers, which say that someone must be convicted and that the case must be speedily resolved—puts pressure on police, which in itself is likely to produce the wrong result. I have no doubt that it was that sense of outrage that began the whole process.

As my hon. Friend the Member for Wolverhampton, South-East pointed out, the entire case rests on Molloy's evidence. I do not want to repeat my hon. Friend's account of how that evidence was obtained, but there is little doubt that Molloy believed—I make no allegation that he was told—that, if he incriminated the men who were eventually convicted of the murder, he would escape on a lesser charge. That is speculation; but it is a fact that, had the events occurred 10 years later, Molloy's evidence would have been discounted, because it was wholly inconsistent with the rules laid down by the Police and Criminal Evidence Act 1984.

Molloy was kept for 10 days without proper assistance from a lawyer, and, for much of that time, without any support from his family. The records of his evidence are inadequate by any standards. The pattern continues. After the conviction, when it was known that appeals were likely and that Molloy had recanted—he had announced that he had been wrong to incriminate the other three men—14 visits were made to his cell. They were not recorded in diaries as they should have been, and the conversations that took place in the cell were also not recorded, as would now be required for evidence to be acceptable to the courts. That pattern of what would now be regarded as malpractice characterised the entire process, not simply of obtaining the conviction, but of ensuring that public outrage at the conviction, and the formal appeal, should not have the result that I consider justice to have required.

Two weeks ago, at Question Time, I referred to the strange incident of the bicycle. Although it is a small incident in the overall saga, it is indicative of the sort of procedures that were used. I knew about the bicycle because, during one of her visits to my constituency

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surgery, Mrs. Whelan had told me that she had heard that there were fingerprints on it, about which we were not being told the full story. The bicycle was exhibited in court, but not much was said about it, although it was standing there in front of the jury. The bicycle was then left in the jury room. The jury, no doubt, felt emotionally involved because it was the bicycle of the innocent paper boy who had pedalled off in the morning and who had met his death when he was shot by robbers at the farm. The jury felt emotionally disturbed by the presence of the boy's bicycle as they considered their verdict.

We now know that there were fingerprints on the bicycle, but we do not know whose they were. We know that the fingerprints were not those of Michael Hickey or the men who were eventually convicted of the murder, but they were never identified. Over 10 years ago, on the suggestion of Mrs. Whelan, I asked the then Home Secretary about the fingerprints and he gave me an answer that I can describe only as evasive. He said that he knew nothing of them and referred me to the local police. The local police gave me an answer that was equally uninformative. It was not until months afterwards that we discovered that another person had been present at the crime scene—the fingerprints proved it, but that evidence was not provided during the trial.

When I asked the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope), about this the other day, he said that the defence counsel had known this before the appeal. The defence counsel certainly did not know it at the time of the trial. Indeed, the principal counsel, now a High Court judge, has said publicly that had he known it at the time of the trial, he would have asked for the scene of crime officer to be called in evidence and he would have cross-examined him about the possibility of other persons being there. That is just one example, but I could give many more—and I am sure that my hon. Friends will give many more.

I conclude by making one simple point. Michael Hickey had many misfortunes: the misfortune that he was implicated in a crime about which there were proper feelings of outrage; the misfortune that the police were determined to find someone to convict; the misfortune that a man—Molloy—believed it was to his advantage to incriminate others to receive a lighter sentence; the misfortune that the evidence of that man, which was recanted, was not available to the appeal because he died of a heart attack; and the misfortune that he appealed two or three years too early.

I do not mean that Michael Hickey's mother and those who supported him were over-enthusiastic; I mean that he went to appeal at a time when the Court of Appeal was taking the hardest possible line on these matters. I believe that had the appeal taken place in the new circumstances—when a different attitude and a different Lord Chief Justice prevail—a different result would have been obtained. For those reasons and because of the dubiety that covers so much of the evidence, I am sure that the Home Secretary should resubmit the case to the court. I hope that the Under-Secretary will tell us that that course has not entirely been ruled out.

I do not always understand the arcane language of the law, but as I understand the Home Secretary's response, he has said that he has not quite made up his mind not to do it; he has nearly made up his mind not to do it, but there is still a chink of hope that he might do it. I hope that that chink of hope can be extended. I am absolutely certain that, sooner or later, as has been the case in other examples of the miscarriage of justice, Michael Hickey will come out of prison. It will be righted sooner or later. It will be a tragedy if he is allowed to stay in prison unjustly for any longer than is necessary. There must be an immediate submission to the Court of Appeal.

11.23 am

Mr. Matthew Banks (Southport): It is pleasing to see that a number of hon. Members have a particular interest in the case. I do not wish to go into the minutiae of it. I agree with a number of the points that have been made by the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) and the hon. Member for Wolverhampton, South-East (Mr. Turner). One of the concerns that I have was expressed in an article in *The Guardian* in June 1993. I refer to the remarks attributed to Mr. Tim O'Malley, who was the foreman of the jury at Stafford Crown court.

I see that my hon. Friend the Member for Stafford (Mr. Cash) is in this place this morning.

Mr. William Cash (Stafford): I welcome this debate and I pay tribute to the extremely careful analysis that we have just heard from the hon. Member for Wolverhampton, South-East (Mr. Turner). I believe that this matter should be reviewed and referred to the Court of Appeal.

Mr. Banks: The murder of Carl Bridgewater has unleashed a multitude of theories, conspiracies, scapegoats and excuses over the last 17 or so years—most of which have been eagerly recounted by hon. Members. Before I deal with the unsatisfactory story of the incarceration of the four convicted, let me make it clear that the first thought of many of us—particularly hon. Members on Government Benches—is for the victim and his family. As my hon. Friend the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope), said:

"I hope that all hon. Members will also bear in mind the appalling time that the family of young Carl Bridgewater have had. They have suffered terribly, and the continuing publicity and time involved in considering representations are causing them even more suffering."—[*Official Report*, 15 February 1996; Vol. 271, c. 1132.]

If Carl had been spared his ordeal at Yew Tree farm in 1978, he would be just a few years younger than I am now. Nothing will ever compensate his family for his loss. What will always make me and others feel a little more whole, a bit more secure, is the knowledge that the real murderers are behind bars and that they are being punished as severely as society will allow. What must be causing untold distress to Carl's family is not so much the seeming uncertainty that surrounds the four convictions, but the continuing publicity that is accorded to the death of their boy. Paul Foot, who has been eulogised many times, said in his book "Murder at the Farm":

"Each time the case got any publicity, they said, the suffering of that awful September came back to haunt them. Whoever did the murder was to them of small significance compared to the fact that their son was gone."

Between 1981 and 1987, there were four secret police inquiries into new evidence, which have cast doubt on those convictions. In 1987, the then Home Secretary,

my right hon. Friend the Member for Witney (Mr. Hurd), referred the case to the Court of Appeal. The appeal lasted nine weeks through 1988 and 1989 and was dismissed. In February 1993, the then Home Secretary, the current Chancellor of the Exchequer, turned down leave for appeal by the three men on the ground that the new evidence presented to him did not cast doubt on the convictions. New evidence has been presented to the Home Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), and as the Home Office press release of 7 December 1995 put it:

"The Home Secretary has not decided whether to refer the case to the Court of Appeal, although at present he is minded not to do so."

As someone who takes a slightly different line on this matter from Labour Members, I, too, am appalled at the length of time it is taking for the case to be fully closed. It seems to me that it will never go away.

The point I want to make about the convictions must be prefaced by my belief that, of course, if the men's convictions are found to be unsafe, they should be freed. No one, no matter how unsavoury, should be locked away for any longer than they deserve. I say "longer than they deserve" because it is a fact that we are not yet dealing with victims when we talk about Patrick Molloy, Vincent Hickey, Michael Hickey or Jimmy Robinson. I am sure that their families have been badly affected by their long incarceration, especially Molloy's family because he died while in prison. However, the only victims in this case, as I understand it, are Carl Bridgewater and his family.

Many aspects of the case are unsatisfactory. In my view, the rooftop protests of Michael Hickey and Jimmy Robinson suggest that there is a strong grievance inside these men. The excruciating investigation into this case carried out by Paul Foot, Ann Whelan, Michael Hickey's mother, and others has cast a suspicion that the Home Secretary and the courts could throw out this case 100 times and the defence would still come back for more.

Ms Jean Corston (Bristol, East): Does the hon. Gentleman agree that there was never a shred of forensic evidence linking Michael Hickey or any of the others to the crime? Indeed, the only evidence against Michael Hickey was another prisoner saying that while Mr. Hickey was in the shower, he had confessed to the crime. The prisoner's confession was later retracted. The Court of Appeal decided not to take into account the evidence of the prisoner who had put forward the fabricated confession, which means that there has never been any evidence to link Michael Hickey with the crime.

Mr. Banks: The hon. Lady will know that Mr. O'Malley's comments in the report from *The Guardian* to which I referred, were followed by those of Dr. Eric Shepherd, a forensic psychologist commissioned as part of the Government inquiry into the convictions. The report said that he

"concluded that Mr. Molloy's crucial confession was unreliable."

Yet, when people are reminded that both Molloy and Vincent Hickey originally confessed—Hickey in an attempt to "save his own skin", to use Foot's words, from the Chapel farm robbery charge and Molloy because he received a better deal than the others—that Molloy was a convicted robber and that Hickey and Robinson were likewise hoodlums, it is palpably nonsense to describe them as anything other than shady and callous criminals who may well have received a lot more than their come-uppance.

I read through some of the press cuttings of the case. I was perplexed to see the unjust captivity of John McCarthy compared with the ordeal of the three men in prison by Jill Morrell. If those men are set free by the courts, I shall see the validity of the comparison a little more clearly.

In another press cutting—somehow speaking during his rooftop protest in 1993—Jimmy Robinson spoke to John Mullin of *The Guardian*. Describing his situation on the roof of Gartree prison with his fellow protester—another convicted murderer—he said:

"The cold is the worst. Then boredom. We read magazines and old newspapers they send us up. We keep each other company. We tell each other about our lives. We tell each other jokes. We're both good liars, you know."

He may well be; the other two may well be too.

My arbitrary quotation of Robinson is symptomatic of the case in its entirety. There have been so many statements, retractions, accusations and so forth that the case goes on like some horrible soap opera, with the original crime almost hidden by the quagmire of investigation into the so-called Bridgewater Four. It would be more sensitive to call them the Yew Tree Four, but that is just my mind set.

My speech is not necessarily intended to be a contribution to the continuing investigation, but I hope that it reminds people of the true victims in the case. Those who genuinely want a possible miscarriage of justice righted are to be admired. While failings in a criminal justice system must be corrected, I am not so sure about my feelings towards those who possibly see the case as an opportunity to attack the system as a whole—although I am not suggesting that right hon. and hon. Members have done so today—or towards those who forget the feelings of the loved ones, who do not want to see the circumstances surrounding their son Carl's death staring at them in every newspaper from now until who knows when.

11.32 am

Mr. Chris Mullin (Sunderland, South): I endorse what the hon. Member for Southport (Mr. Banks) said about the family of Carl Bridgewater. All of us who have been involved in cases of miscarriage of justice understand the terrible effect that the case dragging on unresolved year after year must have on the families of the victims. It is as much in their interests as in the interests of the men who, I believe, have been wrongly convicted that we bring the situation to an end.

I congratulate my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) on his good fortune in obtaining this debate and on the clear way in which he set out the issues. I am glad that it is clear that the case, like the other celebrated miscarriages of justice, is beginning to attract support from both sides of the House. I have never felt that concern about miscarriages of justice should be confined to one side. I have always dealt with the issues and looked at them from the point of view of justice rather than from any party political perspective, and I will continue to do so. In all the great alleged miscarriages of justice, I have taken heart from

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and worked happily with Conservative Members who have come to the same conclusions as I have. I look forward to doing so in this case.

This is the greatest unresolved miscarriage of justice. I am genuinely puzzled that Ministers so stubbornly refuse to face up to what has obviously gone wrong. I do not know of any other case in which the foreman of the original jury has publicly stated that he does not believe that the men would have been convicted if the jury had known then what we know today. That statement is wholly unprecedented. Since one of the judgments that the Court of Appeal has to make when deciding whether to quash a conviction is to decide what the effect of new evidence would be on the jury, the evidence of the foreman of the original jury is something to which great weight ought to be given.

When the Guildford and Birmingham cases collapsed, we were assured that lessons had been learnt and that there would be no repetition of the scandals of the late 1980s and early 1990s. For a while, that seemed to be the case. Yet here we are, going round the same old track again, with endless police investigations that lead nowhere and cost enormous amounts of public money and crucial information that should have been disclosed at the trial having to be prised out of Ministers and officials line by line.

Five years after the royal commission on criminal justice was set up, there is still no sign—or not much sign—of the establishment of the independent review authority for which we legislated last year. If ever there were a case that ought to be dealt with swiftly by the review authority, the Bridgewater case is it. The post of chairman was advertised last September and interviews took place last December, but a chairman has not yet been appointed. I do not believe that the authority is likely to be set up until at least the back end of this year, and I cannot understand the long delay.

Mention has been made of the confession of Patrick Molloy, which is central to the case—it hinges on his confession, which was extracted in extraordinary circumstances. Perhaps I should qualify that by saying that they were not all that extraordinary, compared with the way in which the West Midlands police went about their business at the time. Certainly, as my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) said, no court today would uphold a conviction based on a confession obtained in those extraordinary circumstances.

I notice that the confession was taken by Detective Constable Perkins of the West Midlands serious crime squad, who is one of the most complained about officers in one of the most complained about forces in the country. I notice, too, another familiar name—that of Detective Sergeant Hornby, who was peripherally involved with the case. He is probably the most complained about officer in the most complained about force in the country. I have the advantage of having seen his disciplinary record, which was disclosed at the Birmingham pub bombings trial, in which he played a part.

I am looking forward with great interest to the day when the discipline record of DC Perkins will have to be disclosed, to find out what other allegations of a similar nature have been made about that man, as I know that there are quite a lot. While we are on the subject, I wonder where that discipline file has got to. I should have thought that it was relevant, considering his central role in the case. If his credibility is so relevant, I should have thought that that file ought by now to have been disclosed and I hope that the Minister will tell us what plans he has for doing so.

It is strongly my view that no court today would allow a confession obtained in such circumstances to stand. I am puzzled as to why Ministers are still clinging to the wreckage.

On fingerprints, to which my right hon. Friend the Member for Sparkbrook referred, the fact that two unidentified fingerprints were found on the bicycle belonging to Carl Bridgewater has emerged recently, as my hon. Friend the Member for Wolverhampton, South-East said. I raised that matter with the Minister on 15 February, and I think that he gave me a misleading answer. He said that the existence of the fingerprints had been disclosed in 1988—that is only nine years after they were known to the prosecution—whereas the truth is that all the defence was told in 1988 was that two unidentified fingerprints had been found at the farm; not quite the same thing.

It was not revealed until 1994 that the prints had been on the bike, which was picked up by one of those responsible for this terrible deed and thrown into a pigsty. No one should be under any doubt about the significance of those fingerprints, because the police were not. They took the matter seriously at that time and records show that they contacted 34 police forces in an attempt to discover who had left the fingerprints. The police lost interest in the fingerprints only when they had charged the four men, against whom there was no forensic evidence and of whose fingerprints there was no sign at the farm.

I invite the Minister to correct the false impression that he gave me on 15 February and to confirm that the existence of fingerprints on the bike were not disclosed until 1994, 16 years after they were known to the prosecuting counsel, Mr. Igor Judge. So much, incidentally, for the contention in the Criminal Procedure and Investigations Bill, which we debated only yesterday, that we can rely on the Crown to disclose all relevant material to the defence.

I wish to repeat a point made by others the other day, but which has not yet been made today. As I understand it, it is not the job of Ministers to evaluate the new evidence—though, God knows, there is enough of it. Ministers have to decide only whether new evidence of sufficient significance has emerged to warrant a referral to the Court of Appeal. In this case, that is manifestly so.

My right hon. Friend the Member for Sparkbrook made an important point. It is no good the Minister telling us that much of the new evidence was considered by the Court of Appeal in 1988 and 1989. The defendants had the bad luck to be referred to the Court of Appeal while it was still under old management. I have no doubt that there would be a different result today if the case were to be referred.

To give an idea of the extraordinary nature of the 1989 appeal judgment, one need only consider the passage about the witness, Mr. Mervyn Ritter. The gist of that passage was that the judges accepted that Mr. Mervyn Ritter was a pathological liar, but on that occasion they

believed that he could be relied on as a witness of the truth. It is hard to deal rationally with people who think along those lines, but I must restrain myself. I draw that passage to the attention of the House only as a sample of the quality of the thinking of the Court of Appeal under old management. I am confident that that would not happen again today.

The hon. Member for Southport referred to the long rooftop protest made by some of the defendants. They were on the roof of Gartree prison for 89 days in 1983, during one of the coldest winters of this century. I realise that that is not evidence, but I wish to point out to the Minister as gently as possible that the fact that someone who is arguing his innocence is prepared to endure discomfort of that magnitude is surely evidence that he feels a sense of grievance. I do not believe that someone who was trying to con us would sit for 89 days on the roof of a prison in one of the coldest winters of this century. He would not have done that if he did not feel that he was the victim of a miscarriage of justice. But I can see that the Minister is looking puzzled. The other evidence is strong enough and there is no need to dwell on such esoteric points. If the Minister is not convinced by it, he should forget it.

This case will not go away. If Ministers decline to refer it, it will be one of the first cases to fall on the desk of the criminal cases review authority when eventually it is set up.

All 17 of the people whom I said were innocent in my maiden speech in 1987—18, including Judith Ward, whose innocence I first drew to the attention of the House in July 1988—have had their convictions quashed and are walking the streets with compensation in their pockets. With that in mind, I can tell the Minister that I am confident that these three men will walk out of the front door of the Old Bailey with their convictions quashed, too. For the sake of everyone, not least the family of Carl Bridgewater, let us get it over with.

11.44 am

Dr. Lynne Jones (Birmingham, Selly Oak): I am privileged to follow my hon. Friend the Member for Sunderland, South (Mr. Mullin), who has been so active in campaigning against miscarriages of justice long before it was fashionable to do so.

One common thread running through the many recent miscarriages of justice is that many of those falsely convicted had some criminal background that led the police, under pressure to secure convictions, to presume guilt and then to cut corners in their investigation. The Bridgewater Four is another such case. There is no doubt that Vincent Hickey, Michael Hickey, Jimmy Robinson and Pat Molloy all had criminal backgrounds, but it was the unscrupulous behaviour of Vincent Hickey that led to disaster for all four.

In late 1977, Vincent Hickey, who had a long history of petty crime, was involved with three others in deception and robbery at a house in Rickmansworth. Evidence was left behind that allowed them to be traced. On arrest in February 1978, Hickey quickly realised that the game was up and offered a deal. He would give the police the names of his accomplices if he was charged only with deception, not robbery. The result was that Vincent Hickey received only a two-year suspended sentence, while his cousin Reg Hickey—who later gave evidence, subsequently retracted, that Vincent knew the area around Yew Tree farm—got four years in prison. The enormous value of grassing was not lost on Vincent Hickey.

On 24 November 1978—the day that Vincent Hickey was in court for the Rickmansworth job—Michael Hickey, another cousin, took part in an armed robbery at Tesco in Northfield in Birmingham. His accomplice was James Robinson, whom Michael had met at the Dog and Partridge pub in Selly Oak a month earlier, but several weeks after the cold-blooded killing of Carl Bridgewater on 19 September 1978.

Robinson later joined both Vincent and Michael Hickey in an armed robbery at Chapel farm, another isolated farm like Yew Tree farm. That coincidence did not go unnoticed by the press. Chapel farm is about an hour's drive from the site of Carl's murder. During the robbery, their car was seen and traced to Vincent's girlfriend. Vincent then went to the police with his fateful plan to escape a lengthy prison sentence by pretending to have knowledge of the murder at Yew Tree farm. In fact, his only information was gleaned from a television reconstruction of the murder. We should remember that the Hickeys had not come into contact with Robinson until after the Carl Bridgewater murder.

I give that background because it must be known that those of us who are convinced of the innocence of the Bridgewater Four are under no illusions as to the previous history of the men. Once Vincent Hickey had implicated Michael Hickey and Robinson, Molloy was drawn in because of his association as a partner in crime of Robinson's, although it is clear that he was never involved in any violent crime.

Until Vincent Hickey volunteered the other three men's names, nothing in the three-month investigation into the Carl Bridgewater case had led the police to suspect that any of the others might have had anything to do with the murder. But in four days, the men were interviewed 36 times and held in solitary confinement for the rest of the time. As has been said already this morning, the procedures that we take for granted today were not in place then.

Molloy, who at first protested his innocence, was denied access to a lawyer for 10 days. During that time, he signed a statement confessing that he was present at the murder. An account of his interrogation is given in the book by Jill Morrell and it describes violent action by Detective Constable Perkins, who broke Molloy's teeth

"while his mate held me in his arms and repeatedly asked me to sign a statement saying I was at the farm upstairs, robbing it."

Molloy also describes how he was left all night and how his meals were "liberally doused in salt". He was not given anything to drink and eventually had to cup his hands in the lavatory basin and flush it to get water to drink. He ends:

"I signed (the statement) out of revenge on the others and out of fear of more beatings and ill treatment . . . I never thought for one moment that it would be believed."

As soon as Molloy had access to a lawyer, he stated that his confession was false, that it had been dictated to him by police officers and that he had never been to Yew Tree farm.

Following Molloy's confession, Vincent Hickey suddenly realised that he was in deep trouble and admitted that he had invented his story to get off the Chapel farm robbery. He denied that he had ever been to Yew Tree farm, but it was too late; the fate of the four was sealed.

[Dr. Lynne Jones]

During the trial, Vincent Hickey was directed by the judge not to mention the robbery at Chapel farm, which meant that he had no credible answer to the question, "Why did you shop Robinson and incriminate yourself in this horrible murder?" As has already been said, apart from Molloy's confession, the evidence against the men was extremely flimsy. There has never been any forensic evidence against them. Michael Hickey and Robinson strenuously denied any part in the murder from first to last. Despite the inconsistencies and contradictions of Molloy's confession and the lack of any corroborating evidence, all four were charged with murder.

The men's lawyers were unaware that, until the Chapel farm robbery, Hubert Spencer had been a suspect for the murder. He was a local ambulance driver with a gun licence and an interest in antiques—antiques were stolen at Yew Tree farm. He drove a blue Vauxhall Viva of the type seen by witnesses on the afternoon of Carl's murder. He knew Yew Tree farm inside out and was a past neighbour of Carl Bridgewater, who would have recognised him.

In December 1979, one month after the four men were sentenced for the murder of Carl Bridgewater, Hubert Spencer murdered his close friend, farmer Hubert Wilks, in a similar manner to the killing of Carl Bridgewater. It is thought that the two men had been discussing the Bridgewater case shortly before the murder. Spencer claimed that he had blanked out and did not know why he had killed his friend. Although convicted of that murder, Hubert Spencer is now a free man.

One interesting aspect of the case, particularly in view of the news at the weekend that officers of West Midlands police are alleged to have offered inducements to get prisoners to confess to crimes in order to improve the clear-up rate, is the use made by the prosecution in the Bridgewater case of evidence from prisoners. What little evidence there was against the four relied heavily on allegations about the accused by witnesses from Winson Green prison, where the Hickeys and Robinson were remanded for 10 months. The court even accepted evidence against Molloy, who was not at Winson Green prison at the time.

Mervyn Ritter was transferred from Leicester prison to Winson Green soon after Michael Hickey joined Vincent Hickey and Jimmy Robinson there. He was not a category A top-security prisoner and so was kept separately from the three men. However, on 31 March, because of what he described as internal problems, he was suddenly and mysteriously moved on to landing D3, the landing confined exclusively to top-security prisoners. He subsequently testified that Robinson and Michael Hickey were always laughing their heads off and that Robinson had confessed to killing Carl Bridgewater, but adding that it was an accident.

As has already been said, at the 1988-89 appeal, Mervyn Ritter was proven to be a pathological liar, but the appeal judges ruled him to be a witness of truth in the Bridgewater case. Following the appeal hearing, new evidence, which is included in that currently being considered by the Home Secretary, was submitted in the form of a statement from a former prison officer, who said that, on hearing that the Bridgewater appeal had failed, Ritter said:

"My Christ, they actually believe me."

A leaked Home Office document, written in 1991 by William Miller of DC3 division, states:

"Ritter's assistance to the authorities has been quite extraordinary . . . Ritter enjoyed rather more privileges than the general run of ordinarily trusted . . . prisoners".

A similar story surrounds the evidence given by Brian Sinton, who was serving his first prison sentence for petty crime. Oddly, he also found himself close to one of the high-security prisoners in Winson Green—Michael Hickey. In contravention of prison rules, Sinton was taken for a shower with him. According to Sinton, Michael Hickey incriminated himself during the conversation in the showers. Immediately after that, Sinton was dispatched to another prison and was released after serving just 11 months of his 18-month sentence, despite having breached his original suspended sentence. His story that Michael Hickey had referred to the child crying was thrown into doubt by evidence from the pathologist, Dr. Benjamin Davis, who had concluded that Carl was not crying when he was shot. In fact, all the evidence pointed to the fact that Carl had not cried at all and the circumstance of his death suggested that he had known his killer. Carl would not have known any of the men convicted of his murder, but he did know Hubert Spencer.

The appeal was eventually lost. The only evidence remaining was the behaviour of Vincent Hickey following the Chapel farm robbery. The judges ruled that as the alibi evidence showed that Michael had been with Vincent all afternoon and they judged Vincent to be guilty, then Michael must be guilty, too. We must remember that that was at a time when the judiciary was reluctant to admit to major miscarriages of justice, especially when they rested on police evidence. It was the time of Lord Denning's "appalling vista" statement, at the unsuccessful appeal of the Birmingham Six.

Soon afterwards, further evidence was being submitted to the Home Office. It included evidence from forensic psychologist, Dr. Eric Shepherd, who had been commissioned by Merseyside police to examine defence experts' findings that there was only a one in a million chance that Molloy had confessed in the manner reported by the police. When he agreed with the defence findings, the police promptly commissioned new experts.

The trial jury foreman, Tim O'Malley, also wrote to the Home Secretary, stating that Molloy's confession had been crucial to the jury's verdict on the three men. The then Home Secretary decided that the case should not go back to the Court of Appeal, and Dr. Shepherd subsequently wrote to him expressing his strong view that DC Perkins had committed perjury. He did not receive a reply. The men's lawyers discovered that none of the language experts had even been interviewed by the police. They asked the Home Office why they had discounted Dr. Shepherd's findings. The Home Office said that there were other experts who supported the prosecution's case, but would not name them.

During all that time, the men claimed their innocence. We have already heard about Michael Hickey's rooftop protest, lasting 89 days. As a convicted child killer, he had initially faced considerable hostility from fellow prisoners, but his endurance was possible only as a result of their later support. They became convinced of his innocence.

All that is emotional stuff. Their past criminal record went against the four and their subsequent behaviour in protesting their innocence convinced many of the

truthfulness of their story. I am sure that the Minister will say that we must look at the evidence and deal in facts. It is a pity that the prosecution did not do so.

Since 1993, more evidence has been disclosed. Fourteen police interviews with Molloy were not disclosed at the trial and subsequent appeals. Every officer of every rank who interviewed Molloy was involved in substantial breaches of the then current judges rules governing the treatment of suspects, or withheld evidence at the trial. Pat Molloy's custody records have been uncovered. They show major contradictions between custody officer entries and detective interview schedules. They show that he was interviewed on at least 15 occasions without legal representation after a solicitor had been instructed and that he was interviewed without a solicitor at least seven times after he was charged.

The Home Secretary has been considering the latest submissions since 1993. In June 1994, further undisclosed evidence emerged of the fingerprints found on Carl Bridgewater's bicycle, which someone, presumably the killer or the killer's accomplice, had thrown into the pigsty at Yew Tree farm. Carl's bicycle had been put on show in the court room and had also been placed in the jury room. We all know the emotional response that that was designed to achieve. It is disgraceful that, although the police and the prosecution knew that fingerprints on the bicycle matched none of those of the four men, that information was not disclosed to the defence until quite recently.

The Home Office has been considering all the new evidence for more than two and a half years. It is clearly of a nature not to be dismissed lightly. The Minister says that the Home Office's inquiries have been thorough; it was said that the whole case was thoroughly examined in the Court of Appeal in 1988-89, but that has subsequently been proven not to be the case.

It is interesting to note that the first two police inquiries were carried out by Manchester police, and that only when John Stalker announced his intention to supervise the third inquiry was it switched to Merseyside police. I wonder why. Leaked documents from C3 show the unreliability of police witnesses. C3's William Miller wrote in 1991 of DC Perkins, who took Molloy's confession:

"He maintained in evidence he had written Molloy's statement at Molloy's dictation . . . whether he could be said to have perjured himself appears to be a very fine point."

Miller's document confirms that

"Perkins was disciplined for making false and untruthful records".

Regrettably, the disciplinary aspects are merely the tip of a somewhat polluted iceberg.

Is the Minister prepared to release the record of DC Perkins to hon. Members, now that he has died? We are now asked to believe that the police have been able to give satisfactory explanations for the discrepancies in their original evidence and in the custody records, revealed in the new evidence.

In the Home Secretary's recent press release, in which he said that he was not minded to refer the case back to the Court of Appeal, he mentioned evidence that allegedly implicates Vincent Hickey and Pat Molloy in the murder. In a written parliamentary question, I asked the Home Secretary about the nature of that information. The reply that I received was:

"The . . . information is confidential. The letter"—

the letter to the men's lawyer—

"makes clear that in reaching his provisional conclusions my right hon. and learned Friend has placed no reliance on that information."—[*Official Report*, 19 February 1996; Vol. 272, c. 6.]

We must ask, therefore, why the Home Secretary decided to put the detail of the mysterious new evidence in the press release. That is what the press focused on when they looked at the case. Yet he says that there was no reliance on that information and that it was irrelevant. If it was irrelevant, why mention it?

Every time that this case comes up, it must be agony for the parents of Carl Bridgewater. Our heart goes out to them. While the obvious miscarriage of justice continues to be ignored, the case will be raised time and again. *Surely it must be time to refer the matter back to the* Court of Appeal. Then all the new evidence can be examined in open court and not behind closed doors.

12.2 pm

Mr. Alun Michael (Cardiff, South and Penarth): I congratulate my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) on obtaining the debate and bringing this important matter before the House. He set out the facts and the issues that need to be considered afresh in detail and with great clarity, as did the hon. Member for Southport (Mr. Banks).

The House does not have to reach a conclusion on the evidence; nor does the Home Secretary. We simply have to consider whether there is a real danger that there has been a miscarriage of justice. The Home Secretary has the power to do more than express doubts and fears. He can send the case back to the Court of Appeal. He should do so now after 17 years in which more and more doubt has grown over the safety of the court's decision.

I make a more general point about miscarriages of justice. The House decided only last night to change the law on disclosure to reduce the burden of paperwork on the police and increase the chances of convicting the guilty. We supported that measure, which we shall seek to improve in Committee. Hon. Members on both sides of the House warned of the need to get the balance right to ensure that the innocent are protected and that alleged miscarriages are corrected. The case that we are discussing demonstrates the need for such care and balance.

My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) rightly referred to the dogged determination of Ann Whelan. It is worrying that there still has not been a proper review of her case after so many years. Many right hon. and hon. Members who, like my right hon. Friend the Member for Sparkbrook, may have had doubts about the strength of her case, are now convinced after her representations that that is necessary.

The cases with which my hon. Friend the Member for Sunderland, South (Mr. Mullin) has been associated demonstrated overwhelmingly that some alleged miscarriages are indeed real, and leave an innocent person or persons incarcerated for long periods, their lives ruined beyond repair. It is worrying that the criminal justice system is held in such low regard by the public—because villains walk free and the innocent are sometimes convicted. That is why the Labour party called for a body to investigate miscarriages of justice as long ago as 1991, when my right hon. Friend the Member for Sparkbrook was shadow Home Secretary.

[Mr. Alun Michael]

The royal commission, which was set up to examine miscarriages of justice, recommended the urgent establishment of such a body. The Government eventually introduced a Bill to establish a criminal cases review body. We supported that Bill but expressed concern that it was weaker than what Labour or the royal commission had urged. We also expressed concern that the Government had been slow to introduce the Bill and that it was likely that they would be slow in establishing such a body. Why, oh why are the Government so slow in getting it established and operational? Why, oh why has the Home Secretary not got on with the job so that the new body can deal with the backlog of serious cases in which a grave miscarriage of justice is alleged? I do not suggest for a moment that all the alleged miscarriages will be found to be miscarriages when properly investigated, even when they are considered by the court, but there are enough serious cases in which there is serious doubt for the work of such a body to be urgent.

Many right hon. and hon. Members expressed the frustration of looking at a constituency case and becoming uneasily aware of serious grounds for concern. We do not easily reach that view. The case of my constituent, Michael O'Brien, is one of many that have come to my attention. Many cases, after we have heard the arguments, do not leave us with that sense of deep unease. The Michael O'Brien case leaves me feeling deeply uneasy. In those rare cases, there is nothing that we can do. If one has the consistency of purpose of my hon. Friend the Member for Sunderland, South, one might be able to touch a small number of cases. There are, however, a number of serious cases about which hon. Members will be concerned but about which nothing can be done until that body is established and takes on the responsibility that the House has agreed that it should have in investigating alleged miscarriages of justice. We cannot as Members of Parliament set out to investigate those cases. We are not detectives. We do not have the resources. We can ask questions and then receive straight answers from the Home Secretary that get us no further forward. It is a matter of deep concern. It is a scandal that, three years after the royal commission report stated the obvious, that body has still not been established.

The royal commission's recommendation should not have been a surprise. It was set up because it was blatantly obvious that something needed to be done, that a body must be established and that other changes in the law and in the administration of justice were required. The delay in establishing the criminal cases review body is a scandal. It is a sad demonstration of the ineffectiveness of the House. It is a sad reflection on the Government's commitment on justice and it leaves a cloud over the criminal justice system.

Each of those points applies with equal strength to the case of the Bridgewater Four. It is outrageous to delay a reference back to the Court of Appeal given the facts and the underlying doubts that were set out in detail by my right hon. Friend the Member for Sparkbrook, my hon. Friends the Members for Wolverhampton, South-East, and for Birmingham, Selly Oak (Dr. Jones) and particularly by my hon. Friend the Member for Sunderland, South. In fairness, I should say that my hon. Friend is not, as is sometimes alleged, soft on crime. Indeed, he is one of the Members of Parliament who is quickest to be tough on crime—but he is also tough for justice. It is only fair to place that balance in his character on the record. That is what everybody is appealing for. It is asked not that we be soft, or assume that cases should go to appeal and be dismissed, but that justice should be done, and should be seen to be done.

We heard a powerful and persuasive speech by the hon. Member for Southport, who was given a strong explicit endorsement by the hon. Member for Stafford (Mr. Cash). It would be wise for the Minister to listen to what has been said in the debate.

Hansard is full of questions and speeches by right hon. and hon. Members on both sides of the House who have examined the case and become disturbed by what they have learnt—often having started with the sort of scepticism that my right hon. Friend the Member for Sparkbrook and I have described. The questions that have been asked over recent months make it clear how many Members on both sides of the House are now convinced that something needs to be done.

The establishment of the Criminal Cases Review Commission will end the Home Secretary's involvement with alleged miscarriages of justice, because the commission will be able to refer cases directly to the Court of Appeal.

I know that the Minister will not be able to give way to us today; in his brief is 20 minutes' worth of closely argued text, and doubtless he has been sent here to hold the line. I appreciate that he has little room for manoeuvre. I simply ask him to take back to the Home Secretary the clear message that the issue will not go away. Sooner or later the case will be reviewed by the Court of Appeal.

Neither the Home Secretary nor the House need prejudge the decision of the court, but it does Parliament and the Home Secretary no credit to delay justice. For God's sake let justice be done, and be seen to be done, by referring the case to the Court of Appeal now.

12.11 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I congratulate the hon. Member for Wolverhampton, South-East (Mr. Turner) on his choice of topic. I am here not, as has just been suggested, merely to hold the line, but to set out the background to the case and explain the way in which it has been dealt with up to this point.

It is right that miscarriages of justice, and the possibility of miscarriages of justice, should be a matter of the highest public concern. Such concern for justice is one of the hallmarks of a civilised democracy. Our criminal justice system, at all its stages, must work so as to protect the innocent while properly punishing the guilty.

The Government have been responsible for a series of major reforms to the criminal justice process, up to and including the Criminal Procedure and Investigations Bill now before Parliament. In the Criminal Appeal Act 1995 we introduced the most important and far-reaching

change of recent times to the procedures for reviewing criminal cases in the last resort. Work is well under way to establish the new Criminal Cases Review Commission, which several right hon. and hon. Members have mentioned. We intend the commission to start its work later this year.

Until then, the responsibility for considering cases of last resort rests with my right hon. and learned Friend the Secretary of State for the Home Department, as it has done with Secretaries of State since the turn of the century. It is a responsibility which all Secretaries of State, and their officials, have taken most seriously. The liberty of the citizen is at stake. So is justice, and the security of the public.

Cases such as the one highlighted by the hon. Member for Wolverhampton, South-East can sometimes become the subject of intense and impassioned lobbying and campaigning by people who no doubt sincerely believe in the innocence of those convicted. The task of Secretaries of State, however, is not about deciding or believing in guilt or innocence. Their task is to reach a judgment on all the available evidence, and to decide whether the case should go back to the Court of Appeal.

Certainly, Secretaries of State must listen and pay attention to those who campaign and argue with such feeling. But at the end of the day the decision in each case must be taken calmly, objectively, in the light of all the evidence. The same principles and the same careful judgment must be applied to each and every case, whether or not it is one known to the wider public, and regardless of the degree of clamour or otherwise that may surround it.

The criteria that successive Secretaries of State have applied in considering cases are well known. There must normally be some new evidence, or other consideration of substance, touching the safety of the conviction. New, in this case, means not previously put before the courts or available to be put before the courts. Those criteria do not fetter the overall discretion, and exceptional cases have been referred outside the criteria.

The general thrust found expression in a slightly different way, by Lord Justice Simon-Brown in the divisional court judgment in Hickey and others. He said that the question to be asked was:

"could the new material reasonably cause the Court of Appeal to regard the verdict as unsafe?"

In applying those criteria to the case before him, the Secretary of State is bound to look at the evidence in the case as a whole, and to consider the weight and cogency of any new matters in relation to the overall picture. I have heard it argued, in relation to this case and perhaps to others, that the Secretary of State should immediately send any case in which there is credible new evidence straight to the Court of Appeal.

That is quite mistaken. It is also plainly absurd, because if that happened there would be no purpose in having a role for the Secretary of State, or for the new commission. Every convicted person could simply take his or her evidence straight back to the Court of Appeal, which would become clogged with hopeless cases.

Of course the threshold applied by the Secretary of State in deciding whether to refer a case to the Court of Appeal is lower than that which would be applied by the court itself when deciding whether to allow an appeal. But the Secretary of State is entitled to take a view of the weight and cogency of matters placed before him, in the light of the overall picture. Indeed, it is his duty to do so.

In relation to the particular case on which this debate has focused, there is a long and involved history of reviews and investigations spanning the 17 years since the convictions of the four defendants. It has sometimes been suggested—indeed, the hon. Member for Sunderland, South (Mr. Mullin) and others suggested so again today—that simply because there have been so many investigations, the case should be referred again to the courts. That is false logic.

Successive Secretaries of State have been determined in the interests of fairness to have all the new matters put before them fully and properly investigated, however slight or implausible some of these matters may have appeared at first sight. If we investigated only matters bound to lead to a reference to the Court of Appeal, we should quite rightly be criticised for dealing with cases superficially, and for seeking justice on the cheap.

At this point I would like to pay tribute, as I have done before, to the quality of the investigation work carried out in the case, especially by the Merseyside police in the two most recent inquiries. Those inquiries have been exceptionally rigorous and exhaustive. Every lead has been followed. Witnesses have been interviewed and re-interviewed. The most painstaking research has been carried out. Considering the time that has elapsed since the events of the case, that is a formidable achievement.

We are fortunate that such expertise and energies have been applied to the illumination of this case—work that is by no means untypical of the quality of police work in other miscarriage investigations. Parliament was wise to ensure that such skills and expertise will also be available in future to the Criminal Cases Review Commission.

The comprehensive and meticulous nature of these inquiries can be judged from the substantial volume of statements and other material that has been disclosed to the solicitors for the four men, in accordance with the divisional court judgment in ex parte Hickey and others. That was an important judgment. It acknowledged that there had to be a balance in matters of disclosure, and that in some circumstances it would be right for material to be kept confidential. I assure hon. Members that we have gone out of our way in the present case to see that the interests of fairness are met, by providing all the material that is, in our judgment, relevant to the provisional conclusions that we have reached.

As we announced on 7 December, our provisional conclusion, having given the most careful consideration to all the material in the case, and having applied the criteria that I explained earlier, is that the case should not be referred back to the Court of Appeal. We have set out our reasoning in detail and provided the supporting material. On Monday afternoon this week we received a 34-page submission from the solicitors acting for those who were convicted. I understand that that is only a partial response and that the solicitors intend to make further submissions at an unspecified later date. We shall of course consider most carefully the points that have been put to us.

On our provisional conclusions and the response from the solicitors, I do not want to anticipate or prejudge our final consideration, but I propose to set out the evidence on which our provisional conclusions are based and, where possible, to respond to some of the points that hon.

[Mr. Timothy Kirkhope]

Members have made. If there are points that I cannot immediately answer or if we run out of time, I will ensure that those points are taken into account before a final decision is taken.

As I explained earlier, the Secretary of State's task is to consider any new matters in the context of the evidence, old or new, as a whole. That includes of course evidence that formed the prosecution case at trial and that has not been set aside by the Court of Appeal. In the present case, much of the evidence was examined by the Court of Appeal in 1989, following a reference of the case by my right hon. Friend the Member for Witney (Mr. Hurd). The appeal hearing was, at the time, unprecedented in its length—hon. Members have referred to it—and the court's judgment ran to 216 pages. Clearly, any fresh consideration of the case must have regard to the existing evidence and to any view that the Court of Appeal may have taken about that evidence on a previous occasion.

Recent representations in the case have focused largely on the case against Patrick Molloy, but there is separate evidence against each of the four convicted men. Against James Robinson there is the evidence of Mervyn Ritter, Helen Johnston, James Dundas-Ure, Patricia Copus and Peter Bryant. There was also direct evidence identifying Mr. Robinson at the crime scene and evidence of association between Mr. Robinson and the others, evidence of his possession of a gun, and evidence of his reaction when police officers asked him about the gun.

In 1989, the Court of Appeal found Mr. Ritter's evidence in the case to be worthy of belief, despite its acceptance of his reputation as a confidence trickster and a liar. The court found nothing inherently unreliable in Helen Johnston's evidence and nothing in what it had heard to cast doubt on the verdict in so far as it depended on Mr. Dundas-Ure's evidence. It found nothing to justify rejection of Peter Bryant's evidence or to cast doubt on the reliance that the jury may have placed on the evidence of Miss Stagg, a schoolteacher who identified Mr. Robinson as having been at the crime scene at the material time. The court concluded that the case against James Robinson was and remained strong and convincing.

Mr. Bruce Grocott (The Wrekin): What weight does the Minister give to what my hon. Friend the Member for Sunderland, South (Mr. Mullin), with all his experience of these matters, has described as the unique position where the jury foreman at the original trial is saying that a serious miscarriage of justice has taken place?

Mr. Kirkhope: It is a matter not of the amount of weight that I give to that, but of the Appeal Court's reconsideration in 1989. It placed no reliance on that—certainly not in the terms that the hon. Gentleman suggests.

Since then, we have been asked to consider fresh allegations purporting to cast doubt on the credibility of one of the witnesses, Mr. Ritter, to whom hon. Members have referred. On investigation, those allegations have been found to be largely groundless. Our provisional conclusion is that they provide no reason to think that the Court of Appeal would give Mr. Ritter's evidence any less credence than it did in 1989. As I have said, there was other evidence against Mr. Robinson.

In interviews with the police, Vincent Hickey made detailed admissions—which he later retracted—about his involvement in the burglary at Yew Tree farm. The whole of those interviews were adduced at the 1988-89 appeal hearing. The court was unable to accept the claim that Vincent was or might have been trading false information for immunity from prosecution for another robbery. The Court of Appeal described the evidence against Vincent Hickey as overwhelming. No fresh matters have since been raised that go directly to the evidence against Vincent Hickey.

In 1989, when examining the evidence against Michael Hickey, the Court of Appeal made it clear that it placed no reliance on evidence given at trial by Brian Sinton or Reginald Hickey. Considering the totality of evidence, however, from Michael Lee, Detective Constable Massey, Detective Sergeant Williams, Dennis Eaton, Peter Bryant, prison officer Kelly and Mervyn Ritter, the evidence of association and the evidence of Michael Hickey's access to vehicles of the type observed at the crime scene, the court concluded that the prosecution had proved beyond reasonable doubt that Michael Hickey left the Dog and Partridge public house in company with his cousin Vincent and that thereafter he was at the scene of the burglary of Yew Tree farm. No fresh matters have been raised that go directly to the evidence against Michael Hickey, except for the allegations about Mr. Ritter that I have just dealt with and that hon. Members have referred to.

As has already been said, the fourth defendant, Patrick Molloy, died in prison in 1981 while his application for leave to appeal was pending. His conviction was not referred with the others to the Court of Appeal in 1989 because, at the time, it was thought that the law did not permit an appeal by a deceased person. Since then, in the case of Giuseppe Conlon, it has been established that such an appeal can be heard by means only of a Secretary of State reference.

The evidence against Mr. Molloy at his trial consisted of his admissions at different times to police officers and prison officers. He signed a confession statement, known as exhibit 54. In his proof of evidence, Mr. Molloy recorded not only that he was the author of exhibit 54, but that, in his view, the statements of detective officers Perkins, Leeke, Watson, Wood, Scott and Wys were a correct account of what he had said in interviews with them.

Representations have alleged that Mr. Molloy's admissions while in police custody were made under duress, were fabricated, or both. One of the officers who interviewed Mr. Molloy, the late Detective Constable Perkins, was disciplined for his part in falsifying evidence in a later case. Language analysts have expressed doubts about whether Molloy's reported admissions were in his own words. There are allegations that Mr. Molloy was assaulted and that records of interviews with him were not disclosed to the defence.

In recent years, in a number of appeals and references to the Court of Appeal, alleged malpractice by police officers has been the main issue. Some of those appeals and references have resulted in convictions being quashed. Mindful of that background, we have examined with particular care the fresh representations made in relation to Mr. Molloy's treatment by police officers and his admissions to them. The inquiries made on our behalf in relation to those points have been exceptionally thorough and detailed. In our provisional conclusions,

we have sought to explain as fully and clearly as possible what those inquiries have revealed and how they have been taken into account.

The fact that one officer, the late Detective Constable Perkins, was disciplined for falsifying evidence in another case cannot be a ground for referring this case to the Court of Appeal. There would have to be other evidence that, on its own or taken with the evidence of Detective Constable Perkins' later misconduct, casts doubt on the safety of the conviction. We have considered carefully the allegations of ill treatment, but we have found little evidence to support them. The allegation that Mr. Molloy had his teeth broken—to which the hon. Member for Birmingham, Selly Oak (Dr. Jones) referred—is not borne out by prison medical records and is directly contradicted by a photograph of Mr. Molloy taken on 18 December 1978, eight days after he signed his confession statement, which shows him smiling with his teeth intact. That was discovered during the recent thorough investigation in 1993-95. Our provisional conclusion is that there is no basis in those allegations for referring the case to the Court of Appeal.

The opinions of the language analysts were considered during the previous review of the case by my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke). Substantial doubts exist about the methodology and overall validity of some of those analyses, and some of the opinions submitted were based on a misconception of the way in which interviews and statements were noted and written up. The suggestion that Mr. Molloy could not have said certain things attributed to him is directly contradicted by what he said about the making of exhibit 54 and the accuracy of the statements in his proof of evidence. None the less, the further submission delivered to us two days ago asks us to reconsider matters relating to Mr. Molloy's confession statement and the interviews immediately leading to that statement. We will reconsider those matters with the utmost care.

It is alleged that there was a failure to disclose records of interviews with Mr. Molloy because, at times, the custody record of his detention refers to visits by police officers for which there is no corresponding statement. No undisclosed interview records have been found, however, and there is nothing in any other evidence—for example, in Mr. Molloy's discussions with his solicitor—to suggest that any such interviews took place.

The inquiries made on our behalf have sought to establish, as fully as possible, bearing in mind the passage of 17 years, what actually happened. The picture that emerges is of a provincial police station unused to the level of activity associated with a murder inquiry, in which the accuracy of records suffered. The term "interview" was very likely applied generically to any contact between an officer and a prisoner—as the natural meaning of the word permits—and there is no reason to suppose that, on every occasion, questioning took place that should have been recorded. If there were any evidence of undisclosed interviews, that would require grave consideration, but I repeat that there is no such evidence and it is our provisional conclusion that nothing in that aspect of the representations would justify a reference to the Court of Appeal.

The evidence in Mr. Molloy's case as a whole contains, on the one hand, the allegations about ill treatment, fabrication and undisclosed statements, none of which appears to be supported. On the other hand, there is the confession which was signed by Mr. Molloy; his confirmation to his solicitor that the statements by police officers were accurate about what he had said to them; his subsequent spontaneous admissions to other police officers and prison officers; and the evidence of Helen Johnston, who overheard Mr. Molloy say to Mr. Robinson:

"whatever you do, whatever you say, say the gun went off accidentally".

In addition, the recent inquiries have led to a number of other witnesses coming forward with evidence of admissions that Mr. Molloy continued to make about his part in the raid on Yew Tree farm right up to the day before his death two and a half years after he was charged. We have approached such evidence with caution, discounting some which lacks credibility but taking due account, along with all the other evidence, of those statements that do have credibility. Our provisional conclusion has been made clear. Other matters have been raised with us—

Madam Deputy Speaker (Dame Jan[illegible] Fookes): Order. We must move to the next topic.

Trans-European Network

12.30 pm

Mr. Robert Hicks (South-East Cornwall): I trust that the Minister will forgive me for reminding him of a little piece of recent political history relating to the south-west. Before the 1970 general election, the Conservative party produced a west country manifesto. It contained three principal commitments, one of which was to develop and upgrade the A38 trunk road link between the west country and the rest of the country. Many of us felt that that manifesto was very effective.

Of those colleagues who are still in the House, my right hon. Friend the Member for Honiton (Sir P. Emery) was re-elected on that occasion, and my hon. Friend the Member for Exeter (Sir J. Hannam) was elected for the first time. I mention that to emphasise to the Minister the necessity for the south-west, because of its peripheral position, to have excellent transport links not only with the rest of the United Kingdom but with Europe.

In the intervening 25 years, the transport infrastructure has been significantly improved. The road network has been developed, and, as you will know, Madam Deputy Speaker, it is possible to drive from Saltash in my constituency to London or Glasgow without, in theory, changing gear. Our air links have likewise been strengthened and consolidated. To complete the transport infrastructure, it is now right to concentrate on improving and upgrading our rail links, especially as the channel tunnel is now in operation.

In any debate of this kind, one cannot avoid reference to the fragility of the economy of the far south-west. We are going through a period of readjustment following the reduction in our defence requirements. The recognition of our current economic situation is made manifest by the fact that much of Devon and Cornwall is classified as eligible for European regional aid. In a national context, many parts of the region have assisted area status or rural development area status.

Business and the population as a whole are determined to reverse the downward economic trend, and there are many encouraging signs. It almost goes without saying that to maintain the region's competitive advantage, our transport system must be developed.

Following a commitment in the Maastricht treaty, the European Union is shortly to witness an exciting phase in the development of the transport network throughout the Union. Proposals are being put in place for a trans-European network. As I understand the current position—no doubt the Minister will confirm it when he responds—the European Commission is at present preparing to submit to the Council of Ministers proposals that will form the basis of the first generation of trans-European network classifications.

At present, the Bristol-Plymouth-Penzance rail route is not included. Brittany, which has a similar geographical position and a similar economy to those of Devon and Cornwall, already has a TGV link to Brest and Paris. The European Parliament has agreed that the Bristol-Plymouth-Penzance link should be added to the list.

Within Devon and Cornwall, there is unanimity of opinion among business organisations such as the West Country development corporation and Devon and Cornwall International, our inward investment agency, as well as among individual companies and local authorities, that the region should not lose out and thus be placed at a disadvantage in relation to other UK and European regions in attracting inward investment.

To try to persuade the Minister to change his mind on this issue, my hon. Friend the Member for Exeter led an all-party delegation to see the Minister in November. On that occasion, the Minister played a politically straight bat that Geoffrey Boycott and—dare I say it because it gives away my age—Trevor Bailey would have been proud of in their prime.

The situation cannot be allowed to continue. I am quietly confident that the Government are now prepared to review the position and to be more positive about this requirement. I do not wish to sound patronising when I say that the Minister has an appreciation of the political sensitivities of this issue in our region. That characteristic was not necessarily shared by all his predecessors.

Mr. Patrick Nicholls (Teignbridge): I entirely approve of my hon. Friend's case—as, I think, do all our west country colleagues. Does my hon. Friend agree that closely tied up with the issue is the upgrading of the A38, and that, had his plans and mine for a key-route designation, a bluish tinge, for the A38 been adopted, it would have made a great difference and would have fitted in well with the plan that he is outlining for our railway system? That is part of the debate as well.

Mr. Hicks: I entirely share that view. I was about to say that, a couple of years ago, my hon. Friend the Member for Teignbridge (Mr. Nicholls) and I went to see the Minister's predecessor. I mentioned that because, as my hon. Friend said, the issues are linked. We suggested to the Minister who was at that time responsible for roads that there should be an upgrading of the designation of the A38 trunk road between Exeter and Plymouth. It is disturbing and ludicrous that Plymouth, the sub-region's natural growth point, should not be directly linked or adjacent to our motorway network.

We gave the Minister's predecessor an opportunity to go down in history as the Minister who introduced the concept of key routes—that is to say, the A classified trunk roads (M) designation. His name would have appeared as part of the legend on all road maps of the United Kingdom. Although it would not have cost the Government anything, he failed to respond to our suggestion. I am hopeful that the current Minister will be more positive.

I have two modest requests on behalf of my native west country. First, Her Majesty's Government, through my hon. Friend the Minister, should today give a clear statement of intent that the Bristol-Plymouth-Penzance rail link will be incorporated into the trans-European network. That is crucial, because any potential inward investor, whether from another part of the United Kingdom or Japan, the United States or wherever, must see from a map of the UK that our regional rail link has the same designation—in other words, the line is the same colour on the map—as those linking south Wales, the north-east or Scotland with London and the European mainland.

My second request is that my hon. Friend will ensure that the necessary funds are made available for a feasibility study in the very near future to consider the upgrading of our rail link. Both those requirements are essential.

Mr. David Harris (St. Ives): Does my hon. Friend agree that the second request is the more crucial, especially to my constituency, which is literally at the end of the line? Unless detailed work is done now on what is required to upgrade the railway right down to Penzance, it will never be done.

Mr. Hicks: I certainly understand my hon. Friend's sentiments, but I would not like to differentiate in any way between the relative importance of the two requests. The colour of that line, that statement of intent on the map, is crucial to inward investment, especially from overseas.

Both the requirements are essential if the south-west economy is not to be placed at a disadvantage compared to other United Kingdom and European regions. Furthermore, by agreeing to my two requests, the Minister will be sending a positive message to the south-west that the Government have listened to our arguments and are prepared to help.

12.41 pm

Mr. Paul Tyler (North Cornwall): I congratulate the hon. Member for South-East Cornwall (Mr. Hicks) on the way in which he has presented his case. I am also grateful to him for allowing me a couple of minutes to support his argument from the Opposition Benches. As the hon. Gentleman rightly said, the case that he has made this morning, which we also put to the Minister in the deputation, enjoys the support of every party and all parts of the west country. We all believe it to be absolutely critical to the future well-being and economic health of our region.

I pay tribute especially to the effort that the *Western Morning News* has put into the campaign over recent weeks. It has recognised the campaign's validity and importance, and entirely supported all our efforts. I should also put on record the effort made by our Member of the European Parliament, Robin Teverson. He has kept the issue alive in the European Parliament over several weeks.

As my parliamentary neighbour the hon. Member for South-East Cornwall has emphasised, there are no obstacles on the other side of the water in the way of achieving what he, I and all of us want. Not only has the European Parliament reasserted the importance of identifying the route as part of the trans-European network for high-speed purposes, but the Commission—I have the Commission's opinion—has endorsed that view. There is no obstacle in Brussels to what we are trying to achieve. The only obstacle would appear to be here, in Whitehall.

I know from what the Minister told us on that splendid cricketing occasion to which the hon. Member for South-East Cornwall referred what arguments he will put in this debate. He will say, "Ah, but the campaign only amounts to a wish list." That is precisely the point. If every other part of the European Union in comparable circumstances—perhaps on the periphery of the Union—is able to identify itself as being on the international wish list for improvement of its main transport arteries and we are not, by definition, the fact that we are left out is as important to us as their inclusion is to them. That exclusion will be taken as a sign—not only to those who are already investing in our region but to those who might intend to—that we are economic and transport second-class citizens.

The second point that I know the Minister will make, as he did when the hon. Member for Exeter (Sir J. Hannam) led us in deputation, is that it is up to Railtrack to take the initiative. As a result of conversations with Railtrack, I do not think that it agrees with that analysis. Railtrack says that, if every other part of the EU is identifying routes by means of a TEN designation and the Bristol-Plymouth-Penzance route is not being designated, and if other routes in other parts of the United Kingdom are being designated and the BPP route is not, it would find it extremely difficult to take any initiative in our region. The hon. Member for South-East Cornwall is absolutely right to say that the colour of the line on the map is significant to everyone concerned. It is not just symbolic—it is a clear signal.

Railtrack will clearly have to prioritise its efforts. Given its investment time scale, it is extremely important to give it a clear indication of where that investment should be prioritised. That is why I absolutely endorse the second point made by the hon. Member for South-East Cornwall about the need for funding a feasibility study.

I am delighted that you are in the Chair, Madam Deputy Speaker. I know that you cannot indicate your support, but I believe that your heart is with us on the issue. We are all in this together.

12.45 pm

The Minister for Railways and Roads (Mr. John Watts): It is indeed appropriate that you are presiding over our deliberations, Madam Deputy Speaker.

I congratulate my hon. Friend the Member for South-East Cornwall (Mr. Hicks) on securing the debate. I recognise the great importance of good transport infrastructure, whether by road or rail, for the economic regeneration of Cornwall and other parts of the west country, and the importance of the area attracting the necessary inward investment in order to provide the job opportunities that we want.

The importance of those issues is underlined by the presence of so many of my hon. Friends who represent the south-west—my hon. Friends the Members for Exeter (Sir J. Hannam), for St. Ives (Mr. Harris), for Falmouth and Camborne (Mr. Coe), for Taunton (Mr. Nicholson) and for Teignbridge (Mr. Nicholls), and my right hon. Friend the Member for Northavon (Sir J. Cope).

The draft trans-European network proposal was considered by the Transport Council in June 1995, and has been considered twice since then by the European Parliament. The European Parliament concluded its Second Reading in December. Among the amendments it proposed were a number to the maps, including the recategorisation of the Bristol-Plymouth-Penzance route from a conventional to a high-speed rail route. It is important to recognise that the route is on the rail trans-European network, but as a conventional route, not a high-speed one. Those and other European Parliament amendments will be considered by the EC's Conciliation Committee, which is expected to meet for the first time in about two weeks.

We secured as much coverage of UK routes on the network maps as seemed reasonable in the context of overall European coverage. I am pleased to say that that includes the London to Taunton via Westbury and Waterloo to Exeter lines, as well as the Bristol-Penzance line. The draft TEN network therefore fully recognises the importance of links to the west country.

[Mr. John Watts]

The draft rail network maps distinguish between high-speed and conventional routes. The draft guidelines, at draft article 9, provide criteria for the inclusion of rail routes as high-speed routes. They are as follows:

"The high speed rail network shall comprise:

Specially built high-speed lines equipped for speeds generally equal to or greater than 250 kmph"—

which I believe is 155 mph—

"in current or new technology.

Specially adapted high-speed lines equipped for speeds of the order of 200 kmph"—

or 125 mph.

"Lines specially adapted for high speed of a specific nature by virtue of topographical relief or town planning constraints where speed must be adapted to each case."

The Department has relied upon advice from British Rail and Railtrack on the categorisation of routes for the United Kingdom map. That advice has been informed by existing line speeds and investment priorities. I must tell the hon. Member for North Cornwall (Mr. Tyler) that the map is not a wish list; it must represent current realities or future plans. Accordingly, the UK routes that are shown as high speed are the east coast main line, the west coast main line and some of its connecting links, the proposed channel tunnel rail link, and the Great Western line from London to Cardiff.

Mr. Tyler: Will any of the links to the west coast main line take the TEN into the wilds of western Scotland?

Mr. Watts: From memory, I cannot recollect whether the links go into the wilds of western Scotland, but I will write to the hon. Gentleman. I prefer not to rely on my failing memory.

Services on the east coast main line already reach speeds in excess of those stipulated for the greater part of the route, so it is represented as "upgraded high speed". The channel tunnel rail link will be capable of speeds of up to 186 mph, and is therefore shown as a planned high-speed TEN route. Proposals for upgrading the west coast main line are being advanced, and the line is therefore shown as a planned upgraded high-speed line, although final decisions have yet to be taken on the future speed capability of the route.

Since the start of discussions on TENs, British Rail and Railtrack have advised the Department that the UK rail TEN should show the line from London to Bristol and Cardiff as planned high speed because—in common with the east coast main line—the greater part of that longer route satisfies the criteria. All other UK rail routes represented on the rail TEN are shown in the draft rail TENs map as conventional routes. I am informed that the Bristol-Penzance line has a maximum speed capability, on parts of it, of 110 mph, and therefore does not fall within the criteria.

The rail TEN, in common with the other transport TENs, is indicative, and does not place any financial or other commitments on member states to complete or upgrade existing rail infrastructure. In other words, the existence of any route on the rail TEN—whether high-speed or conventional—does not compel the UK to bring forward any specific investment projects. However, infrastructure investment projects proposed by member states on routes represented on the rail TENs maps, of whatever classification, will be eligible, in principle, for assistance from the Commission's TENs budget.

The UK rail map agreed at the June 1995 Transport Council includes all the major links to the south-west of England, albeit as conventional routes, so projects on those routes would be eligible, in principle, for EC funding. I must emphasise that TENs funding for any project is limited to 10 per cent. of the total project costs, and that the overall TENs budget is comparatively small.

I do not know whether it was a compliment or a criticism when my hon. Friend the Member for South-East Cornwall drew comparisons with my skill at cricket—I certainly have no such skill. However, I assure him that, even when I appear to be playing with a very straight bat, I listen to what people tell me, and take appropriate action afterwards.

I have been impressed by representations from my hon. Friend and many other hon. Friends that the case for upgrading should be examined. I have therefore recommended, and my right hon. Friend the Secretary of State has approved, a bid for TENs funding towards a feasibility study, which will consider investment options on the Great Western lines for both passenger and freight traffic. I hope that my hon. Friends will accept that that is a positive step—much more positive than simply getting out a marker pen and changing the colour of a line on a map. It is a positive step towards securing the improved rail infrastructure to which they aspire.

I want briefly to deal with some of the comments about roads. I was intrigued by the notion of key routes. I just wonder what they will be called if I deliver them.

Madam Deputy Speaker (Dame Janet Fookes): Order. We now move on to the next debate.

Bristol Royal Infirmary (Cancer Treatment)

12.54 pm

Ms Dawn Primarolo (Bristol, South): I am grateful for this opportunity to raise the difficulties and the appalling situation that has developed in Bristol as a result of the Government's policy. In this short debate I want to cover what is happening with oncology services in Bristol, why it is happening and the consequences for patients. I also want to deal with Government policy in respect of the Calman committee recommendations and the conflict between those and the funding package that the Government put together and give to Avon health authority. I then want to make three suggestions on how to deal with the crisis.

On 15 February, in an article under the heading, "Cash blow to cancer ward", the *Western Daily Press* said that dying cancer patients were being denied the radiotherapy that they needed and that they were being turned away from the oncology centre. That day, the Minister of State was in Bristol and when questioned about the crisis he said that it was a little local difficulty—a temporary financial difficulty that would be sorted out by the local health authority. I shall want to return to those comments.

I was home in Bristol by Thursday evening and was able to see the *Bristol Evening Post*, which carried harrowing interviews with family members of patients who are dying from cancer and who have been turned away from the centre. One incident that I especially remember related to a mother speaking of her 37-year-old daughter who has ovarian cancer and who was turned away from the radiotherapy centre. Her mother found her at home, on her haunches, reeling with pain and without proper pain relief. She was in desperate need of a bed in the oncology centre, but she was told by the centre that its beds were closed because of a financial crisis and therefore she could not be admitted.

We are supposed to have a national health service. We are supposed to be able to provide members of our community, wherever they live, with the same treatment and access to treatment. Yet in Bristol patients are being denied treatment simply because of where they live.

Ms Jean Corston (Bristol, East): No doubt my hon. Friend, like me, will have received letters from constituents who are intimately and directly concerned with the cash crisis. I have received letters this week and one in particular was very moving. It refers to the fact that the unit in question is the main cancer centre for the south-west of England and it states:

"My colleague's wife has this week had her pain relieving treatment delayed due to the lack of money and is unaware of when she will actually receive this treatment. It is appalling and immoral that this can be allowed to happen.

This is an indiscriminate and debilitating disease that can affect anyone in my family and yours at any time! The thought of having to stand by and watch one of my family in excruciating pain when there are the facilities there, quite frankly appals me."

Ms Primarolo: I am grateful to my hon. Friend for her intervention. I, too, have received many letters from family members. I know that the staff at the oncology centre in Bristol are under tremendous pressure and stress because of the appalling situation in which they find themselves and the distress being caused to the patients whom they are there to assist. I shall return to the problem of the pressure that the staff are under.

The *Bristol Evening Post* editorial, on 22 February, sums up very well the problems in Bristol—although the funding crisis is not unique to Bristol. Specialist facilities across the country are experiencing similar difficulties as we move towards the end of the financial year. The editorial said:

"Terminally-ill cancer sufferers are being turned away from treatment at the Bristol Oncology Centre; beds usually used for seriously ill children stand idle in Southmead Hospital".

The other hospital in the city announced a few days later that it would close a quarter of its acute paediatric beds because of a cash crisis. We have a national shortage of acute paediatric beds, and yet a health authority is being forced to close a quarter of its beds. The editorial continues:

"if ever there was evidence of a National Health Service in crisis we have it here and now in our area.

What we are experiencing, in the most dramatic fashion, is the 11-month health service. In other words: don't fall seriously ill in March.

It appears as though cash-limit budgets were set and those figures are being reached before the end of the financial year—so the work stops.

Everyone in the health service is desperate to provide the best possible care for those with the greatest need.

It is impossible, however, not to use emotive words when the dying and seriously ill children are so clearly victims.

Lack of funding, top-heavy management and bungling bureaucracy are all blamed.

In what other area of service or business would you simply cease production if budgetary limits had been reached early?"

I can think of none. In the health service, that practice is particularly repugnant.

The staff at the Bristol oncology centre have been working overtime without being paid. They are totally dedicated to providing that service, and they are distraught that one of the five radiotherapy machines has been decommissioned and that staff members are being required to go elsewhere. They are desperate that the treatment—which they know will relieve pain, assist patients and is available in the hospital—is being denied. The NHS is failing people in their time of need.

A general practitioner wrote to me, on behalf of many of her colleagues, to express how appalled they were at the prospect of terminally ill patients being denied proper pain relief and being sent back into the community without proper support. For those GPs, that practice exemplifies how appalling are the reforms that the Government have introduced into the health service, converting planning and strategic decisions into rationing and competing management priorities.

The background to the problems in Bristol and its oncology centre is basically an increase in the number of patients who need treatment. There are three main reasons for the increase. First, people are living longer. We should celebrate that, but the incidence of cancers is of course also greater. Secondly, there is greater opportunity to treat people more effectively with new technologies, particularly new drugs. Those new treatments were not previously available for, for example, patients with breast cancer or bowel cancer. Thirdly, because the Bristol oncology centre is a regional centre, it receives more

[Ms Primarolo]

referrals to its expert facilities. That is a result of the Calman committee report on cancer, which was endorsed by the Government, which recommended that people should be treated at the appropriate centre as quickly as possible with the most effective treatment.

The financial crisis in Bristol has been building up during the past four years, and it is not temporary. Despite extra money from Avon health authority, it still finds itself with a £500,000 overspend. The discussion about whether terminally ill patients should receive pain-relieving treatment is only the beginning of the debate. The current budget cannot be balanced without discussions on further rationing.

The discussion in Bristol and Avon is now about limiting the number of patients, because the allocated money can pay for only X number of patients to have access to the facilities and, once that number has been reached, no one else will be treated in Bristol. Where will those people go? Who will treat them, and at what additional cost, to them—in terms of a decline in life style and life opportunities—to their families, probably to the health authority and inevitably to the Government?

We are faced with the proposition that a regional centre in Bristol, which is funded by money from Somerset, Dorset and Gloucester—because it treats patients from those places—and from Avon, will be able to treat patients from Somerset, Dorset and Gloucester because their health authorities have more money and will be able to pay, while patients from Avon who have more serious cancers will be turned away simply because of geography. How is that a national health service? Is that an equitable distribution of resources? How will Conservative Members who represent seats in Avon explain to their constituents why they cannot have treatment, while someone down the road in Somerset, Gloucester or Dorset will be able to?

Avon health authority has said that no more finances are available and that the cupboard is bare. It cannot help the oncology centre. The authority has had a meagre increase in its budget for next year, and it has competing demands. It would have to consider cutting services for orthopaedic patients, children or kidney patients to maintain cancer services. That is not acceptable, and we will not tolerate it.

The authority said that it may have to look for alternative treatments that are not as successful or turn people away. That is more work for district nurses, more work for GPs and more work for the families, who are left with family members who need more support and who are in desperate pain, with a declining quality of life.

I asked the oncology centre in Bristol to tell me how much treatment costs, because we must look very carefully at the fixed and the variable costs of treatment. People there told me that a palliative course of treatment for pain relief costs, on average, £500 per patient, while it is £1,000 per patient for a curative course of radiotherapy treatment. Are the Government seriously suggesting that a person's dignity and quality of life are not worth £500 and are not worth finding the extra money? I sincerely hope not. From the letters that I have received from Avon health authority and the trust, and from the discussions that are going on in Bristol, it is clear that we could have further and severe rationing in the service.

That takes me to the proposals of the Calman committee report and the conflicts that arise from it. The report is excellent, and lays out clearly how cancer services should be provided and co-ordinated to include GPs, community hospitals, small district hospitals and tertiary referral centres such as Bristol. I wish to quote a few examples from the summary of the report's recommendations and action points. The summary says:

"All cancer patients should have access to a uniformly high standard of care."

The Government have endorsed that recommendation, and I agree with it. There should be a bracket afterwards, however, saying "(except for Bristol)" as that quality of service is not being provided in the area.

The summary continues:

"The needs of patients and their carers should be the primary concern of purchasers, planners and professionals involved in cancer services."

Those needs are the primary concern of the health authority and of those providing the services, but not of the Government who hold the purse-strings. Despite endorsing the recommendations in the Calman report, they are not providing the money that is needed to support the centres.

The summary continues:

"Cancer Centres and Cancer Units should be established to provide an integrated network of cancer care. Effective communications between components, including communication between Cancer Centres are vital."

That is exactly the strategy that the Bristol oncology centre has pursued. Its services are linked with the Royal United hospital at Bath and with Weston-super-Mare, where consultants are based. Yet the centre is being penalised and not rewarded, and staff face the appalling prospect of having to explain to patients why they cannot have the treatment that they need.

The summary states:

"There should be a clear understanding of appropriate referral and follow up patterns between General Practitioners, Cancer Units and Cancer Centres."

That is exactly what the Bristol oncology centre has done. The summary adds:

"Radiotherapy should normally be provided in a Cancer Centre".

That is what the Bristol oncology centre is. The summary continues:

"In exceptional geographical circumstances it may be necessary to continue to provide radiotherapy in Cancer Units closely linked to Cancer Centres".

Exactly that type of network has been built up around the Bristol oncology centre.

"Palliative care and symptom control should be available at all stages of a patient's illness."

That is exactly what is being denied the people of Bristol.

Those recommendations were followed up by a circular from the NHS executive dated 21 April 1995 which stated that the Secretary of State accepted the report's recommendations and welcomed the aim of delivering a uniformly high level of cancer care based on a network of expertise. Has the Secretary of State forgotten where Bristol is? Has he forgotten that the word "uniformly" means that people everywhere should have the same access? It is a desperate state of affairs.

At the heart of the matter is the unfair and unscrupulous way in which the Government manipulate funding to local health authorities, and it is to that subject that I will turn in my closing remarks. Money is not allocated to health authorities on the basis of equity. The weighted capitation formula, which allocates money to Bristol, is mediated by the market forces factor, which removes from Bristol and Avon £25 million of resources.

The Government remove that money—having decided that we do not need it—and give it to other areas. They came up with the incredible formula by dividing the country into four zones—zone one is inner London, zone two is outer London, zone three is the rest of the south-east and zone four is the rest of England, including Avon. This year, the Department of Health rejigged the weightings for zone four, but it was purely a cosmetic exercise and exactly the same relationship exists.

In a letter from M. A. Harris of the NHS executive finance and performance directorate to my hon. Friend the Member for York (Mr. Bayley) dated 5 July 1995, my hon. Friend was told that the staff pay index—or market forces factor—will continue to operate. The Government assume that average wage costs in the first three zones are above the national average—although that bears no resemblance to actual wage costs in those zones—and therefore authorities in those zones need more money. The Government find that money by cutting the budgets of all the health authorities in zone four by 6.5 per cent.

The problem is that the average wage in Avon is above the national average, not below it. We are therefore in the perverse position that East Sussex—whose average wage costs are considerably below the national average—gets more money for its services than Avon, where the costs are above the national average. On the figures for the current financial year, had Avon not been cheated of that 6.5 per cent., we would have had an extra £25 million to spend in the Bristol and Avon area. If that had been the case, the oncology centre would not have a financial crisis and Southmead would not have to close its paediatric centre. We would not be facing the end of the welfare benefits advice that is currently given, and there would not be a cut in preventive health care strategies. There would be no cuts in physiotherapy, and patients would not be told to wait six to nine months for urgent physiotherapy. Instead, we would be seeing a development of these services. Before anybody talks about bureaucracy in Avon health authority, I shall put on record that it has one of the lowest levels of administrative costs in the entire country. It is an efficient and effective health authority.

I want to know what the Minister is going to do about the problem. First, will he today make emergency funds available from the Department of Health—as has been done in cases in London—to help the oncology service in Bristol through its current problem? Secondly, will he institute a departmental inquiry into why the current situation arose? Why has the Government's strategy for cancer treatment, as exemplified by the Calman committee report, been undercut and destroyed by the current policy of the Government on allocating funds? I would also like to ask for an emergency review of the market forces factor. If health authorities are to receive extra funding on the basis of wage costs, they should do so on actual wage costs—not some mythical figure that discriminates against other health authorities.

The professional workers—the nurses, doctors and support staff—in the Bristol oncology unit should have the last word on behalf of the patients. They recently wrote to the chief executive of Bristol royal infirmary

"to make it clear that we also share the view that it is impossible to save significant amounts of money by service reduction in this financial year, it is also impossible equitably to restrict the service offered to the population of Avon Health in future years . . . We feel that the service that we provide is a normal standard oncology service provided by any regional centre"

and it cannot be cut further. The letter continues:

"We are seriously concerned about the present situation and the future of the care that we are able to offer to our patients, including the provision of new developments in oncology, but as clinicians, we feel that we should continue to offer the current standard of care. To acquiesce in a reduction of standard would be professionally unacceptable".

They will not choose—and nor should the Government—who is entitled to have treatment and who is not.

1.20 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): I am pleased to have the opportunity to respond to the debate launched by the hon. Member for Bristol, South (Ms Primarolo) and I congratulate her on raising a serious subject. I know that she takes a keen interest in health service provision in Bristol, especially that affecting the United Bristol Healthcare NHS trust. The hon. Member for Bristol, East (Ms Corston) also spoke briefly. My right hon. Friend the Member for Northavon (Sir J. Cope) and my hon. Friend the Member for Woodspring (Dr. Fox) have both approached me about the matter and are extremely concerned.

In the short time available for me to respond, I should briefly put the debate into context. The demand for cancer treatment has risen over the years for several reasons. People live longer and cancer incidence increases as people age, so the number of patients with cancer is also rising. As the hon. Member for Bristol, South said, the range of options available for treating patients has also risen as chemotherapy drugs have improved. Technological developments in radiotherapy mean that treatments can be more highly targeted and much more effective.

None the less, cancer places a heavy burden on society and the national health service. The bald statistics are appalling. One in three people will develop cancer and one in four will die from it. To speak of cancer as a single disease is unhelpful because it is a range of diseases that affect different parts of the body in different ways. Cancer's multiple sites and the complexity of its treatment and care pose a major challenge for the NHS.

That the NHS has responded, and continues to respond, well to the challenge cannot be disputed. There has, of course, been substantial investment in research over the years into new forms of treatment and care for cancer. Surgical and radiotherapy techniques have improved in recent years, bringing benefits to patients and there have been dramatic improvements in the management of some of the less common cancers, such as childhood leukaemia. With some cancers, new drug treatments have brought about modest but significant cure rates—perhaps most dramatically with testicular cancer, which now has a 90 to 95 per cent. cure rate. There have also been

[Mr. John Horam]

significant advances in the palliation of symptoms, especially pain control, so improving the quality of life of people who have to live daily with the disease.

As the hon. Member for Bristol, South knows, "The Health of the Nation" strategy, which was launched in 1992, set national objectives and targets in five key areas, including cancer. After coronary heart disease, cancers are the most common cause of death in England and accounted for one in four deaths in 1991.

To further emphasise our commitment to improved cancer services, my right hon. Friend the Secretary of State for Health, on 24 May 1995, after wide consultation, unveiled a strategic framework for the development of cancer services based on the report, "A Policy Framework for Commissioning Cancer Services", to which the hon. Member for Bristol, South referred at some length. The report recommended that cancer services be organised at three levels: primary care, which is regarded as the focus of cancer care; cancer units, created in local hospitals; and cancer centres, situated in larger hospitals which will treat the less common cancers and support cancer units by providing services, including radiotherapy, not available in smaller hospitals.

I am glad to say that detailed guidance for health authorities will be issued shortly by the Department of Health on the implementation of the cancer strategic framework, building on the substantial work already in hand in the NHS. That will include recent evidence, where available, on the benefits of specialisation in cancer sites.

Simultaneously, to support work that is being taken forward regionally, the NHS executive has commissioned work to prepare evidence-based guidance in a rolling programme of work starting with the commoner cancers. That work is being done by a sub-group of the Department of Health's clinical outcomes group. The sub-group is multidisciplinary and chaired by the professor of cancer studies at Leeds university.

Palliative care is equally important in many respects. Since 1990-91, we have provided specific extra funding for specialist palliative care services. By 1994-95, that funding had increased sixfold, from £8 million to £48 million, the last year in which it was separately identified; it is now built into health authorities' allocations.

I appreciate the concern of the hon. Member for Bristol, South about the Bristol oncology centre. I am sure that all hon. Members agree that it is an acknowledged centre of excellence in oncology and cancer. Over the years, clinical audit and clinical trials have been carried out so that treatment protocols are highly defined to be the best for the patient and the most efficient available. The centre holds the renowned ISO 9002 international award.

The number of treatments carried out at the centre has increased dramatically in recent months. Since 1993-94, radiotherapy treatments have increased by almost 25 per cent. and chemotherapy treatments rose by 47 per cent. in the period to Christmas last year compared with the same period in 1994. Avon referrals to the centre averaged 159 per month in the eight months to December last year. In January this year, that figure rose to 203. Inevitably, the pressure caused by increasing demand brings problems.

I am pleased to note that in March 1996, a new information resource room will open at the oncology centre. It will provide patients and their families with much-needed information about treatment, self-help groups and welfare benefits. I am sure that all hon. Members welcome that.

Resources are finite and can never be otherwise. Unfortunately, we shall never have sufficient money to do all that we would like to in a perfect way. Nevertheless, there is no question of Avon patients who require palliative care being refused treatment. Patients who are not treated at the centre receive palliative care in the community through their GPs, district nurses or at St. Peter's hospice, with appropriate support and advice from the palliative care team at the oncology centre. I accept that that is not ideal in many cases.

I shall now reply to the points made by the hon. Member for Bristol, South. I am assured by the trust and Avon health authority that intensive discussions on funding are continuing. My hon. Friend the Minister for Health mentioned that in the remarks that she said that he had made. I have asked South and West regional health authority to monitor closely the discussions between the trust and the health authority and report back to me personally about their nature and outcome. I am sure that all hon. Members will be pleased to hear that. We will monitor them closely and hope to achieve a reasonable outcome to those continuing discussions.

Finally, in the last two minutes, I come to financing.

Mrs. Audrey Wise (Preston): About time.

Mr. Horam: I have mentioned it already and said that we consider the matter daily. It is being monitored closely and the outcome of the discussions will be reported to me directly. I do not see how I could say any more than that on the issue.

On funding, the hon. Member for Bristol, South did not mention that Avon Health's planned allocation for next year is £337.3 million, a cash increase of £10.6 million, a substantial increase, and an increase in real terms.

Ms Primarolo *indicated dissent.*

Mr. Horam: It is a substantial increase; £10.6 million is a substantial increase by any reckoning, on what is already a very large figure.

Moreover, contrary to the impression that the hon. Lady sought—at length—to give, according to our methods of calculation Avon is ahead of its target: it is receiving more than it is strictly entitled to receive. In such circumstances, the "market factor" is irrelevant. As for the allocation of money, any sensible Department—such as ours—will always keep the position under review. If sensible evidence suggests that we should alter it, we shall seek to do so.

Ms Primarolo: Will the Minister give way?

Mr. Horam: Not now. I want to make my point very forcefully.

Madam Deputy Speaker (Dame Janet Fookes): Order. No more points can be made now; we must move to the next debate.

Ms Primarolo: On a point of order, Madam Deputy Speaker. The Minister said that Avon had received an increase of £10.6 million. On 2 February, he wrote to me saying that—

Madam Deputy Speaker: Order. I am sorry, but the hon. Lady is not raising a point of order; she is raising a point of debate, which cannot be dealt with as a point of order. We must now move to the next debate.

Casinos, Bingo and Sunday Dancing

1.30 pm

Mr. David Atkinson (Bournemouth, East): Let me begin by declaring a non-interest. I have no interest in gambling. I have never bet or played bingo, and I am one of the 6 million people left in the country who have yet to play the national lottery. Only an occasional premium bond win keeps me going.

I do, however, declare a constituency interest. Although Bournemouth is one of our most successful tourist resorts, it needs to keep abreast of the competition and respond to the demands of visitors if it is to continue to succeed. That is also in the national interest, as it would enable the country to retain its place in the league table of countries visited by tourists. Sadly, however, it is not currently managing to do so: although the number of tourists continues to rise, our share in that hugely increasing world market is slipping as more and more countries open up to tourists at affordable prices.

Great Britain plc can no longer afford to operate restrictive practices and archaic laws in response to attitudes that are neither popular nor necessary. That applies no less to its leisure and entertainments industry than to any other. Three aspects to be found in my constituency supply the main argument in favour of deregulation: casinos, bingo clubs and public dancing.

I planned today's debate some weeks ago. I presume—as I am not a betting man, I did not even compute the odds—that it is pure chance that my striking lucky in the ballot coincided not only with the opening of Martin Scorsese's new film "Casino", but, more important, with the publication yesterday of the Department's consultation paper on casinos and bingo clubs. As that Green Paper correctly anticipated much of what I intended to say today, I have had to revise my speech somewhat.

Let me explain what led me to choose this topic. I had represented my constituency for more than 10 years before I ventured into one of its casinos—the Bournemouth casino club at the Royal Bath hotel. I note from the most recent edition of *The Sunday Times* that, until recently, my hon. Friend the Minister exhibited the same reticence.

Although, as I have stressed, this is not my scene, I was impressed by the quality of the establishment, the dining facilities for members, and the quiet professionalism that was evident in the conduct of the games. Today it is known as the Grosvenor; it is one of three casinos in Bournemouth. Last month, I visited the most recently established, the Stakis Regency casino, and was equally impressed—not least by the surveillance and security systems that had been introduced to detect cheating and fraud.

On both those occasions, I was appalled by the pettiness of the restrictions placed on casinos. Those restrictions clearly prevent them from realising their commercial potential. Not only are they unable to respond to the obvious change in public attitudes to such places of entertainment in recent years; they cannot make the contribution that they could otherwise make to the local economy and jobs, as well as to the Exchequer. We continue to deny ourselves that contribution as long as we turn away customers from both home and abroad by maintaining the current restrictions.

[Mr. David Atkinson]

Any reasonably open-minded person would surely agree that some of those restrictions are now unnecessary. The most obvious is the 48-hour rule. Under the present law, no one can enter a casino for the first time—except as the guest of a member—without a "cooling-off" period of 48 hours. Any prospective customer must complete a membership form on the premises, and then wait two days before being admitted to game. In practical terms, that makes it impossible to play on a weekend away. It also means that the country is turning away foreign tourists and business men in droves.

Such restrictions apply in no other country where gaming is legal. They are unquestionably a drag on Britain's foreign earnings, and on employment in the casino industry. When a player has joined one casino, he cannot enter another without repeating the whole peculiar process, even if he is already eligible to play in another casino owned by the same company. Why should British casinos—while remaining clubs—not be allowed to judge for themselves whether a potential customer is acceptable for registration on completion of the required application forms, and admit that customer without delay?

There is also a ban on advertising of any kind, apart from limited information outside the casino itself. Even listings in trade and telephone directories are prohibited other than for recruitment purposes. Casinos cannot even advertise in British Airways' *High Life* magazine. The Stakis hotel in my constituency cannot even advertise in its brochure the fact that a casino is attached to it.

I accept that there is a case against wholesale deregulation—allowing, for instance, broadcast advertising. Surely, however, it is reasonable to publish information about casinos—perhaps in a prescribed form—in tourist magazines, classified advertisements in regional newspapers and directories such as *Yellow Pages* and notices at United Kingdom points of entry and in hotels. At present, many foreign visitors are unaware that casinos exist in Britain, while the short-stay business man who finds one for the first time is then confronted with the 48-hour rule.

Casinos are allowed just two jackpot gaming machines, as are local golf clubs. The stake permitted is 20p, and the maximum prize is £250. Given those controls, there is certainly no risk of Las Vegas-style gambling—slot machines are the biggest earner per square foot in America—coming to the United Kingdom.

Casino customers are not allowed to pay by credit card or a direct debit card such as Switch. That cannot be realistic today. Are we seriously encouraging people to carry around large amounts of cash? If modern payment methods such as charge and credit cards were an acceptable currency in casinos, not only would less cash be required, but the probability that cheques will be supplanted in the not too distant future would be pre-empted. Gaming would also be made easier for foreign tourists.

Mr. Peter Bottomley (Eltham): Will my hon. Friend give way?

Mr. Atkinson: I would rather not. My time is limited, and I want to give my hon. Friend the Minister enough time in which to reply.

Those are the principal reforms that have been suggested to the Minister by the British Casino Association. They would bring the British industry into line with other countries, and, I suspect, with British public opinion. I do not want to pre-empt my hon. Friend's response, in which he will doubtless refer to the proposals in yesterday's Green Paper. I give a warm welcome to those initiatives, especially the proposal to extend permitted drinking beyond midnight and the proposal to allow casinos in 13 new towns. However, I hope that my hon. Friend will agree to more.

I express reservations on three of the proposals. First, I refer to the reduction in the waiting period for new members to play from 48 hours to 24 hours. The casino industry will be disappointed that a waiting period will still apply to people who want to go into a casino. Is there not a case for a hotel with a casino attached—particularly those as prestigious as the Royal Bath hotel and the Stakis hotel in Bournemouth—to offer immediate membership to its residents? Will my hon. Friend confirm whether, with postal applications now proposed, those residents who make their reservations in advance could be given automatic membership if they so wish, and therefore be able to play immediately?

Secondly, the Green Paper justifies the continued prohibition of live entertainment to prevent the stimulation of demand for casino gambling—this rule applies even to the extent of prohibiting a pianist. I find this argument unconvincing and rather pathetic, and I hope that my hon. Friend will think again.

Thirdly, I regret the negative thinking towards resort casinos that are regarded in the Green Paper as impractical for this country because it is geographically small and densely populated. This approach, if pursued by the Government, will undoubtedly lead to what I feared in my opening remarks: Britain will continue to miss valuable opportunities for inward investment in favour of other countries with which we are in stiff competition.

I am sure that my hon. Friend is aware of current American-Arab interests in establishing a multi-billion dollar casino, leisure and entertainment complex in this country. This would provide a massive and permanent boost to the economy of the area in which it would be located. The name of the consortium concerned is E-GATE, which is distinct from any similar rumours linked with the New York property magnate, Donald Trump. It would be a tragedy if we were to scare off this kind of investment, just as we did when Disney originally showed an interest in establishing EuroDisney here, before it was bribed to Paris, to be followed by Universal Studios.

Britain cannot afford to lose that sort of business, which would create new jobs and enhance tourism. We should not let it go to Europe just because it involves casinos. Gone are the days of organised crime, which justified the Gaming Act 1968. Even Las Vegas is cleaning up its act in response to demands for family-related entertainment, which Disney so successfully pioneered.

I turn now from big spenders to bingo players. There is no doubt of the continuing pleasure that this softest form of gaming provides to a great many of my constituents and to visitors to Bournemouth, as it does within a lively sociable environment at modern venues all over the country. Long gone are the days of old ladies in hairnets, looking like Ena Sharples and Minnie Caldwell, playing on seaside piers for tacky prizes.

In November 1994, the levels of bingo admission and spending were increasing, but today—with the introduction of the national lottery and the abundance of scratchcards—the industry is in decline, with 56 clubs having closed and with the loss of over 1,500 jobs. That is why the Bingo Association of Great Britain is disappointed that the Chancellor of the Exchequer did not reduce bingo duty as he did with the general betting duty and the pools duty in his last Budget. Its members are now urging the Under-Secretary of State for the Home Department to come forward with reforms that will end the petty rules that restrict the activities of bingo and its customers.

For example, I refer to the 24-hour rule—the period between joining a club and being eligible to play; the restrictions that prevent clubs from advertising their social facilities and their prize money in the press, on radio or on television; and the regulations that determine the timing of games, the amount that operators can charge and the number of jackpot machines allowed—only two. The Bingo Association is seeking other changes, such as the end to the limit of added prize money, the extension of a bingo licence to three years, and the introduction of new games.

I am delighted that the Government have responded positively to these demands in their Green Paper—the industry has also responded positively. There are only three points that I want to pursue with my hon. Friend.

First, no reference is made in the Green Paper to enabling rollovers, to which—in view of the national lottery's experience—there can no longer be any objection. Secondly, while technically there appears to be no limit on the number of amusement-with-prizes machines—that is, fruit machines—the experience is that the licensing authorities behave otherwise. Will my hon. Friend clarify the rules on this point, and perhaps consider issuing clear guidelines for licensing authorities? Thirdly, surely the rule that fruit machines and jackpot machines cannot be mixed is unnecessarily restrictive.

I conclude with a plea on behalf of the nightclub industry to allow public dancing on Sundays. I corresponded with my hon. Friend in this regard last month in response to the representations I had received from the Zoo and Cage discotheque in my constituency. It expressed disappointment that the Deregulation Committee of the House of Lords recommended against allowing public dancing on a Sunday.

With respect, on which planet do their Lordships live? I can understand that some of them may not wish to go dancing in public on a Sunday, or at any other time, but surely they can accept that others do. There can no longer be any justification to maintain a law that is 200 years old and that has already been changed to allow drinking, gambling, sporting events and shopping on Sundays.

It seems extraordinary that pubs today can open their doors to trade on Sunday evenings, but nightclubs cannot. The Scots—who appear to me to be more Sunday-fearing than the English—have allowed public dancing on Sundays for almost 20 years. Why should the English be treated any differently? Of course, Sunday opening would remain subject to a local licence, and after consultation with the local neighbourhood to ensure its protection from nuisance and noise.

I hope that my hon. Friend will respond positively to all three of the appeals that I am making to him today, and will continue the excellent work of the Government to eliminate all unnecessary restrictions, regulations and red tape in the way of people enjoying themselves according to their own judgment instead of that of others.

1.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Timothy Kirkhope): I welcome the initiative of my hon. Friend the Member for Bournemouth, East (Mr. Atkinson) in introducing this debate. I listened with great interest to what he had to say. We have had many discussions on this theme. The fact that this debate is taking place today is timely, and I congratulate him on the work that he has done on behalf of his constituents in this area. I am glad of the opportunity to inform hon. Members of the proposals we wish to bring forward to relax unnecessary restrictions on gaming establishments.

Yesterday, we published our long-awaited consultation paper on these matters. I regard this as an important initiative, so much so that I have sent a copy to every Member of Parliament. Not every hon. Member has a casino in his constituency, but many have bingo clubs. In any case, I suspect that there will be widespread interest in the proposals for additional casinos, with 13 new permitted areas around the country, including places such as Croydon and Peterborough.

I shall explain the background to the consultation paper. We have heard much about the national lottery—which has had an impact on other forms of gambling—but we are not introducing these measures as a knee-jerk reaction to it. This exercise has been developed as part of the Government's deregulation initiative, and each proposal has been considered carefully on its own merits. I acknowledge that it has been long in coming, but it was important to consider carefully a balanced package for reform that would remove unnecessary restrictions on the industry and on the consumer while ensuring that necessary protections remain in force.

Although I am the first to commend the casino and bingo industries for their high standards and professionalism, we should remember that they are not just like any other business, and that there is a need for certain restrictions in the public interest.

We must keep out any criminal involvement and money laundering. Even bingo, which I agree with my hon. Friend is very much at the softer end of the gambling spectrum and provides harmless pleasure to thousands of people, has to remain subject to some controls. Without those controls, players could be exploited and fraud become rife.

Within the framework of controls, however, I entirely agree that there is scope for removal of restrictions that no longer have a place in the 1990s. In my view, our proposals reflect a rather different view of gambling from that which existed in the 1960s, when the Gaming Act 1968 was passed. It is not altogether surprising that the 1968 Act represents a cautious approach to gaming. After all, the 1960s had seen an explosion of casinos in this country, with, unfortunately, the involvement of crime and other unacceptable developments. Something had to be done quickly, and that something was the 1968 Act. It produced an immediate cleaning-up of the gaming scene.

Given that background, it is not altogether surprising that the message that appears to emerge from the Act's many pages is that gaming is a rather undesirable pastime, which should be restricted as far as is reasonably possible.

[Mr. Timothy Kirkhope]

Our approach in the consultation document has been rather different. It has been to start from the point of view that people should be free to game if that is what they wish to do, and that restrictions should be applied only if they serve one of three essential purposes: that they prevent the encouragement of crime, public disorder or nuisance; that they ensure that punters get a fair deal and are made fully aware of what they are letting themselves in for when they game; and that they discourage socially damaging excesses.

My hon. Friend referred to some of the proposals. For the sake of completeness, I should like briefly to outline them. Following the consultation period, which ends on 31 May, we hope to lay a series of deregulation orders, with careful scrutiny by the appropriate Committees.

We propose to introduce secondary legislation to allow casinos in 13 new locations. The additional areas proposed are Croydon, Dartford, Gloucester, Folkestone, Hastings, Ipswich, Morecambe, Oxford, Peterborough, Redbridge, Slough, Swindon and Weymouth. A reduction in the 48-hour waiting time for membership of a casino to 24 hours, together with provision for postal applications and group membership is also involved, as well as a new regime for gaming machines, with increased numbers and higher stakes and pay-outs; an extension to liquor licensing hours; and allowing the advertising of the location of casinos in directories and guides. Yes, that will be allowed, if required, appropriate and requested, even in *High Life* magazine, to which my hon. Friend referred. We also intend to permit payment by debit card.

The proposals on bingo are: an end to the requirement that bingo establishments operate as members' clubs with a 24-hour waiting period for membership; abolition of the demand criterion for the granting of licences; removal of restrictions on added prize money and on frequency and prizes in multiple bingo, the national game; payment by debit card; extension of bingo licences from one year to three years, to which my hon. Friend referred; and removal of the remaining restrictions on print advertising.

I must comment on some of the more important aspects. First, on advertising, I entirely agree with my hon. Friend that the restrictions on bingo advertising are unnecessary. From our standpoint now, it is clear that the Bingo Act 1992 did not go far enough. The approach taken then was, perhaps, understandable, in that we hesitated to go from a complete ban to complete freedom. But it is clear that we do not need the restrictions, and I hope that one of the first measures to be produced following the consultation will remove restrictions on the advertising of bingo.

I should point out that I am also contemplating lifting the ban on broadcast advertising of bingo. I accept that that may stimulate some debate, but the national lottery and the football pools are already advertised on television. How far should we extend that to other forms of commercial gambling? We have taken a cautious approach to that powerful medium. There are concerns about the messages that we are sending out, particularly in respect of the young. Our view is that the harder forms of gambling should not have access to the broadcast media, however. Indeed, I understand that neither the casino nor the betting industry is looking for such freedom.

On casino advertising, I entirely agree that reform is overdue. We cannot continue with a complete ban on advertising of any sort. We should allow casinos to give out information about location, and so on.

My hon. Friend questioned our plans for the 48-hour rule for casinos. It is easy to mock the 24-hour waiting period for bingo membership, or to challenge the 48-hour period for casinos. However, the matter is not as straightforward as it might first appear.

We certainly agree that there is no social policy need to retain a waiting period before someone can play bingo, which is why we are suggesting that it should be removed. But that could have consequences for the way in which bingo clubs are run in respect of such matters as club status, liquor licences and gaming machines. The industry will obviously have to consider the implications carefully when it responds to us and to our consultation document.

We think it right that casinos should continue as clubs, and not become gaming houses open to the public in the same way as nightclubs. I recognise that no other country has a waiting period, but it should be borne in mind that the framework for casino gaming is very different in this country. Most other jurisdictions have casinos only in resort areas. Here, there are casinos in every major city, providing a facility for local residents. If we were to remove restrictions on membership, allow unlimited advertising and slot machines with massive pay-outs, we could see a boom in hard gambling in this country and a commensurate increase in problem gambling. We are not in that game.

I do understand the concerns of casinos, however, especially those in London, which cater primarily for tourists. We have proposed sensible relaxations in the rule, which would make it easier for casinos to admit tourists, while maintaining their status as clubs. I am the first to recognise the importance of the tourist industry to this country, to my hon. Friend's constituency, to London and to other parts of the nation.

I am glad that my hon. Friend asked me about the proposal to allow postal applications for casino membership, because the importance of that proposal should not be overlooked. We envisage that the 24-hour waiting period will commence from receipt of a postal application, whether from abroad or within this country. Given that clubs will need a little time to make checks and process the applications, that will mean that the 24-hour waiting period will not be a hindrance when the postal application route is used.

My hon. Friend referred to resort casinos. Great Britain is unusual in having an extensive network of 119 casinos covering all the main population centres, which is many more than in most other countries. Resort casinos would be very different. They would need heavy advertising, free access by the public instead of club status, and much more intensive regulation. They are more suitable for countries that have only a small number of casinos each serving a large region.

We do not think that the two types of casino could easily co-exist within a geographically small and densely populated area such as Great Britain. We think it better to concentrate on updating and improving the existing regulatory approach, which has been so successful, and has resulted in a gaming industry that, we are proud to say, is crime-free.

My hon. Friend also referred to live entertainment in casinos. The objectives of the prohibition on live entertainment are to prevent casinos from stimulating demand for their facilities in that way and to prevent other premises, such as nightclubs, from offering gaming facilities as an incidental feature. We looked into that prohibition, but concluded that its objectives were still valuable in maintaining the effective regulation of the industry. I assure my hon. Friend, however, that I will certainly bear in mind his comments on that aspect when I consider the responses to the consultation paper.

We have allowed three months for consultation. After that, we hope to introduce a series of deregulation orders, as I said, for scrutiny by the Deregulation Committees. Although I cannot be specific on the timetable, I intend to ensure that that takes place as quickly as possible. Certainly the removal of bingo and betting advertising restrictions is high on the agenda.

My hon. Friend also mentioned the law on Sunday dancing. The existing law prevents operators from charging admission and from serving alcohol beyond the normal permitted hours on Sundays. In June 1995, a draft measure was put before the Deregulation Committees of both Houses. The Committees took the view that there had been insufficient time for consultation. They had other concerns about the extent to which the requirements for retention of necessary protection had been met. The Select Committee on the Scrutiny of Delegated Powers, in another place, also concluded that Sunday dancing was not an appropriate subject for deregulation.

The Government have taken note of those views, and especially of the view that amending the law on Sunday dancing is not suitable for the deregulation order procedure. If that route is not available, the reform could be brought about only by means of primary legislation. In the Government's view, that change would be suitable for a private Member's Bill, but I am afraid to say that no hon. Member has so far elected to take up the subject.

The Government remain committed to the principle behind the reforms, which would achieve an important loosening of centrally prescribed controls over the way in which individuals choose to spend their leisure time. We shall continue to seek a suitable opportunity for legislation. We believe that the process that we have undertaken is important. We look forward to the responses to our document, and I look forward to the responses that I am sure my hon. Friend will be making. Once more, I congratulate him on raising this subject.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

SCOTLAND

Inward Investment

1. **Mr. Nigel Evans:** To ask the Secretary of State for Scotland what estimate he has made of the level of inward investment into Scotland in 1995-96. [15784]

10. **Mr. Ian Bruce:** To ask the Secretary of State for Scotland what are the latest figures on inward investment to Scotland. [15794]

The Secretary of State for Scotland (Mr. Michael Forsyth): Scotland continues to be a magnet for inward investment. In the current financial year, we expect an additional £1 billion or thereabouts of inward investment.

Mr. Evans: As a Welshman representing an English constituency and asking about Scottish affairs, I believe in the welfare of the Union and in inward investment for Scotland. Does my right hon. Friend agree that if we were to introduce the job-destroying social chapter and the minimum wage, that would be damaging to Scotland? Does he also agree that the final slap and insult to the people of Scotland would be the introduction of a tartan tax which would cost every Scottish family £6 a week?

Mr. Forsyth: Labour's proposals for a European jobs tax by joining the social chapter and for a minimum wage would be bad news for inward investment in Wales and Scotland, but the tartan tax in Scotland would give Wales an enormous advantage in attracting inward investment.

Mr. Bruce: Will my right hon. Friend tell the House what would happen to business investment in Scotland if local authorities were able to set business rates? Rather than being pegged at around the rate of inflation—3 per cent.—as they are now, would not they go up to 30 per cent., which is the rate that many local authorities have threatened to introduce? That would be an additional tartan tax, because if income tax were put up by 3p in the pound, it would be logical to put up corporation tax by the same amount. *[Interruption.]* Opposition Members do not care about the jobs of Scottish workers.

Mr. Forsyth: From memory, the Government have committed something like £0.5 billion to achieve a uniform business rate in Scotland to remove the competitive disadvantage that Scotland had. I agree with my hon. Friend that the Labour party's proposals, which were published this week—to allow local authorities to raid the Scottish business community to meet its funding proposals—would be a disaster for Scotland's businesses. It would make Scotland less attractive to inward investors and destroy jobs and businesses in Scotland. I hope that the hon. Member for Hamilton (Mr. Robertson) will take the first opportunity to distance himself from that ridiculous proposal, which flies in the face of all the advice that we have had from the Scottish business community.

Mr. Norman Hogg: How does the Secretary of State reconcile what he has just said with his proposals to destroy Scottish local government as an effective mechanism which provides the infrastructure on which inward investment is built? He is setting financial limits on local government in a way that will destroy its ability to provide the base for inward investment.

Mr. Forsyth: No, that is not the case. Local authorities in Scotland are getting grant that is nearly 45 per cent. more per head than it is in England, and 21 per cent. higher per head than it is in Wales. It is a generous settlement, and it is more than local authorities would be entitled to under the Barnett formula to which the hon. Member for Hamilton has committed himself as the basis for funding Scottish local government and other services in the Scottish block. I found an extra £26.5 million over and above the formula consequences for local government in Scotland. If the hon. Gentleman were fair minded, he would recognise that. As he is fair minded, I am sure that he does.

Mr. Canavan: While I welcome inward investment, does the Secretary of State admit that the number of jobs created by it is not enough to replace the jobs lost through companies closing down or leaving Scotland? Bearing it in mind that the Government are always quick to take the credit when companies come to Scotland, but not so quick to take responsibility when companies threaten to leave, will the Secretary of State applaud the Cummins work force who yesterday voted overwhelmingly to fight the proposed closure of the Shotts factory? Will the Secretary of State follow that excellent example by intervening and trying to use every means at his disposal to save the 700 jobs?

Mr. Forsyth: Yes, Madam Speaker.

Mr. Nicholls: I must remind my right hon. Friend that, when one examines Government inward investment in Scotland and the subsidy for the tourism industry as represented by subsidy for the English and Scottish tourist boards, one sees that Scotland receives from the Government about 16 times as much subsidy as England. If we combine that with the fact that the Scottish Office is now subsidising sewerage charges for people in Scotland, from a west country perspective it looks a pretty poor do. Is not it time that we started to spend money on people who used to vote for us at the expense of those who never would?

Mr. Forsyth: I am grateful to my hon. Friend for his question, but he is quite wrong about what he described as a subsidy for water and sewerage. It is a simple transfer from local government. As my hon. Friend knows, water has not been privatised in Scotland and we have no intention of privatising water in Scotland. Because it has not been privatised, it is necessary for the taxpayer to meet the costs which in England are met by the private sector.

Mr. Salmond: Nothing can do as much damage to the Secretary of State for Scotland as Tory Back Benchers. Is the Secretary of State aware that, in a conversation with a senior executive connected with inward investment in Scotland, I was told that, over the past 10 years, only one firm out of hundreds had expressed any concern about constitutional change in Scotland, but that up to one third of those hundreds of companies had expressed concern

about the Government's hostile attitude to the European Union? As the biggest little Englander in the Cabinet, does the Secretary of State acknowledge that his hostile attitudes towards Europe are a real threat to inward investment in Scotland and to thousands of Scottish jobs?

Mr. Forsyth: I am not hostile to Europe, but I am hostile to the sort of Europe that the hon. Gentleman would like to see, which would add to business costs and drive out inward investment. The hon. Gentleman pretends to be a nationalist who wants Scotland to have a greater say over its affairs, yet his policy on Europe would transfer power to Brussels where the people would be unable to have a proper say.

Mr. Stephen: How can I justify to my constituents in Sussex the fact that central Government spend so much more on local authority services in Scotland than in England?

Mr. Forsyth: The allocations for Scottish local government are a matter for the Secretary of State and the priorities have to be set within the Scottish Office block. The Scottish Office block has provided for a generous allocation towards local government, in part reflecting the changes that local government is undergoing as a result of reorganisation.

My hon. Friend asked about the additional benefits that Scotland enjoys under the Scottish Office block, which mean that public expenditure by local authorities in Scotland is getting on for one third higher per head than it is in England. That relationship would undoubtedly be undermined if a Scottish Parliament with tax-raising powers was established, because that would mean for the hon. Member for Hamilton a reduced number of Scottish Members of Parliament—according to the Liberal Democrats—and no Scottish Office presence in Cabinet, to decide the allocation. As my right hon. and learned Friend the Chancellor pointed out in the Grand Committee, that would undoubtedly result in Scotland being disadvantaged and the difference between expenditure in England and Scotland being narrowed. That is the price that Opposition Members are prepared to make the Scottish people pay for their Scottish Parliament.

Mr. Menzies Campbell: Does the Secretary of State accept that the success of inward investment depends on the skill and confidence of the Scottish people? If, by a combination of skill and confidence, Scotland triumphs at Murrayfield on Saturday, will that not do much more for inward investment than any of the Government's policies?

Mr. Forsyth: I am sure that, when Scotland triumphs at Murrayfield on Saturday, we shall at last have found something on which all parties in the House can agree in so far as they represent Scottish constituencies.

On skills, the hon. and learned Gentleman will recognise that Scottish Enterprise has taken a 7.5 per cent. reduction in its budget but remains determined to deliver the same output in terms of training. That is the money that we have made available as extra money to local government. The hon. and learned Gentleman cannot have it both ways: criticising both the settlement for local government and the reduction in Scottish Enterprise funding, as he did when it was announced.

Mr. George Robertson: Will the Secretary of State accept that the Labour party welcomes inward investors to Scotland and that the next Labour Government, who most inward investors assume will be taking power in the next 15 months, will also warmly welcome inward investment to Scotland? Just in case he starts to believe his own propaganda, will he listen to the words of Professor Neil Hood, the former director of Locate in Scotland, who said that he did not think that any inward investment would be frightened off by the current proposals for devolution? Surely that alone shows the bogus and empty nature of the propaganda that continues to be thrown by Conservative Members.

Mr. Forsyth: I do more than listen to his words. I have met him and discussed his ideas, and I think that the hon. Gentleman is not on such strong ground as he believes. If the hon. Gentleman is seriously arguing that an extra 10 per cent. on income tax in Scotland and additional costs on employing people will not put Scotland at a disadvantage compared with Wales and the north-east of England, he is not living in the real world.

Let us take as an example financial services, which are an important employer in Scotland. The hon. Gentleman is saying that savings income for pensioners would be taxed at 15 per cent. more in Scotland than in England. Savings institutions depend on savings income, and the hon. Gentleman's proposals for a tartan tax do not threaten just inward investment, but established industries such as the financial services sector, because they add to their costs and make them less competitive.

Local Authority Budgets

2. **Mrs. Fyfe:** To ask the Secretary of State for Scotland if he will meet the leaders of (a) Glasgow and (b) other local authorities to discuss their budgets. [15785]

3. **Mr. Watson:** To ask the Secretary of State for Scotland when he intends meeting the leader of Glasgow city council to discuss its 1996-97 budget. [15786]

9. **Mr. Robert Hughes:** To ask the Secretary of State for Scotland what recent representations he has had on the finances of the new unitary local authorities. [15793]

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): Over the past two days, I have met many hon. Members, including the hon. Member for Glasgow, Springburn (Mr. Martin) with a delegation from Glasgow and a delegation led by the hon. Member for Aberdeen, North (Mr. Hughes). I am always pleased to meet delegations led by hon. Members.

Mrs. Fyfe: Will the Minister tell us, following that meeting, whether the people of Glasgow will continue to face cuts of £1.3 million every week? Does he think it acceptable that they face a council tax increase of 36 per cent? If, to judge from the Secretary of State's remarks earlier, he really thinks that the settlement is fair, why are people paying more and getting far less?

Mr. Kynoch: The hon. Lady does not—unfortunately—understand the figures for Glasgow. Within its capping limit, Glasgow could increase expenditure by some 4.93 per cent. from the notional budget provided by Strathclyde regional council for the former district. The hon. Lady might like also

to contemplate whether she can justify the £500,000 that was spent on the centenary of the Scottish Trades Union Congress. I should have thought that the people of Glasgow would rather that it was spent on services for themselves.

Mr. Watson: If the Minister had any sense of contrition, he would not have the nerve to show his face in the House because, although his predecessors told us that the reorganisation of local authorities in Scotland would cost about £30 million, we find that the real figure is more than £400 million. I would not mind that if the Scottish Office would pick up the bill, but it will not—the people of Scotland are being asked to do that.

On the specific question about Glasgow, will the Minister apologise to the hundreds of local authority workers in the city who are likely to lose their jobs and to the thousands of people who are likely to have their services cut, including the 113 members of the ethnic community project at the Dixon centre in my constituency? Why should such people have to suffer and pay for the incompetence and deception of the Minister and the Government?

Mr. Kynoch: Does the hon. Gentleman realise that the funding given to Glasgow by central Government is 82 per cent. higher per head of population than the average south of the border? If he devoted more attention to recognising the excess that we give local government in Scotland and addressed the fact that he and his hon. Friends are calling for the ridiculous sum of £395 million on top of that for local government, perhaps he would be able to tell us where he expects us to take the money from. Does he, like the hon. Member for Dundee, East (Mr. McAllion), want us to take it from the health budget?

Mr. Hughes: Will the Minister calm down before he does his health some serious damage? *[Interruption.]* I know that I should be encouraging him.

Having heard this morning the powerful case put by Councillor Margaret Smith, the convener-elect, Douglas Patterson, the chief executive, and Gordon Edwards, the finance director—all from Aberdeen city council—does the hon. Gentleman now understand the serious difficulties for local authorities? Does he accept that his figures are wrong and that the people of Aberdeen will suffer severely from a cut of £26.5 million? Does he realise that such a cut will affect every citizen and every sector in the city, not least the private sector, which benefits greatly from local authority spending? Will the Minister calm down now, consider the problem seriously and produce a more realistic settlement?

Mr. Kynoch: If I am not perfectly calm it is because I am incensed at the proposal by the hon. Member for Dundee, East that we should take money from health, because we believe in making real increases in the health budget.

The hon. Member for Aberdeen, North did indeed bring me a delegation from Aberdeen city this morning. I listened carefully to what they all said, and I commend the city for the moves by which it is clearly trying to bring its budget within the capping limits. The hon. Gentleman should be more honest in recognising, as the chief executive did, the situation that Aberdeen city inherited from Grampian region—savings were not made over the past few years, and reserves were eaten up. That inheritance has been passed to Aberdeen city, and the city must lie in the bed that the former region made for it.

Mr. Stewart: Will my hon. Friend pay serious attention to the sensible views of people such as Bailie John Young, who said that Glasgow had been overspending for years? Does he agree with many of my constituents, who are seriously concerned about the fact that the Labour group that runs East Renfrewshire—[HON. MEMBERS: "Hear, hear."] Just wait for it. Does my hon. Friend share our concern about the fact that, under the mismatch agreement, the Labour group has passed over £5.6 million of East Renfrewshire's money to the City of Glasgow?

Mr. Kynoch: My hon. Friend is absolutely right. The skewing that occurred in the past is becoming apparent because of the grant-aided expenditure allocation for the new areas. Bailie John Young was in a delegation brought to me by the hon. Member for Springburn this morning, and he agreed with me that some of the excesses of the past had caused Glasgow's present problems. However, I hope that, in the short time still available, the councillors of the new Glasgow city council will recognise the need to look afresh at the way in which they deliver services and ensure that the greatest efficiency is achieved so that they can make the savings that will enable them to set a sensible council tax increase for the people of Glasgow.

Mr. Gallie: My hon. Friend will be aware that housing forms a fairly significant part of local authority spending in Glasgow. In addition, central Government supply considerable funds through Scottish Homes for expenditure in Glasgow. Is he aware of the £8 million that Scottish Homes has pledged to spend on ethnic housing in Glasgow? Is that not wrong? Should not such money be spread across the population, irrespective of colour, religion or creed?

Mr. Kynoch: I hear what my hon. Friend says. I understand that the decision was taken by Scottish Homes and it is a decision for it to take.

Mr. Ernie Ross: From his meeting this morning, the Minister will know that the new Dundee city council, despite making savage cuts to meet the capping level set by him, still faces introducing a council tax increase of 24 to 30 per cent. This morning, he could not tell us what else it could do. Can he tell us this afternoon?

Mr. Kynoch: As the hon. Gentleman knows, Conservative councillor Neil Powrie, who was quoted in the newspapers recently, has pointed the finger at the Labour council in Dundee—as did Bailie John Young in Glasgow—by saying that many of the council's problems have been brought about by years of ignoring the need for efficiency savings and delivery improvement.

Mr. Wallace: I am sure that the Minister has considered the prospective council tax increases in authorities throughout Scotland. Has he noticed that, despite bitter resentment about cuts, the proposed increases in the islands authorities are between 3 and 5 per cent. compared with an average increase of

15 per cent. in Scottish mainland councils? Is it not clear that a large part, if not all, of the difference is attributable to what is increasingly called the Forsyth reorganisation tax?

Mr. Kynoch: That is hard on Shetland and Orkney islands councils, to which I am sure the hon. Gentleman is referring. In a tight public expenditure round, those councils have dealt with the problems sensibly.

Mr. Wallace: They did not have reorganisation.

Mr. Kynoch: The hon. Gentleman keeps shouting that those councils did not have reorganisation. Reorganisation—taking two councils and merging them into one—has brought potential benefits to other councils. It should produce savings, which the hon. Gentleman has seen in the islands councils that he represents. I hope that he will be big enough to commend them for seemingly managing things much more efficiently than many other councils.

Mr. Michael J. Martin: I thank the Minister for receiving a delegation today. He referred to the old councils. He must recognise that he and his colleagues set up the new councils and that a reorganised new council should not be burdened with the debts of the old one.

The Minister should be even-handed when he talks about the STUC conference, because Glasgow, I understand, gave £100,000 to the Tory party when it held its conference there.

Mr. Kynoch: On that last point, I am reliably informed that the figure is slightly lower, although I have no confirmation of that. Some £40,000 is the figure that has just been whispered in my ear.

On inheritance from old councils, I am not aware that the Government have suddenly introduced local government. They have been adamant that they want to streamline it and to make two tiers become one. In the past, Labour councillors have supposedly been accountable to the electorate. If they have, through total abuse, taken the matter into their own hands, used up reserves and handed a poisoned chalice to their successors, they, and not the Government, should be held accountable to the electorate.

Mr. George Robertson: Is the Minister not aware of the genuine outrage and anger that exists all over Scotland at the Government-imposed service cuts or that the 40,000 people who marched through the streets of Edinburgh last Saturday showed that no one in Scotland believes the jiggery-pokery with figures that the Government are indulging in? Is it not a fact that, by reducing by more than £500 million central Government support to local authorities over the next three years, he will be responsible for putting the equivalent of 4p on the standard rate of income tax of all taxpayers in Scotland? Will not everyone in Scotland conclude that, under the Tories, people pay more and get less?

Mr. Kynoch: The hon. Gentleman does not accept the fact that, this year, we have put an extra £148 million into local government. Unfortunately, the hon. Gentleman has come clean in the past few days about what he would do with local government. He would lift capping, which means that council tax would go up even further. He would remove the uniform business rate from central Government and put it back with local authorities, thereby increasing costs for businesses, reducing their competitiveness and removing a level playing field. He would increase expenditure in local government. He has called for an extra £395 million for local government, but he has not said where it should come from. If the hon. Gentleman aspires ever to hold office, he should do his sums first and tell us where in the Scottish Office block we should find extra funding for local government on top of the significant increase that it has had.

Tree Planting

4. **Mr. Pawsey:** To ask the Secretary of State for Scotland what action is being taken to increase planting of native broadleaf trees. [15787]

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): We provide a wide range of advice and grants to encourage the planting of broadleaf trees and fully support initiatives such as the millennium forest and the national forest. As a result, the area of new broadleaf woodlands created each year has increased fifteenfold over the past 10 years.

Mr. Pawsey: I am grateful to my hon. Friend for that helpful response. Does he recall the number of trees that were lost in Great Britain partly because of the hedgerow clearances of 20 to 30 years ago and partly because of Dutch elm disease? Will he redouble his efforts and consider a new initiative? I am thinking especially of a tree-planting year. For example, 1973 was the year of the tree. Will he consider the introduction of a similar campaign so that we may replace some of the trees that have been lost over the years?

Mr. Robertson: I remember the Plant a Tree '73 campaign because I was in my second year at secondary school. My right hon. Friend the Secretary of State has pledged full support for an initiative to create a millennium forest in Scotland. The first tree in the £11.5 million first phase of the project, which will eventually result in millions of trees of various species taking root across the country, was planted by my right hon. Friend at Castlebrae community high school at Craigmillar in Edinburgh with the help of local schoolchildren. The initial phase consists of 45 different woodland projects from Orkney to the Borders, with half the cost being met by the Millennium Commission using national lottery funds.

Mr. Galbraith: Surely the Minister realises that the type of tree that is planted is not the only forestry issue. Of much greater importance is access to the land. What can he do to ensure that, for the foreseeable future, guaranteed access to afforested land will be maintained?

Mr. Robertson: My noble Friend the Earl of Lindsay, who is the Minister responsible for these matters, has been widening access throughout Scotland, and every effort is being made to secure agreements that guarantee access for the public on foot. Following the forestry review, the Forestry Commission has been encouraging local

authorities to respond positively to its open access agreements, allowing them more time to consider the agreements and offering to meet their reasonable legal costs.

Mr. Lord: Does my hon. Friend acknowledge that, while broadleaf trees add considerably to the countryside environment, they do not add a great deal to our forestry industries? The conifer has been much maligned in recent years, perhaps unfairly. The backbone of any successful forestry industry in Britain is the conifer. Will the Minister do all that he can to disabuse people of the belief that one can have a forestry industry based on hardwoods and try to get more conifers planted?

Mr. Robertson: Grants for new conifer planting were increased by nearly 30 per cent. on arable and improved land, and we expect the increased grants to give a major boost to conifer planting which, as my hon. Friend says, is important for investors in the wood-processing industry. There was an encouraging increase of almost 3,000 hectares in new conifer planting last year to about 9,000 hectares, 8,000 of which were in Scotland.

Mr. David Marshall: Does the Minister accept that, as a result of Government policy on tree planting and other issues, the people of Glasgow feel that the Government have simply abandoned the city? Will he accept an invitation from Glasgow Members to spend a day touring the city to see for himself the problems that are caused by the twin evils of unemployment and poverty? If he comes, he will see the hundreds of acres of derelict land which can be improved only by tree planting, be they broadleaf or conifer.

Mr. Robertson: Yes.

European Grants

5. **Sir David Knox:** To ask the Secretary of State for Scotland what is the total value of grants that Scotland has received from the European regional development fund since the fund's inception. [15788]

Mr. Michael Forsyth: Since 1975, £1.6 billion.

Sir David Knox: How does that compare with figures for other European countries?

Mr. Forsyth: There is a wide range—[HON. MEMBERS: "He does not know."] I do know. It is about 10 times as much as Denmark and considerably less than Spain.

Mr. Kirkwood: May I ask the Secretary of State an easier supplementary question? Will he acknowledge the concern in south-east Scotland about on-going job losses in the textile industry? Does he welcome the local authority's initiative to set up a working party to try to stem the flow of job losses? Will he undertake to use his influence and that of his officials to make best use of the ERDF and objective b funding so that the local authority's efforts to try to sustain and promote knitwear jobs in the Borders are developed and promoted with vigour?

Mr. Forsyth: I assure the hon. Gentleman that I have already done so, partly because of the representations that he has made. I have asked Scottish Enterprise to look at the matter. He is right to point out the difficulties in the textile industry. We are considering carefully the European scheme called RETEX with a view to providing increased support. I agree that the Borders area has considerable scope for inward investment. It is often suggested that unemployment in the Borders is such that the area should not be a priority. I do not agree with that view. Many people are having to commute out of the Borders to find work. My hon. Friend the Under-Secretary responsible for industry is very much aware of the particular difficulties in the textile industry. I am sure that he and Scottish Enterprise will have moved things forward since I last raised the matter. As the hon. Gentleman has raised it, I shall certainly try to arrange a discussion soon to find out what progress has been made.

Mr. Bill Walker: Will my right hon. Friend confirm that the United Kingdom pays much more into Europe in taxation than we get back? Therefore, whatever we receive from the European Union is United Kingdom money coming back. I would describe it as laundered and devalued.

Mr. Forsyth: I was agreeing with my hon. Friend up to his last phrase. It is certainly true that we are net contributors to the Community. There is no such thing as European money. It is our money coming back to us under a variety of schemes for which I have to make public expenditure provision in the Scottish Office block. It does not come from nowhere. We have to make provision for it in the Scottish Office block and, as such, it is given priority alongside other expenditure on health, education and so on. So my hon. Friend is right in that respect.

The money also comes back on the basis that it represents additional expenditure. In that respect, I think that my hon. Friend will join me in recognising the good work that has been done under various European social fund and ERDF schemes in helping to make Scotland competitive and helping communities—especially fragile communities—meet the needs of competitiveness and put in place the infrastructure services that they need to improve the quality of life for their local people.

Mr. Home Robertson: Will the Minister address the problems in areas that do not have access to European funding because they are not included in his Department's map of assisted areas? He will be aware that my constituency has just suffered 252 job losses at Lothian Electric Machines in Haddington because of the actions of IBM in that part of the world. He must surely recognise the urgent need to create new job opportunities in areas such as East Lothian. Will the Scottish Office review assisted areas boundaries?

Mr. Forsyth: As I am sure the hon. Gentleman knows, such matters have to be agreed. Scotland receives a very generous allocation. As the answer to the question asked by my hon. Friend the Member for Staffordshire, Moorlands (Sir D. Knox) made clear, we receive a very substantial share of ERDF funds, for example, compared with the rest of the United Kingdom. I remind the hon. Gentleman that unemployment in Scotland has been below the UK average for almost four years. Having said that, I shall certainly look at the problems in his constituency as a result of IBM's decisions and ask

Scottish Enterprise to see whether further assistance can be provided. I cannot offer any prospect of redrawing the map, or getting agreement in Brussels for so doing given the good deal that we have at the present time.

Mr. Duncan Smith: Bearing in mind my right hon. Friend's answer to our hon. Friend the Member for Staffordshire, Moorlands (Sir D. Knox), does he agree that one problem is that the Commission constantly insists on spreading the propaganda that it is the Commission's money going to various places across the United Kingdom, not least Scotland?

Will my right hon. Friend undertake to ensure that no European flag appears on projects that have received any of that money? If that suggestion is beyond the pale, perhaps he will ensure that the Union Jack—whose size should be in direct proportion to the amount of money coming from the British taxpayer—is flown next to any European flag.

Mr. Forsyth: I do not know whether my hon. Friend would allow me to substitute the saltire for the Union Jack. It used to be the case that the Commission was rather anxious—and would often make it a condition of support—that the European flag was flown to acknowledge the involvement of the Community. That is not something that the Government do when we provide support. I shall certainly bear my hon. Friend's suggestion in mind. I am always happy to fly the flag whenever there is an opportunity to do so.

Hospital Trusts

6. **Mr. Connarty:** To ask the Secretary of State for Scotland when he will next meet the health service executive for Scotland to discuss standards of service in hospital trusts. [15789]

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): I have regular contact with officials of the national health service management executive. It is for health boards to monitor standards of service in hospitals through their contracts with trusts.

Mr. Connarty: Can we now expect an improvement in the standard of service at the Falkirk royal infirmary, with an end to the unsavoury political relationship between the Secretary of State and the chairman of the Forth Valley health board with the welcome and timeous resignation of the chairman, Mrs. Iris Isbister? As the Secretary of State has arranged to kill off the messenger, can there now be a different message and an end to the bias against Falkirk royal infirmary, whose services have been centralised in Stirling, despite the recommendation in 1988 that centralisation should be in Falkirk?

Will the Minister start to act like a Minister responsible for health and arrange for the children's ward at Falkirk royal infirmary to be re-opened at least until the conclusions of the acute services review in 1997? Or will he look for somebody else's skirts to hide behind now that Mrs. Isbister has gone?

Lord James Douglas-Hamilton: The hon. Gentleman's comments are uncharacteristically petty. Mrs. Isbister has been a thoroughly dedicated chairman, representing the best interests of the whole of the Forth Valley area. She has reduced waiting times and improved services. I want to make it clear to the hon. Gentleman that paediatric staff are available at Falkirk royal infirmary on a 24-hour basis and are able to give a clinical evaluation and to stabilise children's conditions.

What has happened is that three paediatric consultants have retired, resulting in a temporary centralisation of services. The preferred option will be announced by the health board in due course, through consultation, and the matter will then come back to me for a decision. Throughout, the best interests of the children will be the paramount consideration.

The hon. Gentleman should bear in mind medical concerns. The British Paediatric Association said that

"no consultant paediatrician should have to provide on-call cover for more than one acute paediatric unit."

The hon. Gentleman supports centralisation, but he wants it at a certain hospital. I have already told him that there is a temporary solution and that the final recommendation will come to me for a decision, after consultation.

Mr. Stewart: Does my hon. Friend agree that since 1979 the number of doctors and nurses in the national health service in Scotland has increased substantially? Is not that meaningful and is my hon. Friend in a position to give the figures to the House?

Lord James Douglas-Hamilton: My hon. Friend is absolutely right. Since 1979, the number of hospital doctors has risen by 1,100. Indeed, the number of doctors has increased every year. There are also 7,000 more whole-time equivalent nurses, which has resulted in an improvement in care. We want waiting times to be reduced even further and we are determined to work to that end.

Dr. Godman: When the Minister's officials meet representatives of the executive, I hope that they will discuss the issue of the treatment that has been meted out to patients who have suffered because of clinical misjudgment or neglect. May I remind him that there are still women in the Inverclyde area who are seeking legal redress for the disgraceful treatment they received some years ago, as a direct result of the cervical smear programme scandal? Why does that relatively small number of women still have to suffer the indignity and humiliation of that interminably long legal process before they receive reasonable compensation? Why does not he do something about it?

Lord James Douglas-Hamilton: The hon. Gentleman will appreciate that I cannot comment on a legal action once it is under consideration. I can tell the hon. Gentleman that we have instituted a new complaints procedure that should ensure that the patients—it is a small minority—who have legitimate complaints are dealt with quickly and effectively and that they can take the matter further if they do not receive a satisfactory response.

Industry

7. **Sir Hector Monro:** To ask the Secretary of State for Scotland what discussions he has had with the

Confederation of British Industry in Scotland in respect of (a) new investment in industry and (b) expansion of existing industry in Scotland. [15790]

Mr. Michael Forsyth: On the last occasion that I met with the CBI, we discussed a range of issues.

Sir Hector Monro: Does my right hon. Friend agree that the continual running down of Scotland and the Scottish economy by the Labour party does nothing to help our country? Does he further agree that the fact that ICI is investing £60 million in Dumfries and that Pinney's is investing £6 million in Annan shows that the time is right for investment, and that those companies see that our economy is sound?

Mr. Forsyth: I entirely agree with my right hon. Friend. I am delighted by ICI's investment in Dumfries, which is very good news for the future, and by the investment and export achievements of businesses in Scotland. We are now exporting more per head than Japan, and about 40 per cent. more per head than the rest of the United Kingdom. Our manufacturing output and exports are up. That is a great success story, and yet Opposition Members talk about the decline of our manufacturing base and the run down of Scotland's economy. Scotland is a success story because of the success of our policies, and it is high time that Opposition Members admitted it.

Mr. McKelvey: When the Secretary of State spoke with the CBI, did he have the opportunity to describe the success of the all-party Scotch whisky group, which is headed by the Secretary of State, when it made representations to the Chancellor of the Exchequer to cut the price of Scotch whisky, only to learn that the manufacturers have increased the price of Scotch whisky and wiped out that opportunity of a price reduction?

Mr. Forsyth: The hon. Gentleman does a great deal on behalf of the Scotch whisky industry in Scotland, which is an important exporter with exports worth about £2 billion. He is right to point out that there has been a price increase, which has, more or less, had the effect of taking out the advantage of the reduction in duty provided by my right hon. and learned Friend the Chancellor—who was the first Chancellor in 100 years to reduce the duty on whisky.

In his Budget speech, the Chancellor pointed out the importance of the tax level to the Scotch whisky industry and to its competitiveness in export markets. The hon. Gentleman is right to point out that there has been a price increase in the domestic market, but the advantage and importance of the reduction of duty for the competitiveness of Scotch whisky in export markets remains. All has not been lost by the price increase. I am sure that the hon. Gentleman shares with Conservative Members the regret that we will have to pay more for our whisky in the domestic market than seemed to be the case after my right hon. and learned Friend made his reduction in duty.

Mrs. Adams: When the Secretary of State is talking about inward investment in Scotland, would he care to tell my constituents why, since his Government came to power, we have lost 85 per cent. of our manufacturing jobs in the Paisley postcode area—that figure was provided by the hon. Member for Eastwood (Mr. Stewart)—and why the Government have never put a special economic initiative into Renfrewshire, which has suffered death by a thousand cuts from the loss of jobs in the manufacturing industry?

Mr. Forsyth: The hon. Lady proves the point made by my right hon. Friend the Member for Dumfries (Sir H. Monro). She is focusing on particular areas of difficulty, which is understandable, while not acknowledging the spectacular success in Scotland as a whole. If the hon. Lady would like to see the Under-Secretary of State for Scotland, my hon. Friend the Member for Kincardine and Deeside (Mr. Kynoch), he would, I am sure, be delighted to talk to her about the possibility—[HON. MEMBERS: "A waste of time."] If the hon. Lady's attitude is that it would be a waste of time, she may recognise why Opposition Members are not aware of the spectacular successes that have been achieved by local enterprise companies throughout Scotland, not least in Renfrewshire, by getting out there, selling their areas and bringing in jobs. The hon. Lady should play a part in that.

Mr. McFall: When the Secretary of State next meets the CBI, will he discuss issues affecting industry, such as local government reorganisation? Is he concerned by this week's Fraser of Allander report which states that 15,000 local authority jobs could be lost in the short term? His belated attempts to save 700 jobs at Cummins, welcome as they are, will be dwarfed 20 times over by the job losses. Does he not realise that the name of Forsyth will be indelibly linked with the painful cuts and savage job losses being experienced by every community in Scotland?

Mr. Forsyth: People in local government deserve rather better than Opposition spokesmen who go round the country talking as the hon. Gentleman does. If he and his party are prepared to put up more money for local government and to commit themselves to that, they should say so. They should not go round the country pretending that they would provide money when they are not prepared to put up taxes and when they abstained in the vote on our tax cuts. When Labour Members are asked where the money would come from, they sit, if I may coin a phrase, like limpets on the Front Bench.

Unemployment

8. **Mr. Simon Coombs:** To ask the Secretary of State for Scotland what are the latest percentage figures for unemployment in Scotland; and what is the average for the EU. [15792]

Mr. Michael Forsyth: Unemployment in Scotland is about 1.5 per cent. lower than the European average.

Mr. Coombs: Has my right hon. Friend noticed that non-wage labour costs in Scotland are 50 per cent. lower than those in France and Spain? Has he also noticed that in those two countries, unemployment is between 50 per cent. and 300 per cent. higher than it is in Scotland? Does he imagine that companies such as Chunghwa Picture

Tubes would have brought 3,300 jobs to Lanarkshire if the social chapter and the national minimum wage were imposed on Scotland as they are on France and Spain?

Mr. Forsyth: I quote a socialist, Jacques Delors, who said that Scotland and Britain would be a paradise for inward investment if we were allowed to opt out of the social chapter. Out of the mouth of a socialist, we have confirmation that the socialist policies of the social chapter, the minimum wage and the tartan tax, to which Opposition Members—I mean Members of all Opposition parties, not just the Labour party—are committed would indeed destroy inward investment.

My hon. Friend is absolutely right to draw attention to the fact that the countries which follow those socialist policies have a poorer record on job creation and on the proportion of the work force in employment than this country. The price of the Opposition's policies will be paid in lost jobs by the people of Scotland if the Opposition are ever given an opportunity to put their policies into practice in central Government.

Mr. Donohoe: Just when will the Secretary of State concede that the only tartan tax there has ever been in Scotland was the poll tax, for which he was responsible?

Mr. Forsyth: I agree with the hon. Gentleman that the poll tax or community charge was introduced in Scotland a year ahead of its introduction in England. Labour Members campaigned strongly against that, arguing that it was an outrage that Scotland should have to pay a tax ahead of England. Yet the same Labour Members propose that Scotland should have to pay a tax year after year after year—a tartan tax and a tax on Scotland's jobs. That is Labour policy. Labour Members are now going round saying that the Conservative party is telling lies about the tartan tax.

Labour's partner in the constitutional convention, the leader of the Labour party, the right hon. Member for Yeovil (Mr. Ashdown)—[HON. MEMBERS: "The Liberal Democrat party."] I should have said, the leader of the Liberal Democrats. He was on Scottish television only last Sunday committing himself to spending the tartan tax. Here we have it. One group of the partners denies that the tartan tax exists while the other group in the constitutional convention is busily spending the money even before a Scottish Parliament has been set up. A tartan tax would be a disaster for jobs in Scotland and the hon. Gentleman is right to point out how unfair it would be.

Mr. John Carlisle: This is the first time in 17 years as a Member of Parliament that I have attended Scottish Question Time, and it has been pretty depressing to hear the whingeing and whining from Opposition Members who are constantly asking for money and disparaging the excellent work of my right hon. Friend the Secretary of State. May I tell my right hon. Friend that as a representative of a small company that is trying increase the number of jobs in our part of Scotland, we will continue our efforts despite the attitudes and policies espoused by the Opposition?

Mr. Forsyth: I am grateful for my hon. Friend's commitment to creating jobs in Scotland. If he comes to Scottish Question Time regularly, he will find that it is something of an acquired taste.

Mr. McAvoy: Does the Secretary of State appreciate that one of the big disincentives to creating employment in my constituency is the chromium waste sites throughout Cambuslang and Rutherglen? He has referred to Scottish Enterprise. Could he explain to my constituents who will pay for the clearance of those sites, bearing in mind the so-called voluntary 7 per cent. cut in Scottish Enterprise's funds?

Mr. Forsyth: The hon. Gentleman is right to point out that a reduction in Scottish Enterprise's budget means that the scope for additional expenditure is clearly limited. My complaint is not with the hon. Gentleman, but with his Front-Bench colleagues who attack us for reducing the Scottish Enterprise budget by 7.5 per cent., when Scottish Enterprise is prepared to maintain all services and outputs within that budget.

Mr. Connarty: It has cut the training budgets.

Mr. Forsyth: The hon. Gentleman says that Scottish Enterprise has cut the training budgets, but it is to maintain the levels of training. That is the kind of attitude that we want to see.

Mr. Connarty: That is impossible.

Mr. Forsyth: It is not impossible—it is about operating an efficient public service, and that is what Scottish Enterprise is doing. The hon. Member for Glasgow, Rutherglen (Mr. McAvoy) cannot argue for more money for local government—we have given local government £26.5 million extra, money which came from Scottish Enterprise—while complaining about a reduction in Scottish Enterprise's budget. He is complaining about priorities and, in this case, the money has gone to local government. On his particular point about dealing with land pollution, I will be happy to discuss that with Scottish Enterprise and I will write to the hon. Gentleman.

Mr. McAllion: Does the Secretary of State understand that unemployment in Scotland is set to increase next year by a minimum of 4,500 as a direct result of the cuts that he is imposing on Scottish local government? He seems determined to destroy those jobs, as well as the many thousands of other jobs that depend upon locally provided services in Scotland. How can he come to the Dispatch Box and pose as the defender of employment in Scotland, when the truth is that he is the destroyer of jobs in Scotland? He is not so much the Secretary of State for Scotland as the Secretary of State for continuing and rising mass unemployment in Scotland.

Mr. Forsyth: The hon. Gentleman got his knuckles rapped for suggesting that the £395 million of extra expenditure that he wants to go to local government could come from the health service. If we were to take £395 million out of the health service budget, some 15,000 nurses and doctors would be made redundant in Scotland. The hon. Gentleman must get it into his head that the role of local government is to provide services, and not to provide employment. If the hon. Gentleman thinks that taking £395 million out of the Scottish Office budget would not result in job losses, he is living in a dream world. The hon. Gentleman must recognise that efficient local government is part of competitiveness, and competitiveness is essential to job creation in Scotland.

Special Education

11. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland what plans he has to ensure continued funding for centres offering special education opportunities to children after local government reorganisation. [15795]

Mr. Raymond S. Robertson: Each new council will take over the existing statutory duty to secure adequate and efficient provision of school education and will, like their predecessors, have substantial resources available for all aspects of that education.

Mrs. Michie: Is the Minister aware that a real threat hangs over the educational residential outdoor centres in my constituency, particularly Achnamara, Castle Toward and Caol Ruadh? If they close, 60 more jobs will be lost in Argyll and underprivileged, deprived children with special needs from Glasgow, Lanark, Renfrew and Ayrshire will not have access to such places. Will he give an undertaking that those excellent centres will not be sacrificed on the altar of so-called cost efficiency savings?

Mr. Robertson: We announced arrangements for the transfer of property from the existing local authorities to the new councils last September. There is no reason why a smooth transfer of the ownership of the outdoor centres should not go ahead. If the hon. Lady has any cause for real concern or particular problems that she would like to discuss with me, my door is open to her. The Property Commission has been established to resolve any disputes. Where authorities value the facilities provided, I do not see why new authorities could not or would not make the appropriate arrangements to share them. I am sure that they will want to ensure that children from their areas have the widest opportunity to participate in the stimulating environment that such centres have provided and, I believe, will continue to provide.

Mr. Bill Walker: Will my hon. Friend confirm that there are some 300,000 surplus places in schools in Scotland? If so, is there not substantial room for reorganisation to provide a better service at a better price?

Mr. Robertson: My hon. Friend is right to point out that the Accounts Commission identified some 300,000 surplus school places in Scotland. It qualified that by saying that once geographic, denominational and other factors were considered, the figure would be lower. However, there is substantial scope for serious rationalisation of school places in Scotland. I hope that the new authorities that will come into force on 1 April will take the opportunity to consider the issue sensibly and realistically while at all times involving the parents of the children concerned.

Mr. Macdonald: Is the Minister aware of the concern that the special provision for Gaelic-medium education may be affected by local government reorganisation? When will the Government respond to the report of Her Majesty's inspectorate on Gaelic-medium education that came out two years ago? Will he undertake that payments under the specific grants scheme will continue to be made after reorganisation and into the foreseeable future?

Mr. Robertson: I can assure the hon. Gentleman that the Government are wholly committed to Gaelic education. I have had a series of meetings, as has my noble Friend the Under-Secretary of State for Scotland who is responsible for Gaelic language issues, with interested groups over the past few months. We are considering the HMI report on the future of Gaelic education and I hope to be able to announce positive recommendations in the near future. I can confirm that the specific grant for Gaelic education will continue and that next year it will be £1.9 million.

Mrs. Liddell: Will the Minister reconsider his reply to the hon. Member for Argyll and Bute (Mrs. Michie) because he has addressed only part of the problem? A significant problem for Scotland's new local authorities will arise from the provision of pre-five special needs education. The Chartered Institute of Public Finance and Accountancy figures for provision of special needs places suggest that it costs £16,214 to provide a pre-five place for a child with special needs; the nursery voucher is for £1,100. Who is to pay the difference: is it to be the parent or the local council? Will he explain why on 25 November, officials of South Lanarkshire council were told by Scottish Office officials that the private sector would not be expected to make pre-five special needs provision because it would be too costly and that local authorities would have to provide for those needs? Is the local council tax payer being asked to subsidise that vital service to protect private sector profits?

Mr. Robertson: The hon. Lady should not write her questions before she comes into the Chamber. The hon. Member for Argyll and Bute (Mrs. Michie) was talking about not special educational needs but the future of outdoor centres in her constituency. The hon. Member for Monklands, East (Mrs. Liddell) should know that the same funding mechanism for children with special educational needs will apply after 1 April. Where the fulfilment of their statutory duties to children with special educational needs requires the involvement of particular support services, the new authorities will be well placed to arrange it.

Residential Homes

14. **Ms Rachel Squire:** To ask the Secretary of State for Scotland if he will make a statement on registration and inspection procedures for nursing and residential homes. [15798]

Lord James Douglas-Hamilton: A project is under way to produce national standards for the inspection and registration of nursing homes to assist health boards in the discharge of their statutory responsibilities. A Scottish Office working group is also reviewing registration and inspection procedures for residential homes, and will be reporting shortly.

Ms Squire: What specific action does the Minister intend, and what additional resources will he provide, to ensure that vigorous and effective inspection procedures have been established by 1 April, when the new councils come into effect? Will he encourage all councils and, indeed, health boards to follow Fife's example, and establish joint inspection units dealing with both residential and nursing homes?

Lord James Douglas-Hamilton: The Scottish Office and health board general managers working groups are

considering the possibility of joint registration of establishments. We give guidance to local authorities, including guidance to enable them to fulfil responsibilities. As for resources, I am glad to report that more than £265 million has been allocated for spending on residential and nursing homes in 1996-97, and that an additional £39.5 million will be added to the DSS transfer to local authorities for the continuation of community care responsibilities. The total is expected to be around £300 million, most of which is expected to be spent on the residential sector.

Mr. Dalyell: On a point of order, Madam Speaker.

Madam Speaker: Order. Points of order are dealt with after statements.

Millennium Exhibition

3.31 pm

The Secretary of State for National Heritage (Mrs. Virginia Bottomley): With permission, Madam Speaker, I should like to make a statement to the House about the millennium exhibition.

The Millennium Commission, of which I am chairman, announced this morning its preference to hold an exhibition, based on the theme of time, on the Greenwich peninsula in the year 2000. Following consultation, the commission announced last year its aspirations for a national exhibition to provide the focus for the celebrations of the year 2000. The commission believed that there should be a single shared experience for the whole nation as we move into the 21st century, and that we should celebrate our achievements, abilities and potential as a nation.

The commission, with only grant-giving powers, needed to identify a location and an organisation capable of producing an event that would meet the commission's aspirations and justify the expenditure of lottery money. The commission therefore conducted two separate competitive processes, to identify the potential site and the potential operator. In January, it announced that it had decided not to proceed with the Derby or Stratford sites, and that it had asked Imagination Group Ltd. to develop further its proposals for the exhibition, to enable the commission to make a fully informed choice between the two remaining sites—the national exhibition centre and the Greenwich peninsula. Today's announcement by the commission takes the process closer to a firm commitment to finance an exhibition.

The commission was impressed by the NEC's potential: it was at the heart of the country, was well networked and had a sound operational track record. The strength of local support and the dedication and commitment of the team greatly impressed the commission; I pay tribute to that. The commission decided, however, that Greenwich offered the greatest potential as the site for an exhibition that would meet the commission's aspirations, allowing more people to see a more exciting presentation of the exhibition theme based on time. The chosen site is on the prime meridian, and the Imagination proposals for Greenwich feature "The Circle of Time", adding a potential dramatic landmark.

Moreover, the Greenwich peninsula could enable the commission to deliver a substantial legacy by regenerating an important part of south London through a potential permanent entertainment and leisure development, together with residential and retail space. It could also stimulate the further regeneration of the remaining British Gas landholding on the peninsula. That would represent excellent value for grant.

I stress that the celebration will not be confined to Greenwich; there will be a nationwide programme. The programme organisation will begin later this year. In 1997, we will see the development of a series of regional centres to shape the content of the exhibition. Artistic, scientific, historical and sporting components will be incorporated into the millennium exhibition. In 2000, each region will own a week in the millennium exhibition programme and will deliver its vision of the new millennium. The exhibition will be presented in 12 themed pavilions, each focusing on a different interpretation of time—such as "Action Time" and "Past Time"—with parallel entertainment, education and activity programmes.

The commission is inviting Sir Peter Levene to examine the work completed to date and the work that Imagination, British Gas and English Partnerships are undertaking, and to provide advice to the commission by its May meeting as to whether a sound and commercially viable proposal is deliverable. If so, the commission expects to confirm the grant, partnership funding, planning and other implementational issues by September. British Gas will now proceed with site decontamination and preparation works on the Greenwich peninsula.

For the first time, the commission has made public its financial commitment to the exhibition—in principle, it is willing to commit up to £200 million in lottery grant to the exhibition, and the remaining capital and operating costs will be raised from other sources. The commission stressed that the exhibition depends on the private sector to deliver its full potential. The commission will need to be fully satisfied of the viability of the whole project, including the firm commitment of private sector support, before confirming its grant decision.

The exhibition is the single most significant event to be funded by the national lottery. The lottery is already helping to regenerate the cultural fabric of the country, providing financial assistance to projects that develop social cohesion by bringing people together to participate in sport, the arts and heritage projects. It is changing the landscape for community involvement.

With a project of this scale, it is inevitable that there will be implications for Government. In order to ensure that the Government's participation is well planned and co-ordinated, my right hon. Friend the Prime Minister has today announced that he has asked my right hon. Friend the Deputy Prime Minister to convene a ministerial group that will have the task of overseeing the Government's role and taking forward the necessary planning of any Government involvement in this event.

This unique opportunity to stage the millennium exhibition would not be possible without the contribution from the national lottery, which has already brought benefits to people across the country. It provides the means by which the dreams and aspirations of the people can find their realisation. Future generations will look back on the millennium exhibition as the time and the place when the United Kingdom showed the world just what we can achieve, working together as a nation to leave a truly lasting legacy for the future.

Dr. John Cunningham (Copeland): The right hon. Lady has made an important statement about one of the largest projects that we shall see in Britain over the coming years. She and her fellow commissioners had the unenviable task of deciding between the merits of excellent proposals from competing cities. There are natural and understandable disappointments as a result of the decision, particularly in Birmingham and throughout the west midlands.

A decision has at last been taken—after a somewhat extended and perhaps even byzantine process—during which time those hoping to host the exhibition could not discuss their proposals with those hoping to operate it, and vice versa. I am sure that hon. Members would like to know why that convoluted process was introduced.

Today the right hon. Lady has made it clear to hon. Members that there is still no certainty that a viable project has emerged. It might be described as a chronicle of wasted time. However, many people share the view that Greenwich is an appropriate choice for the home of the exhibition, as the meridian has been used as the basis of international time reckoning for over 100 years.

May I make it clear to the Secretary of State that we recognise the huge potential of the millennium exhibition, not simply for Greenwich or even London, but nationally and internationally? It will be of key importance for Britain and for our economy, directly through tourism and, indirectly as a shop window for Britain, especially as Britain's and London's cultural, creative and innovative industries will have an opportunity to develop further there.

Which Ministers and Government Departments will be represented on the proposed ministerial group that the right hon. Lady mentioned? What co-ordination will take place between those Departments? What will be the relationship of that group with the Millennium Commission? Is the group taking charge of the project rather than the commission? If so, that makes it a political matter, when the purpose of the commission was to establish a non-party political approach to what was being proposed. Is not it, to say the least, curious that the Deputy Prime Minister is to chair that ministerial group, rather than the right hon. Lady? What is the explanation for that?

I must express our best wishes to Councillor Len Duval, his team in Greenwich and Greenwich Millennium Trust, on their success in winning this project. How will the Government respond to the trust's proposal that a guarantee should be given that the Jubilee line will be operational at the time of the exhibition, that a river boat service from central London to Greenwich will be provided and that there will be a connection between Greenwich and the British Rail network, perhaps by the construction of a tramway system?

Is not the proposal that the millennium exhibition site be a car-free zone very appropriate in the circumstances? But is not it essential that those public transport infrastructure developments are completed and operational in time? If that is not so, is not the right hon. Lady's claim that this will be a truly national exhibition likely not to be fulfilled as we would all wish it to be?

Can the right hon. Lady tell us more about the proposed regional centres, which will be part of the exhibition? Where will they be located, when will the sites be identified and what process will be used to decide on them? How long does she plan the exhibition to last?

What thought has been given to the potential long-term gains for Greenwich, London and the nation of such huge investments? Half a billion pounds in total—some people estimate even more—will perhaps be invested in the project. Surely we must construct buildings of quality, which will stand the test of time, as this country did in 1851 in south Kensington and again in 1951 with the Royal Festival hall. It does not create much confidence in the decisions that have been announced today, when we are curiously left uncertain as to whether the Government can ensure that the proposals will actually come into being.

Mrs. Bottomley: I thank the right hon. Gentleman for his overall recognition of the complexity and difficulty of the decision that has been taken and of the special role that Greenwich can play, not only nationally but internationally. It was a difficult decision, but it was the commission's ultimate view that Greenwich offered the opportunity to leave a landmark development on that significant Thames-side site, provided a great impetus for the regeneration of the derelict site on that peninsula and offered the potential to create new economic opportunities for a depressed area. Like the right hon. Gentleman, we believe that the potential for tourism is important, not only nationally—15 million visitors are expected—but internationally.

Further details of the proposals are yet to be announced. I shall have to leave many of the precise elements to imagination to announce itself in due course. One of the strong themes of the concept is the regional component, and different parts of the country will participate and contribute their own elements to the exhibition.

I appreciate the right hon. Gentleman's reference to the 1851 and 1951 exhibitions. We want our millennium exhibition and festival to exceed even those. The right hon. Gentleman asked about the ministerial group, details of which are set out in an answer from the Prime Minister this afternoon. It includes Ministers from the different countries of the United Kingdom and the Secretaries of State for the Environment, for Transport and for the Home Department. The intention is to co-ordinate support for the millennium exhibition, including questions of planning, transport, and crowd control and security.

Inevitably at times, with such an enormous project, it will be necessary to co-ordinate with the Government. We have set that in hand, but the Millennium Commission, as the right hon. Gentleman will know, is independent. It benefits from the contribution of a member who is the nominee of the Leader of the Opposition and, undoubtedly, the care and the rigour with which the decisions have been scrutinised by the commission cannot be overstated. I pay special tribute to the chairman of the festival committee, Simon Jenkins, who has taken an inordinate amount of care, time and trouble—with the rest of the festival committee—to reach the point at which we could announce the decision.

Mr. John Biffen (North Shropshire): As my right hon. Friend the Deputy Prime Minister is in the market for another job, may I suggest that he be directed to establish a millennium-free zone, to which all those may repair who do not want to be deafened and drenched by millennium mania in the next two or three years?

Mrs. Bottomley: I hate to fall out so strongly with such a respected and revered Member of the House, but I believe that the millennium is an important moment for the nation, because we have proud traditions and a great future also. Our nation should take the opportunity to celebrate our achievements, abilities and potential. I believe that the celebration will be a unifying event and greatly enjoyed by all.

Mr. Simon Hughes (Southwark and Bermondsey): Of course, it is right that there should be millennium celebrations up and down the land, but my colleagues and I wish to welcome the announcement that Greenwich has been chosen. It is the obvious and best site, and it will provide the most exciting opportunity for a lasting celebration for the local, regional and national good.

[Mr. Simon Hughes]

Can the Secretary of State confirm that we shall use the opportunity afforded by the announcement to ensure that the whole of the Thames, from Battersea and Vauxhall down to Greenwich, becomes Europe's leading arts, recreational and cultural centre? Can we ensure that the exhibition is truly a people's exhibition that all people can afford to visit?

Finally, it is an irony that the Government's greatest exhibitionist has been chosen to run the exhibition.

Mrs. Bottomley: I thank the hon. Gentleman for his recognition of the wonderful site for the exhibition. I think that it will be a great success, not only nationally but internationally. Many people endorse his vision of the Thames, and the national lottery gives us an opportunity to invest in many environmental improvements and projects of artistic excellence along the Thames. It is exciting to see that wonderful river being improved and restored and people taking opportunities to benefit from it. The hon. Gentleman is probably aware that some of the concepts involved in the festival at Greenwich will use the Thames as it should be used, which is as a means of transport.

Mr. Peter Brooke (City of London and Westminster, South): Given the high precedent set in 1851 and 1951, I sympathise with my right hon. Friend on the challenge with which the commission was faced. I congratulate the commission on the thoroughness and imagination of the consideration that led to the decision. I hope that the architecture will be worthy of the traditions of Inigo Jones and Sir Christopher Wren, so that the whole nation can unite behind making the exhibition a worthy successor to its great predecessors.

Mrs. Bottomley: I thank my right hon. Friend, whose diligence and foresight did much to set in place the work of the Millennium Commission and the ideas that it has initiated. I was slightly alarmed when I was passed his first document as chairman of the Millennium Commission, as it reminded the readers that the last millennium was presided over by Ethelred the Unready. We hope to be better prepared than that.

I take to heart my right hon. Friend's comments about architecture. I believe that the millennium should be a moment for recognising the past and celebrating the future. Good design in the buildings that are part of the exhibition and in all those buildings funded by the national lottery should be one of the key criteria.

Mr. Nick Raynsford (Greenwich): I thank the Secretary of State for her statement and for the decision that the millennium festival and exhibition should be located on the meridian line in Greenwich, which is the most natural place to celebrate the millennium in Britain. The decision will be warmly welcomed in an area that has suffered disproportionately from industrial decline and unemployment, because of the regeneration capacity and the scope for creating up to 10,000 new jobs. I put it to the right hon. Lady that a great deal of work will need to be done over the next three and a half years on a tight time scale, and I urge her to ensure that the Millennium Commission and the Government give their full support to all those in Greenwich who will be working flat out in the months and years ahead, to ensure that the exhibition is truly worthy of its predecessors in 1851 and 1951.

Mrs. Bottomley: The hon. Gentleman is right to identify the amount of work that remains to be done in order to bring this site of enormous potential into full life. The legacy of the river walks and the leisure, entertainment, residential and retail opportunities is formidable, but it will be a major task, with a tight timetable. I am confident that, with the good will of all the parties involved, we can achieve it.

Mr. John Butcher (Coventry, South-West): When my right hon. Friend said that the millennium should be

"a single shared experience for the whole nation"

does not that invite us to allow the nation, through a free vote in the House, to express an opinion on the two sites, closely contested as the decision was? I have no idea whether the people of Scotland, Wales or the north would prefer to go to London rather than Birmingham, but at least let there be a free vote after a short debate to look at the options.

Having spoken to some of the people in the design industry and some of the technologists who will be involved in the project, I can tell my right hon. Friend that there is already a fear that, if too much of the money available is spent on infrastructure and buildings, we may end up with a slightly tattier exhibition inside them than would be the case at the more cost-effective site in the midlands.

Mrs. Bottomley: I am not convinced that a vote in the House would be the most appropriate way of making the decision, although I would dare wager with my hon. Friend that, if hon. Members had to make a decision, they would all favour their own constituency and, following that, they would probably say that the capital city was as good a place as any in which to have the festival. That is simply a humble matter of conjecture. In a speech 18 months ago, the Prime Minister referred to the Millennium Commission's work and said:

"Never have so many advised so few about so much. And it will get worse. But since the Commission is a fiercely independent body, and will remain so, I do not regard myself as in any way disqualified from adding to their burden."

He was referring to matters other than where the site of the millennium festival should be, but his words were indeed prophetic.

Mr. John Maxton (Glasgow, Cathcart): Is the Secretary of State aware that there will be considerable dismay in Scotland, Wales and Northern Ireland at the total failure to recognise that there are nations within the United Kingdom as well as regions? Is she further aware that the vast majority of my constituents will be unable to go to the exhibition in Greenwich, even though I welcome the fact that there will be an exhibition there? Why on earth did we not have a multi-site exhibition at several of the major cities, including, of course, Glasgow?

Mrs. Bottomley: As the hon. Gentleman sees the plans unfold in the year ahead, I think that he will be reassured by the extent to which all parts of the country will be involved in the millennium exhibition and festival.

With regard to different projects in various parts of the country, I am reminded that only recently there was a major Millennium Commission announcement for Hampden park. I seem to remember that, last Friday, Cardiff Arms park heard that it was to receive £46 million. Indeed, all parts of the country are benefiting, and the Millennium Commission has announced a number of substantial projects in all parts of the country, not only in the capital city.

Mr. Toby Jessel (Twickenham): Is my right hon. Friend aware that there is no point in having a capital city unless it is treated as such? Is she further aware that the National Heritage Select Committee recently took evidence from the British Tourist Authority, that the great majority of potential foreign visitors want to come to London? That being so, the decision that has been made will result in more visitors coming to Britain, which will benefit the economy as a whole.

Mrs. Bottomley: It is my view that we should be proud of our capital city. It is a cultural, commercial and communications centre of very high quality, and the millennium festival will add greatly to the opportunities.

Mr. Jeff Rooker (Birmingham, Perry Barr): Will the Secretary of State confirm that the correct title under statute of English Partnerships, which has been bought into this, is the Urban Regeneration Agency, which is funded by £190 million a year of Government money? Will she tell us at what point and on what date urban regeneration became a key factor in the millennium exhibition? If it was a key factor, no one in the midlands would ever have bid for what in effect is a green-field site at the national exhibition centre. It naturally follows, therefore, either that the rules were misunderstood in the midlands or that they changed after the exercise began.

Will the Secretary of State further confirm, as she has not yet done so, that Imagination will be the operator at Greenwich, because at no time did it ever give details of the millennium exhibition at the Greenwich site out of choice? It did so only after Birmingham's bid, which was seen to be superior to the other operator, had been seen behind closed doors. It tried to transpose what it had done for the NEC to Greenwich. Will Imagination be the operator at Greenwich?

Mrs. Bottomley: First, to deal with English Partnerships, its work is to promote the reclamation and development of vacant, derelict and contaminated land throughout England, to stimulate local enterprise, create jobs and improve the environment. It acts primarily as an enabler, working in partnership with other bodies involved in urban regeneration. It is believed that its involvement in the scheme at Greenwich will enable the work to be completed in time for the millennium. The commission always took the view that the legacy from the exhibition was important. There are legacies of various kinds, but a legacy involving major regeneration and restoring the river walkways was one that captured the imagination of the commission.

Of course, Birmingham was not the only other site. My right hon. Friend the Member for Derby, North (Mr. Knight) was a vigorous champion of the Derby proposal. The site is magnificent, but the commission took the view that it was not possible to bring it forward to the short short-list. My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) has been a formidable champion of the NEC case and of the significance of the west midlands. The commission was aware of the great excitement and the pressure from people in various parts of the country to favour their particular sites.

Mr. Rooker: You changed the rules.

Mrs. Bottomley: Throughout, the commission has acted openly, fairly and swiftly in making a decision that it felt was right for the nation as we celebrate the new millennium.

Sir Norman Fowler (Sutton Coldfield): Is the Secretary of State aware that there will inevitably be great disappointment in Birmingham about the decision, but that that is as nothing compared with the anger that will be felt at the manner in which the decision was made, the latest example of which was raised by the hon. Member for Birmingham, Perry Barr (Mr. Rooker)? How does she explain why the corporation of London was briefed and allowed to announce the decision last Friday, when all other information of any kind was being refused point blank to the rival bidder? Is there any conceivable way in which Birmingham and the NEC could have won the so-called contest?

Mrs. Bottomley: I shall answer my right hon. Friend's last question first. Undoubtedly, the NEC might well have won the contest. It is well known to all of us as Ministers; it is accessible, provides an excellent service and is extremely popular. I can speak warmly of the constructive and co-operative approach of the team there. The decision was very finely balanced, but for reasons that I have set out, the commission's view is that the right place to hold the festival is Greenwich.

As for information becoming public, I am a mere novice in this place and in politics in general, compared with my right hon. Friend, and he will know how, with the best will in the world and the most careful preparation, information that one greatly wishes to remain confidential sometimes hits the public domain in advance. That is a source of great regret. However, the exhibition is an extremely complex matter and many different interests are involved. My right hon. Friend will know that keeping matters confidential is difficult enough even within Government, and I think that when one is taking forward plans involving so many different bodies, it is understandable how the information was released, much though I deplore the fact.

Mr. David Clelland (Tyne Bridge): Is the Secretary of State aware that one region that has not benefited from millennium funds is the northern region? One element of the exhibition that she described could be provided by the International Centre for Life, proposed by Tyne and Wear development corporation and supported by Newcastle university and Newcastle city council. That is the most innovative, futuristic and imaginative scheme yet put to the Millennium Commission, yet it has been inexplicably deferred. Will the Secretary of State look into that?

Mrs. Bottomley: I am aware of the project that the hon. Gentleman describes, because many of those involved in it were associates of mine in a previous job. It sounds an

[Mrs. Bottomley]

exciting project, but it must be well established, with funding properly settled, and several other issues must be resolved first. I must correct the hon. Gentleman about millennium funding, because Tyneside, for example, has received £5.7 million for the Smith's park regeneration project. I was in Newcastle only the other day, and I marvelled not only at the investment in the area and the regeneration taking place there, but at how much of that now revolves round arts, sports, heritage and the other cultural activities to which the lottery has made the most formidable contribution.

Sir Patrick Cormack (South Staffordshire): Does my right hon. Friend agree that, if the mantle of Prince Albert is to sit easily on the shoulders of my right hon. Friend the Deputy Prime Minister, it is important, first, that the buildings that house the exhibition are of pre-eminent quality and, secondly, that the exhibition is not dominated by gimmicks, but is a reflection of the best that this country has produced and can produce? Does she agree that the whole thing will be a total mockery unless the Royal Naval college at Greenwich is properly reprieved and remains a public building and institution through the next millennium?

Mrs. Bottomley: Far be it from me to deflect from the formidable contribution for which we hope from the Deputy Prime Minister, but his role as a member of the Millennium Commission is probably at least as significant as his role as chairman of the ministerial group. This is a highly complex, important project. Vast sums of money and a tight timetable will be involved and it is important to be able to streamline the relations with different Departments. The question of building design is given careful consideration, and the chief architectural adviser at the Department of National Heritage will shortly meet all the different lottery distribution bodies to discuss their measures, to ensure that the buildings constructed as a result of the national lottery are of high-quality design.

Mr. Andrew Faulds (Warley, East): How is it that this Government and previous Tory Governments always seem to make of any issue to do with the arts and the heritage—and we have only got to ask people who work in those areas—either a minor farce or a major tragedy? How does this arise time after time in this area? More specifically, would the right hon. Lady be prepared to receive representations from some of her colleagues as to an excellent project that is being thought up, which will be an illuminated statue trail all the way from the National gallery to the Tate gallery?

Mrs. Bottomley *rose—*

Mr. Faulds: A brief answer, please.

Mrs. Bottomley: It takes one to know one. The only major tragedy, of course, would be if the Labour party were ever in power. It seems to want only to cap the prizes and to increase the lottery's operating costs, which would mean that we would be unable to invest in these great opportunities. The hon. Gentleman refers to a statue trail, which is one of many exciting initiatives presented for lottery funding. I would be extremely sympathetic to it, but I am merely the humble chairman of the Millennium Commission, which is served by a group of independent-minded, wilful human beings who do not follow a three-line Whip from their chairman.

Mr. Michael Jopling (Westmorland and Lonsdale): Does the Secretary of State understand that many people in the north of England will not share in the grumpy noises that have been made on the Back Benches and that they will look forward to visiting the exhibition? They would much prefer to visit it in London than in Birmingham, which they think of as a place that people go through on the way to London. They will think it especially appropriate for the exhibition to be in London, remembering that 90 per cent. of lottery awards so far have been awarded to places outside London.

Will the Secretary of State give particular attention to the problem of Cumbria, which sits uneasily between the northern and north-west regions, to ensure that, when the regional role arises in 1997 and 2000, Cumbria has a special place, bearing in mind the magnificent future that it has?

Mrs. Bottomley: Although my right hon. Friend expressed sentiments with which I think many hon. Members would agree, perhaps he was unduly harsh about the joys of Birmingham. I think I made it clear that there were many strengths in Birmingham's bid, and it is certainly a magnificent city. I shall certainly bear in mind my right hon. Friend's comments about Cumbria. As we reach the first anniversary of the distribution of lottery awards, all the distributing bodies wish to be sure that every part of the country has benefited. It is remarkable that, although awards have been made for under a year, already 5,121 awards totalling £1,225 million have been made. That is a remarkable success story in a short time.

Mr. Roger Godsiff (Birmingham, Small Heath): Does the Minister acknowledge that the whole bidding process has been an absolute charade? Will she confirm that the decision about London was taken some time ago and that the excuses that have been trotted out about Birmingham and the other cities are merely to fit that decision? Will she explain the position of Imagination? Which site does it favour, bearing it in mind that it worked on the Birmingham bid and has now been brought into the London one? Were the bidding rules changed? Birmingham complied exactly with the time scale, but can the Minister explain why London was given additional weeks to put together its proposals?

Mrs. Bottomley: The commission has sought throughout to be absolutely fair and even-handed. It set a timetable that it knew was tight, but there was always the potential to ask for further information, to satisfy itself on additional points as it made progress. Imagination is a most exciting concept, involving "The Circle of Time" and the participation of all parts of the country. In its original presentation to the festival committee and the commission, it had worked up proposals for all the different sites that are involved. When the commission first saw the Imagination proposals, "The Circle of Time" plans had been worked out for the Greenwich peninsula.

Mr. Richard Tracey (Surbiton): I am sure that my right hon. Friend would agree that the decision is a

considerable tribute to the beneficial effects of the national lottery which, of course, was introduced by a Conservative Government. Will she go beyond the statement on the success of Greenwich and consider the frankly overdue enhancement of many of the benefits along the great River Thames? They include Bankside, the plans for the beautiful Battersea park by Wandsworth council, and the plans for further along the river by my own borough, the royal borough of Kingston upon Thames. That is all good news for London, which we should look at as a whole.

Mrs. Bottomley: It is indeed good news for London, and I note that a news release from London First today states:

"This is a unique opportunity to regenerate a major part of London and will provide a lasting legacy for the generations to come. As importantly, it will act as a springboard for London to lead the world into the next millennium."

Mr. Nigel Spearing (Newham, South): Does the Secretary of State agree that there are three other sites close to the chosen exhibition site, which could house associated activities? They are the Meridian site in West Ham, which is less than a mile away; the royal docks, which are 500 yd from the site; and, pre-eminently, Greenwich town. Will she answer the question of her hon. Friend the Member for South Staffordshire (Sir P. Cormack) and assure us that the premises of the Royal Naval college will be available during that period? Finally, because Greenwich is a measurement not only of time but of longitude 0 deg, will the right hon. Lady and her groups take suggestions about enlarging the millennium concept into the international and global spheres?

Mrs. Bottomley: The hon. Gentleman reminds me of some of the other sites involved, especially the Stratford site, which has enormous potential and where I have no doubt that considerable development will take place. I apologise to my hon. Friend the Member for South Staffordshire (Sir P. Cormack) and the hon. Gentleman for omitting to mention the Royal Naval college—a magnificent Sir Christopher Wren building. The hon. Gentleman will be aware that my right hon. Friend the Secretary of State for Defence is leading efforts to find a viable future purpose for that truly magnificent building. The hon. Gentleman is probably aware that we are proposing that it should become a UNESCO world heritage site. He will therefore understand to what extent my Department is involved in ensuring that that wonderful heritage is not only safeguarded but properly and fully used.

Mr. Peter Viggers (Gosport): Following that point directly, is my right hon. Friend aware that the Select Committee considering the Armed Forces Bill is tasked among other things with considering granting our right hon. Friend the Secretary of State for Defence the right to issue a 150-year lease for Greenwich hospital? Does she agree that her announcement should cause one to look more imaginatively at the whole Greenwich site, and perhaps consider joining the national maritime museum site and Greenwich hospital?

Mrs. Bottomley: My hon. Friend makes an exciting and interesting proposal. That site, on which was built a palace that became a hospital and is now a college, needs to find a new and practical purpose. I believe strongly that heritage should not be fossilised but used, visited and treasured. It is perhaps the most remarkable site in the country. If the plans for the festival involving the use of water transport make progress, very many more people will have the opportunity to see the site from the water as well as visiting it on foot. I shall pass on my hon. Friend's other suggestions to those who are more involved in the detail of the festival.

Mr. Terry Davis (Birmingham, Hodge Hill): If Greenwich and London were such natural and obvious choices, why was a competition held in the first place? Is the right hon. Lady aware that the fact that she could hardly keep her face straight when she read the statement will be taken as conclusive evidence that the competition was a farce from beginning to end?

Mrs. Bottomley: Of course, the hon. Gentleman is entitled to his opinion. I can say only that the Millennium Commission was extremely diligent about having a competition for the site and a separate debate about the operator. Fifty-seven potential sites were offered to host the festival, and four potential operators came forward. It was a very difficult decision. The hon. Gentleman sees an expression of delight on my face because very many hours of deliberation and debate have for the time being reached a conclusion. It is the right decision, and it will lead to a great deal of fulfilment and opportunity for the people of this country.

Mr. James Pawsey (Rugby and Kenilworth): Is my right hon. Friend aware that her announcement will be greeted with great disappointment in Birmingham and the west midlands? Birmingham is the nation's second city and a great deal more than simply an industrial or scientific centre. It has a growing reputation for culture. My right hon. Friend's announcement will do nothing to encourage Birmingham. Other hon. Members have said that people travel through Birmingham on the way to London. That is one reason why the exhibition should have been given to Birmingham. It would have established an alternative centre. My right hon. Friend should understand that there is life outside London.

Mrs. Bottomley: My hon. Friend is exactly right. I have here a list of 50 different lottery awards that have gone to the Birmingham area. Two are very substantial—one to the Ikon gallery and one to the City of Birmingham symphony orchestra. It is a very exciting and vibrant city, with a very good university. There is a great deal of activity. Although I regret that it has not on this occasion won the opportunity to stage the millennium festival, I am aware that it has submitted another very substantial millennium bid, for which it hopes it will receive tens of millions of pounds, for one of the flagship regeneration projects.

Mr. John Austin-Walker (Woolwich): In welcoming the commission's decision on what I see as the obvious site on the prime meridian in Greenwich, I also welcome the announcement that, although Greenwich will be the focus of celebrations, there will be regional and local celebrations also. Does the right hon. Lady share my view that not only should it be an opportunity for fun and

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enjoyment, but there should be a lasting legacy, and the Greenwich site provides that opportunity in terms of sustainable development and economic regeneration? Will she impress upon the Deputy Prime Minister, who is to chair the committee, the importance of sustainable development, of the tramlink, of the use of the river for public transport and of the regeneration of the arsenal site and its heritage proposals?

Mrs. Bottomley: I will. It was precisely the elements that the hon. Gentleman identified that persuaded the commission—difficult though the decision was—that the Greenwich site was the right place to have the festival. It will be a shared national experience, bringing together the successes of the past and our aspirations for the future, to provide hope and inspiration for us all as we enter the next millennium.

Madam Speaker: Thank you. We now move to the statement by the Prime Minister.

Northern Ireland

4.21 pm

The Prime Minister (Mr. John Major): With your permission, Madam Speaker, I will make a statement on the Anglo-Irish summit earlier today and its implications for the peace process in Northern Ireland.

The Taoiseach and I met in Downing street this afternoon and agreed a way forward set out in our communiqué, copies of which I hope by now will have been placed in the Library of the House. Let me summarise the main points of the approach.

First, both Governments condemn unreservedly the IRA abandonment of the ceasefire and subsequent acts of terrorism, and call for the immediate and unequivocal restoration of that ceasefire. Secondly, we have confirmed that the two Governments will have no ministerial dialogue with Sinn Fein until the ceasefire is restored.

Thirdly, we and the Irish Government will conduct further intense consultations with the parties between now and mid-March. After that, this Government will bring forward for consideration by this House appropriate legislation for the elective process and we will take other decisions necessary for the peace process to take place. As the communiqué makes clear, the Irish Government can support an elective process that is broadly acceptable.

Fourthly, both Governments reaffirm their commitment to all-party negotiations with a comprehensive agenda. These will be convened on 10 June, following a broadly acceptable elective process. Whether those negotiations will include Sinn Fein will depend on whether the ceasefire has been restored. Fifthly, we have agreed that, at the beginning of the negotiations, in order to build confidence, all participants, including Sinn Fein if the ceasefire has been restored, will need to make clear their total and absolute commitment to the principles of democracy and non-violence set out in the Mitchell report, and to address also at the beginning of the negotiations Senator Mitchell's proposals on decommissioning of weapons.

I believe that these agreements and commitments represent a balanced approach, to which I hope all the parties in Northern Ireland will feel able to subscribe. No one will find in there all that he may have asked for; equally, no one need fear that his basic interests and requirements are being overlooked.

The approach that the Taoiseach and I agreed marks out a clear route to all-party negotiations. We believe that this route is viable and direct. That is why we have set a firm date by which the negotiations will be launched. There is still the detail to be filled in, and some important issues to be settled. That is the purpose of the intensive consultations due to start next week and last until mid-March. But we now have the framework and a time scale to address and to decide these matters.

We are ready to meet all the parties in whatever format best suits them, but I repeat that there can be no dialogue between Ministers and Sinn Fein until the ceasefire is unequivocally restored. That, I must tell the House, is the position of the Irish Government as well.

The issues still to be settled include, first, the nature of the electoral system to be used in the elective process. There are strong views for and against different systems. Although the decision is for us, the British Government,

we first intend to explore and test all the options in discussions with the parties before coming to our decision on what seems most broadly acceptable. The second issue is the nature and role of an elected body that will come out of the elections. Again, there are strongly held views, although many believe that such a body has a role to play as a forum for peace. The third issue is the format, structure and agenda of the negotiations themselves.

We have been discussing these issues intensively with the Northern Ireland parties and with the Irish Government for some time. I should have liked to be in a position to announce agreement on these issues and to be able to publish detailed proposals today. There are, however, still gaps to be filled in.

If I judge that it would be helpful, I may put forward to the parties, and perhaps publish, specific written proposals during the consultations. At the end of that period, the two Governments will review the outcome. Whether or not final agreement on all issues can be reached during that period, let me make it clear that, at the end of it, the Government will put forward to the House legislative proposals for elections in Northern Ireland. Decisions on the other outstanding arrangements will also be announced.

These decisions will be taken on the basis of a judgment of what is most likely to be broadly acceptable to the parties and to the people of Northern Ireland. We have decided to act in this way to make it clear that the process cannot be held up further if, in the end, there is still a complete lack of agreement.

We are taking these decisions upon ourselves—together, where appropriate, with the Irish Government—because we do not believe that the overwhelming desire of the people of Northern Ireland for lasting peace will brook further delay. We are ready to fulfil our responsibilities.

There is one other aspect of the communiqué that I should bring to the attention of the House—the suggestion that there could be referendums in Northern Ireland and in the Irish Republic. These could be held on the same day as the proposed election in Northern Ireland. The aim would be to give the people of Northern Ireland the opportunity to speak clearly about their own commitment to peaceful democratic methods and rejection of violence.

The Government will consider further with the parties whether such a referendum would be valuable or not. There is clearly room for debate about what the question or questions should be in such a referendum, but we will listen to the views of the parties, and make our own views clear at the end of the consultation period.

Meanwhile, let there be no doubt on three points. The first is that there is no place whatsoever for violence or the threat of violence in the peace process or in the negotiations themselves. Those who advocate violence, or who do not dissociate themselves clearly from its use or the threat of its use by others, cannot expect others to go on sitting at the negotiating table with them.

Senator Mitchell's report sets out clear principles on democracy and non-violence, makes clear the priority to be attached to the decommissioning of illegal weapons, and makes proposals on how that can be tackled. These issues, however difficult, cannot be dodged. They will be on the table at the beginning of negotiations. If it becomes clear that any party is not committed to these principles and this approach, either at the beginning of negotiations or subsequently, in our view there will be no place for them at the negotiating table.

The second point is that there has never been any justification for terrorism or violence in Northern Ireland. These proposals and the firm commitment to all-party negotiations by a fixed date will remove any lingering thread of obfuscation and pretence about that.

The third point is that the battle against terrorism is being intensified. Co-operation between the British and the Irish Governments has never been better than it is at the moment. We will hunt down those responsible for the bombings and killings, and maintain security at whatever level is necessary to protect the citizens of this country as they go about their daily business. The people of this country and of the Irish Republic have made clearer than ever before their demand for an end to violence. That demand must now be met, and the people have the right to expect the violence to stop for good.

The search for peace has been much complicated by the resumption of terrorism on 9 February; but the Government said that we would not be deflected from our efforts, and we have not been. I am grateful for the support for our efforts that we have received from all parts of the House and across all parties. We and the Irish Government are united in our determination to stamp out terrorism and to bring a lasting peace. With the support of this House, I believe that we will succeed. But I must warn the House that the road ahead may yet be long and stony. The men of violence will not give up lightly. Among them are people who do not truly want peace as we in this House understand it.

As we go through the process leading to the negotiations, and as we take the difficult decisions that lie ahead, concerns will be raised from this or that side, and this or that interest. We will take account of all views, but we will not be deflected from our central objective, because the men, women and children of Great Britain and Northern Ireland demand no less of us. Their lives and their futures must be our first concern. I commend to the House this approach to negotiations and, ultimately, to a lasting and comprehensive peace.

Mr. Tony Blair (Sedgefield): May I welcome the statement, and the determination to try to put the peace process back on track? That is greatly to the credit of both the British and Irish Governments, and all the democratic parties in Northern Ireland. If, two weeks ago, optimism seemed somewhat incredible and hope completely out of place, at least today—although it is far too soon for optimism—there is some sense of renewed hope.

The statement has had to be put together quickly, and I wish to understand correctly two questions arising from it. First, how do we move forward to negotiations for a long-term settlement for Northern Ireland? Secondly, what are the essential minimum conditions before Sinn Fein will be allowed to participate?

On the first point, am I right in saying that the Prime Minister has now set 10 June as a firm date for all-party negotiations, and that multilateral consultations will begin almost immediately? If the consultations provide an agreement for a broadly acceptable elective process, do we then move straight to 10 June? If there is no agreement between the parties on a broadly acceptable elective process, will the Government bring forward their own

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plans on the basis of what they think is broadly acceptable? I simply ask the obvious question—what if it is not possible to reach a broadly acceptable process by either route?

Am I right in saying that the Prime Minister said that the Government essentially will listen to what the parties say on the subject of a referendum during the process, and will not give their own views until the end of that process?

The Prime Minister *indicated assent.*

Mr. Blair: On the legislation for the elections, I should say on behalf of the Opposition that, provided, of course, it is broadly acceptable to both communities, we will obviously facilitate the legislation and co-operate in getting it through the House.

Does the Prime Minister agree that, in a sense, we now have an agreement to have discussions to agree on a way forward, with at least the principle of an elective process being agreed—that is an achievement—if not the mechanism? Does he agree that we have such an agreement—rather than an agreement on the way forward itself—which at least maintains the momentum? Does he further agree that it will require not a compromise of basic principles, but give and take on the part of all parties if the consultations are to work?

On the second point—the position of Sinn Fein in relation to the process—I think that everybody wants the process to move forward. But the flow of democracy should not be stemmed simply because the IRA has chosen to revert to violence. Everyone would prefer Sinn Fein to be in the peace process provided it is genuinely committed to peace. Does the Prime Minister agree that it cannot, and will not, be allowed to drive the process—to seek to guide by violence what it cannot achieve through persuasion?

The bombings of past weeks were atrocities utterly without regard for human life. I want to be clear that we have understood the basis on which Sinn Fein may enter at any stage of the proceedings. Is it to be allowed to participate in the multilateral discussions if it calls a ceasefire? On the all-party negotiations, is it that, before it gains admission to the full-blown negotiations, it must accept the Mitchell six principles or is it rather that at the beginning of the negotiations to which it is to be given access, it must accept the six principles and address decommissioning as set out in Mitchell? We must be clear about that. It is also clear that, if there is any reversion whatever, or any threat of reversion, to violence during the course of negotiations, it goes out altogether. The Prime Minister said that it must address Mitchell on decommissioning; perhaps he could say a word or two about that.

Is it not right once again to repeat from this House that, now that all democratic parties in Northern Ireland and in the Republic—that is the important point—have agreed that the status of Northern Ireland will not change without the consent of the people, there can be no remote, residual justification, even on its own terms, for the IRA continuing any form of violence?

I acknowledge, as the Prime Minister does, that the road to peace is going to be tough. He has taken risks so far; the Irish Government have; all parties have. We have supported them over the peace process. We will continue to do so. It is the people who want peace—not at any price, not by giving in to violence, but they want peace so that the genuine debate about the future of Northern Ireland can be resolved by democratic means.

Over the past few weeks, lives have been lost, and I do not think that people will easily forget that—nor should they. If it should happen that a ceasefire is called again and restored immediately—as it must and should be—I hope that what the Prime Minister has outlined today, even in its most tentative stages, can offer the chance of building that peaceful future for all the people in Northern Ireland.

The Prime Minister: I am grateful to the right hon. Gentleman. I will try to meet the particular points that he raised.

Tenth of June is intended as a firm date for the start of negotiations. Multilateral negotiations between the parties will begin on the elective process on Monday. We will begin to discuss that on Monday. I hope that we are going to reach an agreement on a broadly acceptable elective process. If we reach agreement on that, we will bring forward that agreement for legislation.

If, as the right hon. Gentleman says, despite intensive negotiations, I am unable to reach agreement with the political parties on an elective process, I will make a judgment as to what I think is the best elective process and I will bring that proposition before the House of Commons and invite it to support that proposition. That is not comfortable. I do not wish to be in that position, but neither do I wish agreement on a mechanism to get us into all-party talks and to set up a possible future development to be held up by this dispute over the nature of elections.

I hope to reach agreement, but, if I cannot reach agreement, I shall bring forward what I think to be the best option, and I will invite the House of Commons to support me on that option, and the House will make its own judgment about whether it should. That is what I propose to do. I shall first, of course, have significant extra consultations.

The right hon. Gentleman said that the best way forward is with Sinn Fein as an inclusive part of the talks. Of course that is right but not, as he said about another aspect, at any price. The ceasefire has to be restored, and on the same terms that we had in August 1994. That is fairly clear, and it is set out clearly also in the joint communiqué.

Sinn Fein's entry to the all-party talks and how they will be structured was a point to which the right hon. Gentleman turned, and it is vital. Let me try to set it out.

First, for there to be any proposition enabling Sinn Fein to take part, there needs to be a ceasefire of the nature to which I just referred. After the elective process, in which there will be elections to the proposed forum, we anticipate that the party leaders of those elected would nominate from the forum members who would then act as their individual negotiating teams. The negotiating teams would meet. The first item in the negotiations would be the Mitchell principles in their wider aspect, including the points that need to be dealt with on decommissioning. That would be the lead item in the negotiations, which would begin on 10 June.

The right hon. Gentleman also raised a crucial point: what would be the position if violence were to restart after the negotiations had begun? I think that that has both a practical answer and the answer that the House would demand. The practical answer is that it would not be feasible for the other parties to negotiate with any party were violence to return: by that violence, that party would have voluntarily excluded itself from the negotiations. I believe that that would have the united support of all right hon. and hon. Members.

Therefore, the choice is with Sinn Fein. It must decide whether it remains an inclusive part of the negotiating process. I very much hope that it will put itself in a position to take part, and will keep itself in a position to take part, in the negotiations.

Let me reiterate what the right hon. Gentleman said about the status of Northern Ireland. I remind the House of the triple lock to which I have referred in the past, one part of which is that, at the conclusion of the all-party negotiations—on the presumption that there is an agreement at the end of those negotiations—that agreement, emerging from the all-party negotiations with the constitutional parties, would be put to a referendum of the people of Northern Ireland. Only thereafter would it be brought to the House.

The triple lock exists in the agreement among the parties to the negotiations—constitutional parties above all—in the agreement of the people of Northern Ireland in a referendum, and, on the back of those two agreements, in legislation brought before Parliament for its agreement. That is what we have referred to as the triple lock. It is to guarantee that the consent principle for Northern Ireland, which is widely accepted by almost every party and is self-evidently the will of the House, can be sure to have been met to the satisfaction of the people of Northern Ireland.

Mr. David Trimble (Upper Bann): It is now a month since the last statement on Northern Ireland—a month lost because of the opposition of the Irish Government and other parties to the democratic process.

I welcome the statement's reaffirmation of the need for Sinn Fein-IRA to commit itself to exclusively peaceful means. Does the Prime Minister agree that, in practice, that will be more difficult to achieve following the bombs in London? It cannot be made easier for Sinn Fein-IRA; otherwise, it will have gained from its terrorism. Consequently, we agree that establishing and honouring such a commitment to peaceful means by Sinn Fein-IRA must be the priority—the first item to be addressed and resolved.

Does the Prime Minister realise that, until that item can be resolved, we shall find it impossible to meet Sinn Fein face to face? Does he agree that, in this context, the idea of proximity talks could be useful? Does he accept that there can be no question of Sinn Fein's progressing beyond that first item on the agenda until the other parties are satisfied about the quality of its commitment to peaceful means?

Does the Prime Minister accept that the Mitchell proposals for decommissioning require legislative action in the British and Irish Parliaments, and that that must be done by both Parliaments before 10 June? Otherwise, there will be a serious problem.

Finally, we have grave reservations about the use of referendums, particularly any referendum that might give the false impression that the relevant political unit is the island of Ireland.

The Prime Minister: I am grateful to the hon. Gentleman for his comments, and I agree with him entirely: every day lost in this process, while there is uncertainty, is a tragedy. The impact of the renewed campaign of mindless violence in the last month is not only a disgrace, but makes it harder for those who seek peace to find a way in which it can be viably achieved. The hon. Gentleman is quite right in what he had to say about exclusively peaceful means, and equally right to state that it now makes it more difficult to persuade people that anyone is genuine in their intentions as a result of what has happened over the past few days.

The establishment of and the commitment to peace must be met and resolved. The Mitchell report sets out a way forward, and we believe that all concerned should be able to agree. It is not entirely easy for everyone, but I think it will be possible for everyone to agree to proceed in that way.

The issues to which the hon. Gentleman referred will be on the agenda at the beginning of the negotiations and will have to be addressed seriously by all concerned—including Sinn Fein, if the violence has ended and if it is in the negotiations. We will be urging all the parties to address the agreed agenda in that positive spirit so that the comprehensive negotiations can go forward successfully. The issues relating to decommissioning cannot be dodged or swept aside—they are of critical importance, as Senator Mitchell has said, and as all hon. Members understand.

The hon. Gentleman touched on the issue of legislative action in both Parliaments on matters related to a series of technical matters, including armaments. The hon. Gentleman is right: we would need to bring legislation before this House, and it is probable—subject to an examination of the law in the Republic—that the Irish Government would need to bring legislation before their Parliament as well. If that is necessary, it will be done, and it is being pursued. That should not provide an impediment to progress.

Mr. Seamus Mallon (Newry and Armagh): Harsh words have been spoken across the Floor of the House recently, so it gives me pleasure to commend the Prime Minister and the Taoiseach for their tenacity in bringing forward these deliberations; I should like that comment to go on the record in the spirit in which it is given. The statement is important because it is a declaration of intent by the political process that our problems will be solved in one way, and one way only: through peaceful, democratic means.

Does the Prime Minister agree that, in effect, this is a moment of truth for all paramilitary, terrorist groupings in Northern Ireland, who will have to make a choice whether they will join in creating that peace or will isolate themselves in standing against the express wishes of the Irish people who want that peace so desperately?

The Prime Minister has said that the only reason for an elective process, which he knows we oppose, is to go directly and immediately into all-party negotiations.

Will the Prime Minister give an assurance in this House today that this process will not be allowed—or that the two Governments will not allow it—to be used by any

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party or parties as a reason for engaging on another pub crawl of preconditions? Will he give an assurance that those who enter into this process are duty-bound to begin those negotiations and to continue them through until they either end successfully or they have reached their time limit, which the Prime Minister has not yet spoken about?

Will the Prime Minister assure the House that, when he sets out the timetable, as he has done here, no vetoes will be exercisable within this process, and that no preconditions will be used to prevent negotiations from moving to a successful conclusion?

The Prime Minister: I am grateful to the hon. Gentleman for his kind words. The House is occasionally familiar with harsh words, and occasionally with generous words, and, at the outset of his remarks, the hon. Gentleman exemplified the latter.

The hon. Gentleman is right to say that the paramilitaries must make a choice. The road to political respectability for those in Sinn Fein is set out here, if they have the courage and the will to take it, but the choice must be theirs. If they take that road, if there is a comprehensive ceasefire, if they enter into the negotiations in the way set out by the Mitchell committee, the road to full-scale political respectability is open for Sinn Fein as a newly democratic party, but the choice is theirs and only they can make that choice. I can provide the opportunity, but I cannot compel them to take it. I very much hope that they will, but the choice is for them.

As far as the process is concerned, the fundamental purpose of what I had to say this afternoon was precisely to set a firm date for the negotiations to begin. On that firm date, I hope that we will find all parties prepared, in whatever fashion, to take part in those negotiations and to carry them forward.

I do not want any party to put a roadblock in front of the negotiations—not the hon. Gentleman's or any other party—but I cannot compel parties to do something. I can set out the circumstances and encourage them to take options but I do not literally have the power to compel them to negotiate. I can set out the way and the circumstances in which they can, try to remove the impediments that each party feels lie in the way of negotiating, and encourage them to negotiate, and all that I will do. As a result, I hope that we will be able not only to enter negotiations, but to carry them properly and fully forward to a conclusion.

Mr. Paddy Ashdown (Yeovil): The Prime Minister must know how widely this statement will be welcomed, not just in the House but throughout the country, and in Ireland as well. The Government and others have had to compromise on it. That was the right and the courageous thing to do, and I commend the Government and the other parties for doing so.

I greatly welcome the fact that a firm date has been set. The two Governments are entirely right to insist that no one shall have a veto over that process. Those who will not relinquish violence cannot take part in those talks, but they cannot stop them happening, either. We would all much prefer Sinn Fein to be on board, but on board or overboard, it cannot stop the process continuing.

I have three brief questions to put to the Prime Minister. First, he is right to say that, if agreement cannot be reached on the context of the elections, the Government must bring their own proposals to the House. Will he confirm that, in doing so, the thing that will weigh most heavily in his mind is not what the Government may prefer—the Government are likely to be neutral on this—but what will command the widest support for those elections?

Secondly, given the time frame in which the elections must be carried out, with a result by 10 June, will the Prime Minister confirm that it is most likely that the existing system of the single transferable vote is the only one that can conform to that time frame?

Thirdly, will the Prime Minister address the all-party negotiations on 10 June, because the question put to him by the leader of the Labour party is absolutely relevant here? The Prime Minister said that adherence to the six principles of Mitchell will be the first item on the agenda. Will he confirm that it will not be possible for parties simply to hold up progress at those negotiations, if it is clear that they do not intend to adhere to those six principles?

In his statement, the right hon. Gentleman said:

"If it becomes clear that any party is not committed to these principles and this approach, either at the beginning of negotiations or subsequently, in our view there will be no place for them at the negotiating table."

He said that that was his Government's view; will he also confirm that it is the Irish Government's view?

The Prime Minister: Yes, I can confirm that last point: it is the view of the Irish Government as well. Let me make it quite clear, because the same point emerged from two separate observations that the right hon. Gentleman made.

If Sinn Fein drops violence and meets the same commitments as the other parties, it can continue in the negotiations—there is no difficulty with that. If it continues with violence, it will not stop the negotiations continuing after 10 June; they will continue without Sinn Fein. If violence were to reactivate after the negotiations had begun, equally, the negotiations would continue.

The democratic process will continue, and we are not in the mood to let it be derailed by those who do not subscribe to it. That is our opinion, and I believe that it is also the opinion of the Irish Government, as the right hon. Gentleman asked.

As I say, 10 June is the date for the negotiations to begin. It follows that the election must precede that date by a few days, but probably not by all that long. We are looking to determine the time scale exactly. In purely parliamentary terms, it is necessary to take account of the length of the Easter recess in terms of bringing negotiations forward.

Self-evidently, with that tight time scale, I would much prefer a consensus on the system to be used. Were there not to be a consensus, the normal rules of the House might impede the rapid passage of whatever legislation I proposed for the establishment of the elective process. I do not yet know the precise time scales, and they are being examined.

Clearly, the single transferable vote would be the speediest option, but it may not be the only one that would fall within the time scale. That it is the speediest is probably true, but that it may not be the only one is probably true as well.

Mr. Peter Robinson (Belfast, East): I welcome the commitment that the Prime Minister has expressed to an

elective process, not least because that proposal was put to him several years ago by my party. I also welcome the fact that the Prime Minister has been able to persuade others who were against that process to come round to supporting it. May I also express a willingness, on behalf of my party, to take part in the intensive consultations, which he mentioned, especially to determine the means by which such negotiations shall take place?

Will the Prime Minister recognise that my party, like the Ulster Unionist party, would be prepared to negotiate only with legitimate political parties? Will the Prime Minister review the remarks he made earlier, when he said that he hoped that the ceasefire could be re-established on the same basis as before? Surely that is precisely what we do not want. We want a permanent ceasefire, not a temporary, tactical cessation of violence.

The Prime Minister: I had in mind the same basis as before, but this time without the word being broken as it was before. I think the basis on which the ceasefire was promised before was acceptable. What went wrong was that that promise was blatantly broken by the bombs. I wish to make it clear that a temporary and convenient ceasefire for a short period is not being suggested.

I am grateful for what the hon. Gentleman had to say about the elective process. I confirm that the Democratic Unionist party suggested that proposition some time ago, as did the Ulster Unionist party. I am also grateful to hear that the hon. Gentleman will take part in the intensive consultations on the means of the election. I hope that, as a result of those consultations, we will be able to reach a situation that will enable us to bring forward, with agreement, the legislation on the nature of the election not later than the moment that we return from the Easter recess, and, if possible, even earlier.

Mr. Robert McCartney (North Down): Will the Prime Minister confirm, for the benefit of those hon. Members and the public in the present complex situation, that in no circumstances will Sinn Fein be admitted to substantive negotiations unless it conforms to two prior requirements: first, that it acknowledges the fundamental democratic procedure of consent; secondly, that it accepts the Mitchell principles? Both those considerations have already received the endorsement of constitutional nationalists.

Will the Prime Minister confirm that the present peace process is based essentially on a ceasefire controlled entirely by terrorists and not by politicians? Will he explain how, following any renewal of such terrorism or any cessation of the present terrorism which is then renewed, he will deal with the enforcement of democratic procedures?

The Prime Minister: Since the terrorism recommenced, we have reviewed the security provisions with great care. The hon. and learned Gentleman will know from the evidence seen with his own eyes in his constituency of some of the measures that have been taken. He will also know that it would not be appropriate for me to discuss at the Dispatch Box some of the measures that have been taken.

I can tell the hon. and learned Gentleman and the House that we have looked in the greatest detail at what needs to be done to protect the normal democratic way of life of people in Northern Ireland as a result of the renewal of terrorism. Were there to be a ceasefire, and were it to be broken again in the hypothesis advanced by the hon. and learned Gentleman, again we would re-examine whatever further needed to be done. If more needed to be done on any occasion, it would be in our minds to take the action that we judged was right to deal with it. That has been our position for many years.

I believe that, for a long time, the terrorists operated on the basis that, if they continued with their terror, the time would come when one British Government or another would tire of the cost and effort of policing and having the Army in Northern Ireland, and would bow to their demands. After 25 years, they learned that that was not the case, and, were the terrorism to continue for another 25 years, it would not be the case. That is the strongest assurance on that point that I can give the hon. and learned Gentleman or anyone else.

On the earlier part of the hon. and learned Gentleman's question, the Mitchell principles embrace implicitly the points that he had in mind, and they will be dealt with at the outset of the negotiations.

Mr. Terry Dicks (Hayes and Harlington): Since it seems to me that the terrorists have been able to bomb themselves into the peace process thus far, can my right hon. Friend assure me, from his discussions today, that, no matter what they do in the future, it will stop there? The likes of Adams, McGuinness and Kelly are all terrorists. I do not accept the distinction between Sinn Fein and the IRA—they are all the same evil people. Can my right hon. Friend assure me that those people will not be contacting officials in this Government, and will not be contacting him or any other Ministers?

The Prime Minister: They cannot bomb themselves into the peace process. They have certainly bombed themselves out of the peace process, and they will keep themselves out of that process if they continue to use bombs. I have made it clear that the process will continue without them if there is a campaign of violence. The announcement that I have made today is in line with the discussions that we have had and the announcements that I have made to the House in the past before the campaign of violence recommenced.

What would have been a success for the bombers would be if we had been driven off the route down which we were going as a result of the return to bombing, and we expressly have not been. They are expressly on notice that the process is on track and continuing. They have an option to take part in that process, and they have the certainty that, if they do not put themselves in a circumstance in which they can take part, the process will continue without them. They can bomb themselves out of the process: they cannot bomb themselves into it.

Mr. Kevin McNamara (Kingston upon Hull, North): I join in the congratulations to the Prime Minister and the Taoiseach on what they have achieved today. I congratulate the Prime Minister particularly on the sternness of his approach in ensuring that, if the parties cannot agree on a system of elections, the Government will impose a system upon them in order to ensure that they proceed.

What consideration has the Prime Minister given to the idea of a referendum? A referendum throughout the whole of Ireland would be of the utmost importance, because it

[Mr. Kevin McNamara]

would knock away the spurious theology of Sinn Fein that it owes its spurious legitimacy to the fact that it claims descent from the last time that there were democratic elections throughout the whole of Ireland. If the people of Ireland as a whole spoke in a referendum, that would remove the last vestiges of strange legitimacy that Sinn Fein can claim.

The Prime Minister: I do not propose to impose a system of elections on anyone. I will lay before the House what I believe is the right system, and I will invite the House to support me. I emphasise that I will need the support of the House, and I may need that support where there is no unanimity among the parties. I will bring forward a proposition for the House to consider.

I must tell the House that I can be concerned only with a referendum held in Northern Ireland. The Irish Government may decide to hold a parallel referendum in the south, but my responsibility would be for a referendum in the north. We are looking at whether that would be appropriate, and, if so, what the question might be. It clearly has to be a relevant question and one where there would be some net advantage in placing it before the people, most obviously on the date of the elections themselves.

I can think of a number of examples of what the question might be, and other hon. Members will have their own views. We will discuss it with the political parties. I am not yet convinced that that is the route down which we will go, but I am prepared to go down that route if there seems to be a will for it, and some advantage to be gained from it.

Mr. David Wilshire (Spelthorne): I congratulate my right hon. Friend on his refusal to be bombed out of calling elections. What more can he say to the House to persuade me that the rest of the communiqué is not selling out to the men of violence? Can my right hon. Friend confirm that I am right to judge, after considering the communiqué, that we have yet again changed our stance on the requirements for decommissioning?

On the triple lock, can my right hon. Friend tell the House whether Sinn Fein-IRA accepted the right of the people of Northern Ireland to settle their own future, because I have never heard Sinn Fein-IRA say so? If it will not, is that not a reason why it should not be allowed into the talks?

The Prime Minister: If my hon. Friend will look again at the communiqué, I do not think that he will sustain the charge that we have changed our stance. Our view on the matter has been clear cut. I do not think that it is correct for my hon. Friend to suggest that the Government are selling out to anyone, let alone the men of violence. It seems an odd way of selling out to someone to make it absolutely clear to them that, unless they give up their present pattern, they will be excluded from the talks, but that the talks will continue among the democratic political parties, and that their exclusion will be because of their actions in the weeks and months ahead.

Let me tell my hon. Friend and everybody else that I am anxious to try to create a circumstance in which there can generally be an agreement that will prevent the campaigns of violence and bloodshed that we have seen for so long. It is true that I could stay in a trench and set up a hundred good reasons for doing nothing. I believe that, were I to do that, my successors would be standing here in 50 years' time in the same trench.

It is for that reason that we have compromised on some issues in the past, and it is right to do so. There are issues upon which we cannot compromise. There are issues held dearly by every hon. Member upon which we cannot compromise, and we will not do so, because it would not be right and because the House would not permit us to do so. However, there are areas where compromise is appropriate in the interests of the outcome that we are seeking.

There are matters on which I have compromised and others have done the same. I am inviting others to take quite hard decisions also, and I hope that a combination of compromise and those hard decisions taken by people who have previously expressed views in a forceful way will enable us to reach a solution.

Mr. David Winnick (Walsall, North): Is it not essential for the British and Irish Governments to work closely together? Is it not unfortunate that some hon. Members take a different view about that?

On terrorist violence, did the Prime Minister notice the massive demonstrations against violence last weekend in the Irish Republic and Northern Ireland? Apart from elections in the Irish Republic and Northern Ireland, do not those demonstrations show that the IRA does not speak with the authority of the Irish people, and that it is nonsense for some people outside the House to make a comparison with the middle east or elsewhere? The IRA is a minority within a minority within a minority, and it is a pity that the British and Irish Governments do not make that clear in the United States and many other places abroad.

The Prime Minister: I agree with the thrust of the hon. Gentleman's remarks, which are certainly correct. The terrorists are a minority within a minority. They do not represent a majority view in any part of the United Kingdom, including Northern Ireland, and the Irish Government have expressed the same distaste for their campaign of terror that we have expressed repeatedly in the House.

We put an enormous amount of effort, in the United States and elsewhere, into making plain the majority view about the terrorists. Members of a number of democratic parties—certainly members of the Ulster Unionist party, members of the Ulster Democratic Unionist party and members of the British Government—have all been to the United States in the very recent past on more than one occasion to set before the opinion formers and the public in the United States what the majority view is in the United Kingdom about the activities of the IRA. I think that that is beginning to make some progress, and I hope that it will continue. I believe that the same attitude will be taken by members of the Irish Government as well.

Several hon. Members *rose—*

Madam Speaker: Thank you, Prime Minister. We shall now move on.

BILLS PRESENTED

National Health Service (Residual Liabilities)

Mr. Secretary Dorrell, supported by Mr. Chancellor of the Exchequer, Mr. Secretary Gummer, Secretary Sir Patrick Mayhew, Mr. Secretary Forsyth, Mr. Secretary Hague and Mr. John Horam, presented (under Standing Order No. 48 (Procedure upon Bills whose main object is to create a charge upon the public revenue)) a Bill to make provision with respect to the transfer of liabilities of certain National Health Service bodies in the event of their ceasing to exist: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 67.]

London Regional Transport

Secretary Sir George Young, supported by Mr. Secretary Lang, Mr. Secretary Gummer and Mr. Steve Norris, presented a Bill to extend, and facilitate the exercise of, the powers of London Regional Transport to enter into and carry out agreements; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 68.]

Registration of Domiciliary Care Agencies

Mr. David Hinchliffe, supported by Ms Rachel Squire, Ms Liz Lynne, Ms Dawn Primarolo, Ms Tessa Jowell, Rev. Martin Smyth, Mr. Roger Sims, Mr. Andrew Rowe, Mr. Malcolm Wicks, Mr. Ian McCartney, Mr. John Gunnell and Mr. Kevin Hughes, presented a Bill to make provision for the registration of domiciliary care agencies; to make provisions consequential thereon; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 10 May and to be printed. [Bill 69.]

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Morris): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(4) (Standing Committees on Delegated Legislation),

Civil Aviation

That the Civil Aviation Act (Investigation of Accidents) Regulations 1996 (S.I., 1996, No. 76) be referred to a Standing Committee on Delegated Legislation.

Merchant Shipping

That the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 (S.I., 1996, No. 75) be referred to a Standing Committee on Delegated Legislation.—*[Mr. Ottaway.]*

Question agreed to.

Government of Wales

5.11 pm

Mr. Dafydd Wigley (Caernarfon): I beg to move,

That leave be given to bring in a Bill to provide for the improvement of democracy in Wales; to establish a legislative Parliament elected by proportional representation in Wales; to secure a direct role for Wales in the institutions of the European Union; and for connected purposes.

As I follow what was a momentous statement, which we all hope will signify progress in Northern Ireland, I might say that if there had been a flexible approach 100 years ago, when the troubles of Ireland were so high on the political agenda, we might not today be faced with the difficulties in the six counties of the north of Ireland.

I introduce my Bill with mixed feelings. I feel satisfaction that I have been given time to introduce it, and, of course, satisfaction because of the importance of the issue, particularly as this is the 22nd anniversary of my election to the House, on 28 February 1974, and the closest opportunity to St. David's day. We had a Labour Government then, and it is a matter of great regret that they did not succeed in putting into operation a meaningful assembly or parliament for Wales and for Scotland.

I also feel some frustration. When I was first elected, I expected that a parliament for Wales would be set up fairly quickly. The recommendations of the Kilbrandon report in 1973 gave a certain credence to that. It will be 17 years ago this St. David's day that the ill-fated referendum on Labour's previous abortive effort on the matter took place. Had we established a powerful parliament for Wales in 1979, Wales would have avoided the worst excesses of the Thatcher decade. We have had four Secretaries of State for Wales since then—I am glad that the present Secretary of State is in his place to hear the debate—who have not represented Welsh constituencies. That has been an ignominy for Wales, and it could have been avoided.

Had we had a parliament for Wales in 1979, we would have avoided the disastrous policies of that decade: the poll tax; the cack-handed local government reorganisation that we are going through at the moment; water privatisation; the decimation of the national health service, particularly the dental service; and the creation of a two-tier education system in Wales, which we most certainly do not want.

For the past 17 years, Wales has been governed on the basis of the priorities of south-east England, not the priorities of the people of Wales. We have been governed by a Tory regime which was not elected by the people of Wales. Never in any election from 1868 onwards have the Conservatives held a majority of seats in Wales. Indeed, in some elections, they have not held any. Yet we have had Tory policies, for which we did not vote, thrust upon us. Recent examples of legislation forced on Wales include the Local Government (Wales) Act 1994 and the Welsh Language Act 1993, which were dealt with by Committees of the House that were dominated by Conservatives from English constituencies, who did not know the background to the issues and did not have to live with the consequence of the legislation.

The very reason for having a Secretary of State for Wales in the Cabinet has been undermined in recent years. He should be the authentic voice of Wales, articulating

[Mr. Dafydd Wigley]

the hopes of Wales as a nation, spelling out our fears, speaking up for our aspirations and our trepidations. Instead, we have a Secretary of State—whatever his abilities—who has never lived in Wales, has never faced the Welsh electorate in a general election and whose party was overwhelmingly rejected at the polls in Wales. Rather than an advocate for Wales, we have a salesman travelling the length and breadth of Wales as an apologist on behalf of the Cabinet.

We are governed in an outmoded colonial fashion, and it is high time that that came to an end. Furthermore, there is a total absence of Welsh representation in Brussels when the Council of Ministers discusses vital issues such as agriculture. The Minister of Agriculture, Fisheries and Food for England attends those discussions. The Secretary of State for Wales has never been there. Vital issues such as milk quotas and the sheepmeat regime are now determined in Brussels rather than in the House.

Likewise, Welsh industry and commerce has missed out by not having a voice in Brussels to get regional policies that suit our needs. We can compare the position in Wales with the successful deals that Ireland has succeeded in getting from the European Union, and the 6 per cent. growth rate that Ireland has obtained as a result. In terms of the accountability of the Welsh Office and its 80 quangos, the answerability of the Executive and the £7 billion budget of the Welsh Office, the formulation of legislation to meet Welsh needs and values, the voice of Wales in the Cabinet or the direct links between Wales and the European Union, the truth is that the present system of government has broken down and is not serving Wales. We do not have any meaningful democracy at the all-Wales level.

My Bill is a modest attempt to put that right. It would set up a directly elected democratic parliament for Wales. The lower chamber would consist of 100 Members elected by proportional representation, and the upper chamber would consist of two representatives from each of the unitary authorities in Wales. It would have full legislative power for all Welsh Office functions, including education, employment, housing, health, transport, arts, environment and agriculture. If I cannot carry certain Labour Members with me on the proportional representation part of my argument, I remind them that that is their proposal for a parliament for Scotland in due course.

The parliament would have control of the civil service, which is currently answerable to the Welsh Office. It would have full legislative responsibilities for all functions undertaken by the quangos in order to overcome the way in which the Tory Government succeed in getting their writs to run in Wales in a discredited and secretive system of patronage, which is not acceptable to the people of Wales. The parliament would be funded initially by the current block grant plus some £25 million for administrative costs, but we hope that within three years there would be a Welsh Treasury Department, which would collect all the taxes arising from Wales.

The Bill does not present Plaid Cymru's ultimate aim of full self-government within Europe. We accept that we cannot go in one jump from the status quo of no national democracy to full independence, but we believe that, after five years of the government that we propose in the Bill, the people of Wales should be allowed, if they so wish, the opportunity to decide by referendum on moving to self-government. However, that is not the proposal in the Bill. Under the Bill, there are functions that are not currently devolved to the Welsh Office and that should remain at Westminster: defence, foreign affairs, social security and certain trade matters.

The Secretary of State for Wales would remain, as, of course, would the Secretary of State for Northern Ireland, under the Government's proposals for an elected legislative assembly for Northern Ireland. Incidentally, it is instructive that the Tories are prepared to yield such an assembly to Northern Ireland in the wake of the bombs and the bullets, but for those of us in Wales, who have pursued our politics through constitutional and democratic means, it appears that the Conservatives have nothing but a closed door.

If the Tories are consistent, they will accept my modest proposal. So will the Labour party, because it proposes a similar model for Scotland. If it is good enough for Scotland to have a law-making parliament, it is good enough for Wales too, and we demand that we should have one. The Liberal party, too, should support the idea because it at least pays lip service to the concept of an elected parliament or assembly for both Scotland and Wales.

I appeal to Members in all parts of the House to support the Bill. It would provide for a new partnership between the peoples of these islands, and bring an end to the monolithic centralism of Westminster's legislative dictatorship by allowing Wales to decide democratically for itself on all aspects of domestic policy. The Bill would give the people of Wales responsibility, opportunity, democracy and hope. I commend it to the House.

5.19 pm

Mr. Walter Sweeney (Vale of Glamorgan): I oppose the Bill. What we have heard from the hon. Member for Caernarfon (Mr. Wigley) is the politics of socialism and defeatism, which we are so used to hearing from the Opposition, who love to run Wales down. It is clear from what the hon. Gentleman said that Plaid Cymru remains committed to turning Wales into a republic, although there is no significant support for such a proposal in Wales.

The results of the 1992 general election in Wales show that Plaid Cymru mustered only 154,439 out of the 1,748,796 votes cast. That was a mere 8.8 per cent.—less than one third of the number of votes cast for the Conservatives, and less, even, than the number cast for the Liberals, who managed to win only one seat.

Even that very poor result for Plaid Cymru fails to reflect the lack of interest in nationalism in many parts of Wales. In Vale of Glamorgan, for example, Plaid Cymru mustered only 3.5 per cent. of the vote. The reality is that only in a very small part of Wales does that party represent the views of a substantial proportion of the Welsh electorate. Despite that poor mandate, Plaid Cymru has learnt nothing from the ballot box. It would still sacrifice the political and economic interests of Wales, which are best served by it remaining part of the United Kingdom.

Like Labour, Plaid Cymru wants more public spending, higher taxes and the centralisation of power, but it sets out its plans in the hope of concealing the full extent of the damage that it would do. The most damaging aspect of the party's policies is the plan to set up a Welsh

republic. At its conference at the end of October 1993, delegates overwhelmingly endorsed proposals to establish an independent Welsh republic. So the House will not be fooled by talk of a staged process. Clearly, the long-term objective of Plaid Cymru is to make Wales a republic within the European Community and the Commonwealth.

The hon. Member for Caernarfon can claim at least one merit for his speech; he was consistent. Unfortunately, he was consistently wrong. Most of the people of Wales do not want a Welsh republic. They realise, rightly, that the break-up of the United Kingdom would be bad for every part of it—bad for England, for Scotland, for Northern Ireland and for Wales.

Wales is an important part of the United Kingdom. The cross-fertilisation of ideas and the pooling of resources between the different countries that make up the United Kingdom strengthen us all. Wales is far stronger as part of the United Kingdom than it would be on its own.

The people of Wales are fairly represented at Westminster, especially as the average electorate in Welsh constituencies is significantly smaller than that in English ones. The people of Wales enjoy all the constitutional advantages enjoyed by UK citizens living in England, including the right to be defended by the British armed forces against external aggression.

In addition, we have our own Secretary of State for Wales, who has a strong voice in the Cabinet and at Westminster. Partly because of the way in which successive Secretaries of State for Wales have lobbied on our behalf, we enjoy a significant advantage over England in the amount of central Government financial support that we receive.

Even after the expected increase in council tax bills, we in Wales will still pay considerably less than our counterparts in England. I am sorry to have to spell that out, because right hon. and hon. Members on both sides of the House who represent English constituencies may believe it unfair, especially now that, after 17 years of Conservative Government, the Welsh economy is doing so well.

We have benefited from massive inward investment, thanks in part to the Government's refusal to accept the social chapter. The social costs of labour are considerably lower in the United Kingdom than in our major European rivals, giving businesses in Wales a big advantage. The success of the Government's economic policies and of the Welsh Office in attracting investment to Wales has led to steady reductions in unemployment in Wales, which now, for the first time since records began, is down to the UK average.

The hon. Member for Caernarfon claims that his proposals are gradualist. In this week's edition of *The House magazine*, he has stated, as he did today, that

"The first stage Parliament for Wales will have two chambers."

He also wrote:

"The lower chamber will consist of 100 members . . . with 20 added members"

but today he said that the lower chamber would have 100 members—two for each of the 40 constituencies, with 20 added. Whatever the exact figures are, such a parliament would be expensive.

Given the statistics that I have already revealed about Plaid Cymru's poor electoral performance, it is understandable that the hon. Gentleman should favour proportional representation. However, nothing could justify having 100 or 120 Members of Parliament for a country the size of Wales. A good case can be made for the proposition that there are already too many Members of Parliament at Westminster. The suggested 100 Members would be far too many for Wales, and would add considerably to the cost of such a parliament.

I note that both Welsh and English would be official languages of the new parliament, which would waste more money. If the proceedings were televised, the many people in Wales who cannot speak Welsh would be unable to understand the debates without subtitles.

The hon. Gentleman proposed a second chamber with two elected representatives from each local authority in Wales. That seems to me a recipe for muddle and waste. Furthermore, the proposal that the new parliament would take over all the present functions of the Secretary of State for Wales and of the quangos would deprive Wales of a voice in the Cabinet, and would cost a substantial sum.

The hon. Gentleman mentioned £25 million as an additional subsidy from the Westminster Parliament. What would English Members say if they were invited to fork out £25 million to run an unwanted Welsh Government? Even worse, the new parliament's legislative capacity would drive a massive wedge between Wales and England. That would grow worse as the two legal systems diverged, creating discrepancies and anomalies across the boundary between the two countries, which would become a border.

The hon. Gentleman envisages that, for the first two years, the new parliament in Wales would receive a block grant based on the amount currently allocated for the transferred functions, plus the £25 million that I have already mentioned. How unfair and how unrealistic that Wales should expect to receive that huge subsidy for going its own way and setting up a parliament that even the people of Wales do not want.

The hon. Gentleman said that the proposed parliament would have direct links with the European Union, which would weaken the negotiating position of the United Kingdom as a whole. He envisages that, during his proposed first stage, Wales would still send Members of Parliament to the House of Commons, but that they would be able to vote only on aspects of policy that had not been transferred to the Welsh Parliament. That might deal with the so-called West Lothian question, but it would mean that all Members representing Welsh constituencies would be semi-neutered part-timers, who would enjoy little respect or influence at Westminster.

The hon. Gentleman said that, after five years, the interim parliament would have the right to seek full self-government for Wales, and to take over the subjects previously reserved for Westminster, with a constitutional referendum as a so-called safeguard to protect the wishes of the people of Wales.

It is easy to see Plaid Cymru's not very well hidden agenda. It wants to neuter Welsh Members of Parliament at Westminster and then say, "We don't need them. Let's have a referendum and get rid of them." With respect, I must point out that we have already had a referendum in Wales, and it showed clearly that the people of Wales did not want devolution. When the implications of costs and of loss of influence at Westminster and in Brussels are taken into account, Plaid Cymru's views will be found to be just as irrelevant to the wishes of Wales as they were in 1992.

[Mr. Walter Sweeney]

It would be wrong of me to conclude my speech opposing the Bill without stressing that the halfway house proposed by the Labour party is equally repugnant to me as a Conservative and a Unionist. As so often in the past, the Labour party is papering over its deep divisions on this issue to come up with a proposal—any proposal—designed to create the illusion of a workable policy. Labour's concessions to nationalism would imperil the United Kingdom's survival and should be rejected—

Mr. Deputy Speaker (Mr. Michael Morris): Order.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 20, Noes 73.

Division No. 62] **[5.30 pm**

AYES

Ashdown, Rt Hon Paddy
Beith, Rt Hon A J
Bruce, Malcolm *(Gordon)*
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Cunningham, Roseanna
Dafis, Cynog
Ewing, Mrs Margaret
Hughes, Simon *(Southwark)*
Jones, Ieuan Wyn *(Ynys Môn)*
Lynne, Ms Liz
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Michie, Mrs Ray *(Argyll & Bute)*
Rendel, David
Salmond, Alex
Taylor, Matthew *(Truro)*
Tyler, Paul
Wallace, James
Wigley, Dafydd

Tellers for the Ayes:
Mr. Andrew Welsh and
Mr. Elfyn Llwyd.

NOES

Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Arnold, Jacques *(Gravesham)*
Banks, Robert *(Harrogate)*
Barnes, Harry
Body, Sir Richard
Booth, Hartley
Bottomley, Peter *(Eltham)*
Brazier, Julian
Brown, M *(Brigg & Cl'thorpes)*
Bruce, Ian *(South Dorset)*
Butcher, John
Carlisle, John *(Luton North)*
Cash, William
Day, Stephen
Deva, Nirj Joseph
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Fabricant, Michael
Forman, Nigel
Fox, Rt Hon Sir Marcus *(Shipley)*
Gale, Roger
Gallie, Phil
Gill, Christopher
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Gryffs, Sir Michael
Hamilton, Neil *(Tatton)*
Hargreaves, Andrew
Harris, David
Hawksley, Warren
Hayes, Jerry
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Jackson, Robert *(Wantage)*
Jessel, Toby
Johnson Smith, Sir Geoffrey
Kellett-Bowman, Dame Elaine
Lamont, Rt Hon Norman
Mans, Keith
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mills, Iain
Monro, Rt Hon Sir Hector
Neubert, Sir Michael
Nicholson, David *(Taunton)*
Patnick, Sir Irvine
Pawsey, James
Redwood, Rt Hon John
Riddick, Graham
Shaw, David *(Dover)*
Shepherd, Sir Colin *(Hereford)*
Skinner, Dennis
Smith, Sir Dudley *(Warwick)*
Spicer, Sir James *(W Dorset)*
Stern, Michael
Stewart, Allan
Sumberg, David
Tapsell, Sir Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Twinn, Dr Ian
Viggers, Peter
Walker, Bill *(N Tayside)*
Whitney, Ray
Wiggin, Sir Jerry
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Winterton, Nicholas *(Macc'fld)*
Yeo, Tim

Tellers for the Noes:
Mr. Walter Sweeney and
Mr. Michael Stephen.

Question accordingly negatived.

Orders of the Day

Local Government Finance (Scotland)

5.40 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. George Kynoch): I beg to move,

That the Local Government Finance (Scotland) Order 1996, dated 12th February 1996, a copy of which was laid before this House on 27th February, be approved.

Mr. Deputy Speaker (Mr. Michael Morris): I understand that with this, it will be convenient to discuss the following motions:

That the Local Government Finance (Scotland) Notional Amounts Report 1996 (House of Commons Paper No. 145), which was laid before this House on 24th January, be approved.

That the Revenue Support Grant (Scotland) Order 1996, dated 12th February 1996, a copy of which was laid before this House on 27th February, be approved.

We have precisely one hour and 20 minutes for this debate. I appeal to Front-Bench and Back-Bench Members to make speeches that are shorter than those that they had planned. *[Interruption.]*

Mr. Kynoch: I applaud the sense of humour of Opposition Back Benchers.

The motions relating to the Local Government Finance (Scotland) Order and the Revenue Support Grant (Scotland) Order state that they have not yet been considered by the Select Committee on Statutory Instruments. The Select Committee considered the original orders that were laid on 14 February at its meeting on Tuesday 20 February. Unfortunately, due to a mistake in the coming into force date, the instruments were withdrawn and were re-laid yesterday. The Select Committee will reconsider the amended orders at a future sitting, although I stress that their substance has not changed at all. I apologise to the House for any inconvenience that that may have caused and I am grateful to the members of the Select Committee for their assistance in this matter.

This is the annual opportunity for the House to debate local government finance. The debate takes place against the background of an unprecedented level of consultation and discussion about the settlement for the year ahead. In addition to the normal statutory consultation with the Convention of Scottish Local Authorities, I held a briefing in the House a week ago which was attended by many right hon. and hon. Members. During the past 24 hours, my right hon. Friend the Secretary of State and I held a series of meetings with hon. Members from all parts of the House and with council representatives. I look forward to a lively and, I hope, informed debate.

Mr. Nigel Griffiths (Edinburgh, South): Will the Minister give way?

Mr. Kynoch: Because of the time, I should like to proceed and until I reach the substance of figures I will not give way.

I propose to speak briefly about the detail of each of the two orders and the report. The purpose of the Revenue Support Grant (Scotland) Order is explained in detail in the report which accompanies the order, but the position is relatively straightforward and I do not think that I need say much about the order. Under the so-called AEF—aggregate external finance—guarantee, the revenue support grant that is payable to local authorities for each of the years 1990-91, 1991-92 and 1992-93 is adjusted either up or down in the light of any variation between their estimated and their actual level of non-domestic rate income. The order deals only with the two later years. We have agreed with COSLA that there is no need for any further adjustments of RSG in respect of 1990-91.

The objective of the guarantee, which was fully discussed and agreed with COSLA, is to ensure that each authority receives the combined amount of revenue support grant and non-domestic rate income that they were promised when they were first notified of their settlement for the year in question. At that stage my Department made an estimate of the non-domestic rate income that each authority would receive. The guarantee arrangement has been necessary because of the difficulty of estimating non-domestic rate income with any degree of accuracy—mainly because of appeals against valuation which take some time to resolve.

The order makes a further adjustment to the levels of RSG that are payable for each of the two years that are still covered by the guarantee in the light of returns that local authorities submitted to the Scottish Office last autumn of their actual rate income for the years in question. Because of the effect of successful appeals against 1990 valuations, in general there has been a reduction in rate income compared with previous estimates. Therefore, the order provides for the payment of extra RSG totalling just over £15 million to compensate for this reduction in rate income. Nearly £5.5 million of that amount relates to 1991-92 and the remaining £9.6 million relates to 1992-93. The total adjustment of just over £15 million is much reduced from that which was made 12 months ago, reflecting the fact that, as time passes, the non-domestic rate income for those years has tended to settle down.

I should make it clear that the figure of £15 million is net. Although most authorities will receive extra RSG, a few will receive less. That is because, against the general trend, their rate income has increased compared with previous estimates. Because we are dealing with the years 1991-92 and 1992-93, the RSG adjustments obviously relate to existing local authorities. Subject to the House approving the order, the adjustments will be made at the beginning of the new financial year and will obviously be taken into account in the closure of the accounts of the authorities concerned.

The House may wonder why the AEF guarantee related only to the three years from 1990-91 to 1992-93 and not to subsequent years. The answer is that, since the introduction of the arrangements for the pooling of business rate income from 1993-94, it has been possible to deal with fluctuations in the level of rate income administratively. However, exactly the same principle applies, namely, that local authorities do not lose out if the actual rate income is below the estimated amount.

I shall now turn to the notional amounts report. The report's purpose is to specify for each of the 21 new mainland councils an amount that will be their base line for considering any capping action this year. My right hon. Friend has power to cap an authority either when he considers that its budget is excessive in absolute terms or

[Mr. Kynoch]

when there has been an excessive increase in its budget compared with that for the previous year. In practice, the second of these powers—the power to control the year-on-year increase in spending—has been the basis of the capping regimes north and south of the border in recent years.

Obviously, the new mainland councils do not have actual budgets for 1995-96. However, the Local Government etc. (Scotland) Act 1994 made provision for my right hon. Friend to specify in a report to the House the amount for each new council which, in his opinion, should be used as a basis for comparison for capping purposes. That is the report which is under debate. In effect, it specifies notional 1995-96 budget figures for each of the new councils. It is important to stress that those figures have not been plucked out of the air in St. Andrew's house.

Mr. Ernie Ross (Dundee, West): Oh yes they have.

Mr. Kynoch: They have not. They are the product of a great deal of consultation with and co-operation from COSLA and local authorities, especially the 10 disaggregating authorities. The overriding objective in producing the figures has been to ensure that they reflect as accurately as possible the planned level of expenditure in the current year by the old councils in each of the new council areas. In other words, it is the actual level of planned expenditure that the new councils will inherit from their predecessors. For councils in the aggregating areas, that was done by adding together the 1995-96 budgets of the relative regional and district councils. In the other areas it was, where appropriate, necessary for the old councils to disaggregate their 1995-96 budgets among the new council areas.

The disaggregation exercise was carried out in accordance with a set of detailed principles which are in annex 2 to the report. Those principles were fully discussed with and agreed by COSLA and the relevant local authorities. I pay tribute to the thorough and professional way in which each of the 10 disaggregating authorities has carried out the exercise of apportioning its 1995-96 budget to the new council areas.

Mr. Malcolm Chisholm (Edinburgh, Leith): Does the Minister accept that the cash increase between this year's notional budget and next year's budget for Scotland as a whole is roughly 1 per cent? In particular, does he accept that the increase for Edinburgh is 1 per cent. and not the 2.66 per cent. that he mentioned when I met him this morning, which includes community care transfers, the cost of local government reorganisation and other disregards? The key figure is 1 per cent. in cash terms, which is a massive real terms cut.

Mr. Kynoch: I do not accept that. I went through the argument with the hon. Gentleman this morning and I do not propose to go through the detail again because of time constraints.

Inevitably, there have been some local disagreements about the figures, but the Scottish Office has been in no position to second-guess the apportionments made by the disaggregating authorities. *[Interruption.]* If the hon. Member for Hamilton (Mr. Robertson) wants to intervene, I will happily give way to him.

The amount shown in annex 1 to the report for each of the new councils is a pretty true indication of what the outgoing councils plan to spend in each of the new council areas during the current financial year. Consequently, the amounts are a fair base line for the 1996-97 capping regime.

The Local Government Finance (Scotland) Order 1996 represents the final stage of the local government finance settlement, which my right hon. Friend the Secretary of State first announced on 28 November. I gave the House details of the settlement last week when replying to an Adjournment debate initiated by the hon. Member for Glasgow, Springburn (Mr. Martin), but it is appropriate to repeat the figures.

The settlement provides for Government-supported expenditure to be set at a level of £6.168 billion. That is an increase of £136.9 million—or 2.3 per cent.—on the current year's figure after adjusting for transfers of responsibility between central and local government, so that a like-for-like comparison with the current year's settlement can be made. Hon. Members who attended the briefing session that I arranged last week will recall that Government-supported expenditure comprises provision for debt servicing costs and services. The provision for services is known as grant-aided expenditure.

The settlement also provides for aggregate external finance to be set at a level of just less than £5.369 billion. That is an increase of £148 million—or 2.9 per cent.—on the current year. That increase is £26.5 million more than the Barnett formula consequences of the English local government settlement. My right hon. Friend the Secretary of State could have quite reasonably allocated that £26.5 million to other Scottish expenditure programmes, but instead it has been used to increase the local government settlement.

The AEF total comprises three elements. First, a little more than £417 million is estimated for specific grants. The great bulk of that figure is for a specific police grant. Secondly, the total includes the amount that is being distributed to local authorities from the non-domestic rate income pool, which totals a little more than £1.313 billion. Thirdly, the AEF total includes revenue support grant totalling nearly £3.639 billion.

The report that accompanies the order provides a very detailed explanation of its purpose, but it may be helpful to the House if I briefly summarise the position. The first and by far the main purpose of the order is to distribute the second and third components of the AEF total—non-domestic rate income and revenue support grant, to which I have just referred—among the 32 councils. Subject to the House approving the order, those amounts, which total nearly £4.952 billion, will be paid to the councils during next year.

The order does not deal with the distribution of the provision for specific grants. That is paid out in the light of claims during the year from councils. In distributing non-domestic rate income and revenue support grant, however, we make as good an estimate as we can of what each council will receive in specific grants.

The AEF total has been distributed among councils using exactly the same methodology as in previous years. That methodology is well understood and accepted by COSLA. There are two main stages to the distribution. The first stage is to equalise for differences in councils' need to incur expenditure as measured by their grant-aided

expenditure assessments. Those assessments are determined using the client group system that was first introduced in 1985 and is kept under regular review by the distribution committee comprising representatives from the Scottish Office and COSLA. A total of £1.863 billion is being distributed to equalise for differences in councils' GAE assessments.

The second stage is to equalise for differences in councils' tax base and consequently their ability to raise income locally from the council tax. A council with a low tax base obviously receives more AEF support than one with a high tax base. A total of £3.465 billion is distributed under that stage in proportion to the number of band D-equivalent properties in each council area.

The second purpose of the order is to make a number of relatively minor changes to the 1995-96 AEF figures. First, the order increases by relatively small amounts the level of AEF payable to two local authorities—Kirkcaldy district council and East Kilbride district council, both of which have taken on additional housing benefit responsibilities.

The order also transfers £162,000 of AEF for 1995-96 from East Kilbride district council to Eastwood district council. That corrects an error in the population data used in the original 1995-96 distribution for those two councils, stemming from the transfer of the Busby area from East Kilbride to Eastwood.

The order redetermines the level of AEF for all the existing authorities, to take account of an increase in the City of Aberdeen district council's share of the support for loan and leasing charges. COSLA has been fully consulted and has agreed all the changes in the 1995-96 AEF distribution.

The final purpose of the order is to redetermine the levels of AEF for 1993-94 and 1994-95 taking into account changes in the council tax base of each existing authority. Those changes arise because of, for example, successful appeals by householders regarding the tax band of their property.

I should add that for 1994-95 only, the order also increases by £2,000 the level of AEF payable to the Western Isles islands council.

Mrs. Maria Fyfe (Glasgow, Maryhill): Now that the Minister has had the opportunity to go through Glasgow council's books in detail, does he think that a 36 per cent. increase in council tax is acceptable? Does he understand why that 36 per cent. increase is necessary unless he takes action?

Mr. Kynoch: For a start, I have not had a chance to go through Glasgow council's complete figures. Despite meeting Glasgow council members this morning, I have yet to hear a proper explanation of why, with a notional budget of about £800.1 million and a capping limit of £839.5 million—an increase in funding of about 4.93 per cent. that the council could spend and remain within its capping limit—they are talking about cuts. At this stage, they are talking about the budget being 13.4 per cent. up on the notional budget.

I have explained how notional budgets were prepared. They were prepared by the disaggregation of Strathclyde regional council's regional budget to the Glasgow area. We then added the district budget, and obviously transfers of responsibility were taken into account. The new Glasgow city council is at the moment talking about a budget increase—clearly it has not yet set a budget, so I urge it to set a responsible budget—of 13.4 per cent. When one takes it into account that all wage increases should be funded from within by efficiency improvements and so on, as in the public sector, that 13.4 per cent. represents an enormous increase, given that inflation is running at less than 3 per cent. The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) should go back and ask the councillors of Glasgow rather than me why they are proposing a budget that is almost five times the rate of inflation.

Mrs. Fyfe *rose—*

Mr. Kynoch: I will not give way again to the hon. Lady.

Mr. Phil Gallie (Ayr): Considering the way in which the agreement has been reached by the disaggregation of budgets, have my constituents not been disadvantaged to the benefit of Glasgow?

Mr. Kynoch: That is not quite correct. The transition scheme proposed by COSLA and accepted by my right hon. Friend the Secretary of State and me has made it possible for my hon. Friend's council to benefit during the transition this year. It will get one third of the mismatch benefit. My hon. Friend is absolutely right that in the past Glasgow has benefited from some of the GAE that perhaps rightly should have been allocated to my hon. Friend's area. My hon. Friend makes a valid point. In past years, Glasgow has enjoyed a heavier level of expenditure than the GAE formula justified. Clearly, that decision was taken by the councillors of Strathclyde and it is something with which Glasgow is now having to deal.

Mrs. Fyfe: On a point of order, Mr. Deputy Speaker. I am sure that it was inadvertent, but the Minister misled the House. Glasgow council can explain, line by line, exactly what it is doing, but the Minister—

Mr. Deputy Speaker: Order. The hon. Lady might like to rephrase what she is saying.

Mrs. Fyfe: Perhaps you did not hear me, Mr. Deputy Speaker, but I did use the word "inadvertent". Nevertheless, the Minister misled—

Mr. Deputy Speaker: Order. The hon. Lady is making a debating point; it is not a matter for the Chair.

Mr. Kynoch: The hon. Member for Maryhill should debate these issues with the councillors of Glasgow city council and ask them to explain why their projected budget is so much above the notional budget prepared by the outgoing councils.

The changes to which I referred in relation to redetermining the level—

Mr. Michael Connarty (Falkirk, East): I am grateful to the Minister for giving way. At our meeting last night he hung on to notional budgets like a drowning man—it was the only thing he had to keep him afloat. Does he accept that, for example, a wage war for teachers would

[Mr. Michael Connarty]

cost Falkirk £2.4 million just to keep its teachers? Is he saying tonight that in—his words—the interests of efficiency savings, the council should cut the number of teachers and reduce education in Falkirk, so that it can keep within the notional budget that he is demanding it meets? Is the Minister even listening?

Mr. Kynoch: The hon. Gentleman referred to a teachers' settlement. I am not aware of the teachers having even started, let alone completed negotiations. The hon. Gentleman must be patient. The points I made about notional budgets are valid. I explained to the House how the budgets were prepared.

As I was saying, the changes to which I have referred in relation to redetermining the levels of AEF for 1993-94 and 1994-95 arise, for example, because of successful appeals by householders regarding the tax band their property should be in. I should add that for 1994-95 only, the order also increases by £2,000 the level of AEF payable to the Western Isles islands council. That is an increase in the amount being paid to the council to enable it to subsidise the costs of internal air travel, following the introduction of the air passenger tax in 1994.

I should make it clear to the House that COSLA has been consulted about the two orders and the report under consideration, but has made no comment on the detail of them. Despite the reaction from the Opposition parties and from COSLA, there is no doubt that Scottish local authority current expenditure was treated very generously in the 1995 public expenditure survey. AEF has been increased by £26.5 million more than the formula consequences of the English settlement and is no less than 43 per cent. per head of population higher than the level for English authorities and 21 per cent. higher than the level for Welsh authorities.

Spending provision for Scottish authorities is 30 per cent. higher per head of population than the provision for English authorities and 22 per cent. higher than the provision for Welsh authorities. It is no wonder that local authorities in both England and Wales are envious of the level of funding for Scottish local government.

Mr. Andrew Welsh (Angus, East): Will the Minister give way?

Mr. Kynoch: Opposition Members have been complaining about the time that I am taking, but I have tried to give way to hon. Members. I am sure that the hon. Gentleman will have an opportunity to speak later.

The Opposition and COSLA argue that a further £395 million should be provided for Scottish authorities, but we have yet to hear which other programmes in the Scottish Office block should be cut to provide that extra funding. It is senseless to argue for extra money on top of the significant increase that we have made and at a time of tight public expenditure—and unless Opposition Members can say where that money should come from.

Mr. Dennis Canavan (Falkirk, West): Will the Minister give way?

Mr. Kynoch: No, I shall not give way as I want to leave sufficient opportunity for Back-Bench Members to participate in the debate.

It has also been argued that extra help should be provided to particular councils, but we have yet to hear which councils should receive less in order to provide more for others. We have yet to hear why virtually all of the new councils claim that they need to increase spending by well over 10 per cent. next year when inflation is below 3 per cent. and likely to go even lower during the next 12 months.

Mr. Malcolm Bruce (Gordon): Rubbish.

Mr. Kynoch: I hear the hon. Gentleman, but the difference between my party and his party is that mine actually recognises that we must control expenditure because it is taxpayers' funds that we are using. To give 3 per cent. extra funding to local government at a time when others are taking cuts is a more than reasonable settlement.

I should like to think that during the debate the House will receive answers from the Opposition to the three questions I posed. If the questions are not answered, any criticism of the settlement will be entirely hollow. The truth is that Scottish local government is very generously funded and I commend the two orders and the notional amounts report to the House.

6.5 pm

Mr. George Robertson (Hamilton): This is a scandalously short time to debate something so critical to Scottish local government. It is disgraceful that the debate is being squashed into such a short time. Another disgraceful aspect of the debate is that the Secretary of State was not at the Dispatch Box. Three weeks ago, the Secretary of State for Wales presented the revenue support grant orders for Wales. Before that, the Secretary of State for the Environment did so for England. Last year, the then Secretary of State for Scotland stood at the Dispatch Box and defended his position—but not this Secretary of State today. He did not even do so at Scottish questions this afternoon. He sidelines the issue because he knows how embarrassing it is for him. It brings to mind that old Glasgow expression, "We want the engineer, not the sweat rag."

The Secretary of State for Scotland (Mr. Michael Forsyth): When will the hon. Gentleman treat the House seriously? He knows that the debate has been squeezed because my right hon. Friend the Prime Minister made a statement on Northern Ireland. He also knows that we will have a debate in Scotland on Monday, in the Grand Committee, when I will be happy to open the debate and the hon. Gentleman will have another opportunity to speak. Why does not he address the issues instead of making silly points?

Mr. Robertson: If there was a world competition for silly points, the right hon. Gentleman would win. I do not deny that the Northern Ireland statement was important, but the Government determine the business before the House and the amount of time we have for this debate is inadequate. It is the right hon. Gentleman who does not take the House seriously. This is the third major debate on Scotland since Christmas. One was on the effects of the winter, on a motion for the Adjournment on a Wednesday morning. It was the junior Minister who attended that debate. Then there was a debate on the

privatisation of water, but the Secretary of State was absent. This is the third debate, but still he was not at the Dispatch Box answering for what is happening—

Mr. Forsyth: The hon. Gentleman really does take the biscuit. He is criticising me for not answering an Adjournment debate on a Wednesday morning—something traditionally done by a junior Minister—when he did not attend the Grand Committee to debate law and order and other serious issues. He boasts about winding up a debate on water privatisation as it affects England. I confine my activities to looking to Scotland's interests in Scotland. It is the hon. Gentleman who, at every opportunity, has run away from debates on Scottish issues in the Grand Committee. If he wants an opportunity to debate today's subject with me, he will get it on Monday.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Let us return to local government finance now, please.

Mr. Robertson: That is what we hoped to hear the Secretary of State speaking about, but he did not even speak about it at Scottish questions today. There is genuine anger and outrage in Scotland about what is happening to local authorities. Some 40,000 people were on the streets of Edinburgh over the weekend to make their point known. They expect someone who claims to be Scotland's man in the capital to give an explanation, rather than to have the sandbagging performance of a junior Minister who just repeats the same script, irrespective of the facts.

Mr. Kynoch *rose—*

Mr. Robertson: Come on, the Minister took 22 minutes.

Mr. Kynoch: If the hon. Gentleman is so concerned about the facts that I quoted during the debate, will he once and for all tell the House where he would find the £395 million and how much he would give to local government should he ever be in power?

Mr. Robertson: Although he is only a very junior member, the Minister is currently in the Government. If he will tell me where they found £1.5 billion of public money to waste on railway privatisation, I will tell him where we will find money for vital front-line services.

The problem with this debate is quite simple: it is whether we can ever again believe Ministers in this Government. It was demonstrated on Monday, after the Scott report, that one Minister misled the House on 37 occasions on a vital—

Mr. Deputy Speaker: Order. What on earth has this to do with local government finance in Scotland?

Mr. Robertson: Mr. Deputy Speaker, it has everything to do with it because, this evening, we have to believe the Minister. It goes to the root—

Mr. Deputy Speaker: Order. It does not go to the root of anything. Let us keep to the debate that is before us—local government finance, Scotland.

Mr. Robertson: Mr. Deputy Speaker, Scottish Office Ministers expect to be believed about the revenue support grant order. They spew out figures, like some demented bingo machine, but no one believes them in Scotland, nor should they be believed. Believing that Scottish Office Ministers are telling the truth about local government finance amounts to calling Councillor John Young, the Tory leader of Glasgow city council, a liar. He was in London today to make a case to the Government about the problems that have been inflicted on Glasgow by Tory Ministers, and he is not a liar.

To accept that Ministers are telling us the truth about local government finance would mean making a liar out of Councillor Tom Hogg, the Conservative leader on the new Borders council, who was quoted in *The Scotsman* on 31 January as

"expressing his disgust at a package of 30 education spending cuts forced on the authority by Scottish Office expenditure limits."

Councillor Hogg, who said that he could not change the mind of the Secretary of State, is not a liar.

To accept that the junior Minister, the hon. Member for Kincardine and Deeside (Mr. Kynoch), is being truthful today means saying that Tory, Labour, Liberal and SNP councillors all over Scotland have invented a crisis.

Mr. Deputy Speaker: Order. The hon. Gentleman has been a Member of Parliament for a long time—

Mr. James Wallace (Orkney and Shetland): He never said anything like—

Mr. Deputy Speaker: Order. If the hon. Gentleman wishes to be called this evening, he must listen. The hon. Member for Hamilton (Mr. Robertson) might like to withdraw what he has just said. There was a double negative on "is it truthful" or words to that effect—*[Interruption.]* Order. The Chair rules on these matters.

Mr. Robertson: Absolutely, Mr. Deputy Speaker; I am simply saying that we have two sets of people to believe—the Minister or a set of councillors from all parties, including the Conservative party. If Ministers are telling the truth, those people are inventing a crisis in Scotland. I do not believe that they are inventing a crisis. We would have to believe that those councillors are conspiring to cut schools, homes and community centres and to increase council tax by five times the rate of inflation. We would have to believe that they are doing all that simply to embarrass the Secretary of State for Scotland.

Is anyone expected to believe that all that pain, all those threatened jobs and all the agonised judgments of Solomon that have been made in almost every council before next Tuesday are, in Sir Michael Hirst's words, simply to force the Government "on to the defensive"? The fact is that we do not believe—

Mr. Allan Stewart (Eastwood): Will the hon. Gentleman give way?

Mr. Robertson: I genuinely want to spare some time for other hon. Members in this debate, but I have already given way twice to a highly intemperate and very excitable Secretary of State. Ministers in this damaged and discredited Government may have great difficulty in separating truth from untruth, but the Scottish people do not have that difficulty. They know that, whatever

[Mr. Robertson]

propaganda, spin or mirrors are used on the manipulated figures, there is a crisis in local government, that the 23rd Tory tax increase will go on to their council tax bills and that they will have to pay more to get less.

During the next three years, central Government will take another £500 million out of local government. On council tax, that is the equivalent of 4p on the standard rate of income tax, and the local taxpayers will have to stump up that cash. This year, every independent expert agrees that a crisis has been induced by the Government in Scottish local government. In *Scotland on Sunday*, Claire Monaghan, one of the most respected experts in Scottish local government and academic life, from Strathclyde university, was asked about the Government's figures. She said:

"In real terms there has undoubtedly been a decline."

When she was asked whom to blame, she said:

"Central Government. Not just the current administration but those in office throughout the 1980s."

What does Prof. Arthur Midwinter, whom the Government are prone to quote often, say about the Government's views on local government? He said:

"The present crisis results from the cumulative effect of the Government's squeeze on spending, and assumptions about the cost of local government reorganisation . . .

The Conservatives present themselves as the party of sound finance, but their record in local government is one of fiscal incompetence."

Those are the words of Prof. Midwinter, not of representatives of Labour-controlled local authorities.

How dare this gang of Ministers peddle the distortion that there is no problem and that councils have much more money to spend? The Government cannot tell the difference between truth and untruth and have completely lost the ability to distinguish between propaganda and fact. Last week, Sir Michael Hirst sent a letter out asking people to spy on local councils throughout Scotland. In his briefing, he said:

"Every council will have the scope for an increase of at least 2 per cent. in its budget and most 2.5 per cent."

That is a fantasy, rivalled only by the famous words, "The guidelines have not been changed."

Tory propaganda says that Government support to local authorities is to be increased next year by £148 million, but the truth—the whole truth—is completely different. Councils must operate on real cuts in financing and not on the rich manure of propaganda. The Secretary of State said that there is £148 million extra this year—but there are some deductions. The first deduction is caused by inflation, which is now rising at 2.9 per cent. So, even on the Government's own figures, there is no real increase at all. We must then deduct the £39 million of transfers from the Department of Social Security, and then all the new priority needs that have been imposed on councils. Finally, and most important of all, we must deduct the huge cost of the botched local government reorganisation that was forced on Scotland.

Ministers say that the reorganisation will save £30 million a year. The reality is that it will cost £200 million in next year, and another £200 million in the next two years. That is a reorganisation tax of £200 million, and there is nothing to show for it. That is why the Government's statistics are misleading—they are designed to mislead the public. That is why, when the Secretary of State cries "more money", he means less money. That is why, when the blame lies with him and his Ministers, he passes the buck and blames local councils for the damage that will be done.

Instead of 2 per cent. increases in budgets, as they were promised, people will see schools closing, community centres shutting, old folks' homes closing, charges going up and social services being stretched. Community facilities are now at a premium. The stark reality behind the propaganda, which has been paid for by our rates and taxes, is that we pay more and get much less.

Of course Ministers ask us—they have to ask us—where they are going to find the extra money. I tell them: do not ask where the money is coming from but ask where it has gone to. They have always found money for their own pet schemes and obsessions, never mind the money spent on a botched reorganisation. What about the money that was spent on Health Care International and poured down the drain? What about the hundreds of millions of pounds that have been squandered on rail privatisation and on NHS bureaucracy? What about the billions of pounds that were wasted and squandered on the poll tax—the Secretary of State's brainchild?

It is funny how the Government can find £9 million for the assisted places scheme to prop up the private school sector in Scotland while cash is short for front-line services, such as schools and social services. They can find £30 million for a nursery voucher scheme which nobody in Scotland wants, while quality local government nurseries are savaged by the cuts. Only a couple of weeks ago, the Government found £89 million for the water quangos and managed to reschedule—

Mr. Kynoch: Will the hon. Gentleman give way?

Mr. Robertson: No. The Minister can answer at the end of the debate.

Mr. Kynoch: Will the hon. Gentleman give way?

Mr. Robertson: I am not giving way; there is not enough time. The Minister will be able to answer in his winding-up speech. I assume that he wants time to wind up; perhaps he would like to give another plausible explanation.

Some £700 million was wiped off the capital debt of the new water quangos. The Government can always find cash for their dogma, for their political playthings and for their waste, but they plead poverty when it comes to the vital services on which whole communities depend.

This year's settlement for local government in Scotland is a disgrace and a sad start for the new councils, which the Government wished on Scotland but could not capture for their own party. The people of Scotland are being punished for the lamentable political failure of the Conservative party last year. That is an act of cynical betrayal which will not be forgiven by the people of Scotland.

It is not too late for the Government to redeem themselves, and it is not too late for them to look again at the truth and the misery behind the partial and selective use of the figures with which they play. It is not too late for Ministers, who sit giggling and laughing on the Front

Bench while people outside face the cuts that they will impose, to watch the trail of misery for which they are responsible, to recognise the damage that they have done and to change. It is not too late for the Government to change their mind and they should start doing so tonight.

6.21 pm

Mr. Bill Walker (North Tayside): The hon. Member for Hamilton (Mr. Robertson) asked where the money had gone. My speech is about social work and in particular about funding for care in the community. I hope that I shall go some way towards answering some of the questions.

I ask my right hon. and hon. Friends to seek an explanation of the cost models that have been created by social work departments throughout Scotland. Social work departments control almost every avenue of inquiry and make it extremely difficult for meaningful data, such as their expenditure arrangements, to leave their control. How do they spend the money allocated?

My understanding is that social work throughout Scotland received a real increase in 1994-95 of more than 44 per cent.; the amount went up from £110 million to £158.3 million in Department of Social Security transfer moneys. Over and above that, the health boards are making almost £40 million a year available to local authorities. Did the social work departments, through their policies, influence how the money was spent? How have they been monitored? Can they demonstrate due economy and efficiency in their use of financial resources? Do they abuse their power?

A Tayside region social work committee meeting on 23 November 1995 considered a report on community care implementation. At that meeting, the director of social work sought council approval for a joint venture agreement with the Church of Scotland—incidentally, in my constituency. Ostensibly, the venture concerned the provision of dementia care.

It should be noted that the director, Mr. Bates, had previously put it to the social work committee, in item 3 from report No. 1550/95, that the regional authority should turn down the opportunity to purchase dementia care services from the private sector at costs beginning at only £195 per week. Mr. Bates stated that the £195 gross was

"not financially advantageous to the council."

The council accepted Mr. Bates's recommendation and turned down the £195 per week option.

In appendix 1 of report No. 1554/95, Mr. Bates states that the running costs for the joint venture agreement option are £423 per week per place provided. He also advises that the cost does not include any element of capital cost. In paragraph 2 of item 2, he says:

"In recognition of this background the Church of Scotland and the Social Work department have been working jointly on the refurbishment of Belmont Castle Residential Home for Older People"—

in my constituency—

"in a project whose capital costs have been fully met by the church."

It appears, however, that Mr. Bates may have failed to identify to the members of the social work committee the fact that the Belmont Castle home appears to belong to Dundee city council, which has leased it to the Church of Scotland. Furthermore, the money for the refurbishment came from the taxpayer via a grant from Scottish Homes, at an apparent cost of about £60,000 per bed.

In making his submission, Mr. Bates would seem to be ignoring his own advice. He stated in the press on 30 November 1995:

"The fact of the matter is that we are now involved in quite extensive rationing of a number of the services we provide in Tayside . . . the fact of the matter is that we cannot spend pound notes that we have not got."

Furthermore—*[Interruption.]* Hon. Members will enjoy the rest of this. Mr. Bates states that

"it was my decision to introduce rationing . . . and that means making tough choices."

Consequently, Mr. Bates is responsible for and should be held accountable for the following. The joint venture project was not put to the social work committee until the capital work had been done.

Mr. Deputy Speaker: Order. The hon. Gentleman must relate his remarks to the order. I hope that he will do that very quickly.

Mr. Walker: I thank you for your guidance, Mr. Deputy Speaker. My remarks relate directly to the order because the claim being made throughout Scotland, by Mr. Bates and others, is that the order is inadequate. He claims that he cannot fund the project he has in hand. I have to look at the projects he has in hand so that we can assess whether his claim in genuine.

The joint venture project was not put to the social work committee until the capital work had been more or less completed. That is a serious point, because if the funding came from Scottish Homes, as it appears to have done, there would have been a requirement for an endorsement by Tayside regional council before the funds could be approved by Scottish Homes.

How can Mr. Bates possibly justify recommending the joint venture option with the Church of Scotland as it costs 216 per cent. more per bed to support than the option he could purchase from the open market? The joint venture project provides only eight registered beds and 20 unregistered beds in the form of tenancies. I suggest that that is a manoeuvre, creating an unregistered environment for people who have definite care needs and who will deteriorate.

Mr. Nigel Griffiths: Will the hon. Gentleman give way?

Mr. Walker: I will not give way because of the time restriction.

I have reams of evidence of other matters to do with Tayside region social work department which affect my constituency. Because of that—

Mr. Welsh: On a point of order, Mr. Deputy Speaker. It appears that the hon. Gentleman is addressing specific points to Mr. Peter Bates. If the hon. Gentleman had bothered to turn up at the Select Committee on Scottish Affairs this morning, he could have put those points directly

[Mr. Welsh]

to Mr. Bates, who has been in the Palace of Westminster today to give evidence. The hon. Gentleman was not there. Perhaps he should get in touch with Mr. Bates.

Mr. Deputy Speaker: That is an interesting point of information, but it is not a matter for the Chair.

Mr. Walker: Thank you, Mr. Deputy Speaker. It is fairly obvious that Opposition Members do not want to know how and where the money was spent, despite what the hon. Member for Hamilton said.

I understand that there have been failures to use funds wisely in Argyll and Bute and in Fife, and I shall send my right hon. and hon. Friends a detailed dossier on the matter. In Tayside, the Perth and Kinross care manager service is having problems because it claims that the funding allocated by the orders will be inadequate. Yet the Association of Nursing Homes in Tayside, an organisation advising the Perth and Kinross care manager service, took minutes at a meeting—I will not bore the House with the details of the minutes, but I do have them—at which the care managers said that they were not bothered about the law or about accountability because the regional council's social work department had the power to do what it thought was right, regardless of the law or of financial constraints.

We are debating the matters tonight against a background of misinformation that is based largely on notional budgets and on the gross mismanagement by social work departments—particularly in Tayside—of community care. That failure is impacting on the most vulnerable people, who are least able to fight their case. Historically, social work has always demonstrated that its organisational culture is closed and defensive, and its bureaucratic and fragmented decision-making structure enables it largely to disregard operational outcomes. That state of affairs remains unchallenged because no effective avenue of accountability exists. I hope that the orders and the new councils will provide that avenue of accountability. It should not be forgotten that social work was the lead agency responsible for the Cleveland, Rochdale, Ayrshire and Orkney debacles concerning the forced removal of children from their homes.

The key manoeuvre that social work departments employ to avoid accountability is their collective case management approach, which advocates the virtues of multidisciplinary contributions and collective responsibility. That means that it is almost impossible for an individual social work representative to be made accountable for his actions. The real issues facing us tonight are the notional budgets set by the new councils and the basis on which they were set, how moneys were spent in the past and how moneys in the present budget are to be allocated. I welcome the opportunity to have those matters properly addressed.

6.32 pm

Mr. Norman Hogg (Cumbernauld and Kilsyth): The hon. Member for North Tayside (Mr. Walker) will forgive me if I do not follow what he said, but, in common with most of humanity, I do not have a clue what he was talking about.

I should begin by drawing attention to the fact that I have a registered interest. I have attended debates on this subject for many years, and I must tell the Secretary of State that this is the worst settlement that I can remember. It will certainly undermine local authority services, it is below the rate of inflation, and it will cost jobs.

In addition, the settlement will cut across the very plans that the Government have for local government, such as devolved school government, school transport safety, care in the community and the pressures on local authorities resulting from our aging population. The very things that the Government want to do will be undermined by the way in which they have dealt with the revenue support grant.

I want to speak about jobs this evening. The Secretary of State told the Convention of Scottish Local Authorities that he wants local government costs to match those in England, and indeed he drew a comparison with England at Question Time today.

Mr. Michael Forsyth: Just for the record, I told COSLA nothing of the sort. I have heard a rumour that COSLA left the meeting and said that, but I pointed out that the grant was 44 per cent. higher per head than in England, and that expenditure in Scotland was 30 per cent. higher. At no stage have I said that expenditure should be brought down to English levels. Had I thought that, I would not have fought so hard for a block that provides for 30 per cent. more expenditure per head in Scotland.

Mr. Hogg: I hear what the Secretary of State says, but the implications of what he said to COSLA and what he said in the House this afternoon are absolutely clear. He cannot escape the fact that he has been drawing comparisons with England. We have a different education system from England, and we have higher standards on class sizes. The right hon. Gentleman will accept that he constantly says that education is one of his priorities, but the truth is that he is not willing to provide the means for education.

We should not seek to emulate England in education. England's staffing figures provide a dubious comparison with those of Scotland, because there are more grant-maintained schools in England. *[Interruption.]* The Minister responsible for education, housing and fisheries, who is trying to make sedentary interventions from the Treasury Bench, has failed to persuade Scottish parents to adopt the opting-out system. We all remember his brave speeches at Christmas, but he has failed to deliver the policy objective of the Secretary of State.

The fact that there are more contracted-out functions in the English education system means that staffing figures are distorted. In any event, we have every right to assert our separate education system. Indeed, we have a constitutional right to a different education system, and it is the duty of the Secretary of State for Scotland to defend that. But he is not doing so with the revenue support grant, because he is financially undermining the education system.

Mrs. Fyfe: Will my hon. Friend give way?

Mr. Hogg: I am sorry, but I have been asked by, among others, Mr. Deputy Speaker—for whom I have great respect—not to take up too much time, and I know that the hon. Member for Orkney and Shetland (Mr. Wallace), the Scottish spokesman for the Liberal Democrats, is hoping to speak.

The Secretary of State inherited the local government reorganisation, and I do not blame him for that reorganisation. I blame the hon. Member for Eastwood (Mr. Stewart), who was the architect of a system that is costing the council tax payer and the British taxpayer a great deal of money. Its structure is most unsuitable to the delivery of services in Scotland, and the shambolic situation that now exists is directly his responsibility.

The reorganisation was forced on an unwilling Scotland, and the result is that 4,500 employees—and probably more—will leave local government this year. More jobs will be lost because of the phasing of vacancies and temporary posts. These people are not bureaucrats—they work in front-line jobs, and include teachers, social work staff, library staff and so on.

Some 600 senior officers—persons employed in senior official jobs earning £42,000 or more—will be leaving local government. The new councils have streamlined their management structures, and have done their best to make new provisions. But the loss of experienced staff should worry the Secretary of State, and that is a part of the inheritance that has been handed to him by the hon. Member for Eastwood.

The Tories have created an enormous explosion in the number of bureaucrats in the health service, so they are not in a position to lecture local government administrators and management. That is impudence on the part of the Government, but they constantly denigrate local government and its officers, and they constantly say that local government is top-heavy with officials. The Government are deliberately curbing local government expenditure for reasons of which we are all very well aware.

We all know the objective of the cuts. The Secretary of State wants to be able to tell his Cabinet colleagues that he is making cuts to support the creation of a cut in direct taxation later in the year. That is all for the sake of trying to save the day for the Tory party before the next general election.

Thanks to the hon. Member for Eastwood and the Government, an attempt is being made to force uniformity of management and services on us. That is very different from what is required by local government. We have a diverse system of local government, thanks to the structure that has been introduced. The authorities are diverse in size. It is not possible to create similar management structures in every case. The Government are doing their usual trick of trying to impose centralism on everything.

The Scottish people, their councillors and those who work in local government day after day know that the Government's day is over. There is no doubt about it. There is no authority for what the Government do in Scotland. That is not the mandate argument of which we have heard so much over the years, but simply a fact.

In the elections to the new unitary authorities in April last year, the Government were heavily defeated. There are no Tory councillors to speak of in Scotland, and they do not control any authorities. The Government have no right to do what they are doing. We know that the Tory ranks are broken. Not a single Minister on the Treasury Bench tonight will serve in the next Parliament.

6.41 pm

Sir Hector Monro (Dumfries): On a night when we have heard the tremendous news of the order for three new frigates from Yarrow in Glasgow, we ought to be full of good cheer instead of listening to the moaning and groaning of the Opposition, led by the hon. Member for Hamilton (Mr. Robertson).

Local authority finance is an annual ritual. It is always the same, whatever Government are in power. In 1964-70 and 1974-79, there were equally contentious local government finance settlements. I was a councillor for 15 years, and I knew each year that we would face difficult decisions on reducing the budgets that we might like to set, to bring prudent housekeeping to the local authority.

The attitude of Opposition Members is that everything is always cut, cut, cut. We are really dealing with reductions in the budgets that local authorities would like to set if they had carte blanche. Those are the cuts we are talking about, not cuts by Government. The Government have been very reasonable in giving authorities an increase of 2.88 per cent. against 2.9 per cent. inflation. By and large, spending should about equate to what was spent last year, allowing for inflation.

The only major change this year is reorganisation. My right hon. Friend the Secretary of State has built in additional money for the transition. He rightly expects some financial savings from reorganisation. When we consider that, in my area, five councils have been reduced to one, we would expect a reduction in the administrative costs of the local authority, especially when aggregate external finance this year is virtually the same as last year. There is only a £500,000 difference in £152 million of grant from the Government.

The Opposition are not putting sufficient pressure on their local authorities to trim their budgets to what any prudent housekeeper would spend. *[Interruption.]* That is a statement of fact. Over the past 10 years, local authorities have increased their expenditure in real terms by 20 per cent. They have increased expenditure in real terms year by year. Until we get a balance far nearer to what is fair and prudent, we will have the same problem every year with local government finance.

We must consider the overall position. Roughly the same population requires the same services each year, yet, out of the blue, local authorities want to increase their expenditure far above the rate of inflation. Of course one would like to have marginal increases to improve services, housing and all the other aspects of local authority expenditure, but nothing like the 10, 20, 30, or 40 per cent. figures that are being thrown around the Chamber.

We have to consider the comparison between Scotland and England and Wales. My right hon. Friend the Secretary of State has made clear the position that he took with the Convention of Scottish Local Authorities. There is no question of bringing down expenditure to the level of England, but it is right to point out to councillors in Scotland that Government-supported expenditure in Scotland is 30 per cent. higher than in England, 22 per cent. higher than in Wales, and 70 per cent. higher in respect of capital expenditure. Those are facts. We are spending far more than we ought in Scotland on providing the services that we all want.

This is a difficult year, as the transition is made from the old authorities to the new. Now that we have achieved the changes, let us go forward with some positive

[Sir Hector Monro]

thoughts, rather than all the negatives that are being thrown out by the Opposition. We want the new streamlined councils to work, to be more economical in their use of financial resources, to provide the services we want, and to develop the housing and social aspects of their duties.

All in all, we want positive development and not the continual moaning of the Opposition that it is not possible to achieve anything. Of course it is possible to achieve things. I bet that, when council taxes are set, they will be much less than the figures bandied about in the Chamber tonight.

6.46 pm

Mr. James Wallace (Orkney and Shetland): I was astounded to hear the right hon. Member for Dumfries (Sir H. Monro) say that we are talking about mythical cuts to wish lists. When schools close, real schools are involved; when staff are laid off, real people lose their jobs. The cuts are real, and they will be laid at the door of the Conservative Government.

It may well be that local authorities wish to spend more on repair and maintenance of school buildings. When there is a £500 million backlog of school building repair and maintenance work, it is not unreasonable that they should wish our children to be taught in decent surroundings. That may be a cut to a wish, but it has real effects on the young people who have to study in those buildings.

This debate takes place against a background of cuts in services, proposed increases in council tax and staffing reductions. Although the Minister has been trotting out the same line week after week and it has been clearly shown that his figures are a gloss, he has no new song to sing.

The Minister says that a £148 million increase has been given to local authorities. Of that, £40 million is the cost of reorganisation. When the Secretary of State and the Minister say that they have managed to get £26.5 million more than the equivalent under the Barnett formula that applies to local government in England, it ignores the fact that that sum is £13.5 million less than they say is necessary for local government reorganisation. There has been no local government reorganisation in England and Wales except for two or three councils in England. Some £39.5 million is being transferred from social security to care in the community. They want a £44 million increase for the police, a £13 million increase for fire services and £500,000 for the district courts. If we add all that up, we are left with £11 million for everything else. The Government are supposed to be keen on education. If we assume that education spending represents half the overall budget, they have provided an extra £5 million for the whole of Scotland.

Mrs. Fyfe: Is it not incredible that, today of all days, the Government should announce an increase of £2.12 million, or 17 per cent., for the assisted places scheme, when council education is deteriorating across Scotland?

Mr. Wallace: The people of Scotland will note that a substantial sum is being given to a relatively small number of pupils, when the vast majority are suffering from education cuts.

In the highlands and islands, both the chief constable and the chief firemaster believe that even the amount that the Government think should be spent will not provide adequate services. The Government blame local authorities, but the people of Scotland have seen through that. The Government have blamed the outgoing authorities for spending reserves, although those authorities have often been encouraged to do so—and, in any event, that would be an explanation of, rather than a solution to, the problems faced by the new authorities.

The Minister did not deal properly with the point that I raised at Question Time. I salute the islands authorities for managing to control council tax increases. In some cases, they merely kept pace with inflation; the Western Isles increase was only 5 per cent. Many cuts in services or increases in charges have been made, affecting care centres in the islands. Unlike mainland Scotland, however, the islands have not had to contend with reorganisation. That is the cause of a substantial proportion of the council tax increases—£40 million, we hear.

According to the explanatory and financial memorandum to the Local Government etc. (Scotland) Bill, enacted in 1994, the transitional costs were expected to be between £120 million and £196 million, and would be offset by on-going savings of between £22 million and £66 million per annum. I accept that not all the transitional costs will be incurred in the first year, but I think it fair to say that they will be front-loaded in the first year. The savings will come later. Even on the basis of the figures given by the Government at the time they published the Bill, £40 million is wholly inadequate to meet local authorities' costs.

I suspect that, privately, the Secretary of State is furious with his predecessor, who persuaded the Treasury—not that it probably needed much persuasion; no doubt it clapped its hands in glee—that the changes in Scottish local government could be funded from the block grant. That defied history: I do not think that savings have ever been possible in a local government change.

The Secretary of State challenges the Opposition parties to say where savings can be made in the block grant. At the weekend, he said in a speech at Banchory, quoted in the *Aberdeen Press and Journal*,

"Councils are undoubtedly feeling the strain of reorganising themselves".

They did not want the reorganisation; it was forced on them. Having obliged councils to undergo reorganisation, the Government should do what they did following the debacles of the poll tax and the revaluation of 1985.

The Government should go to the Treasury and secure an amount that will allow local authorities to meet reorganisation costs and save the Scottish people from the service cuts and council tax increases that will otherwise be inevitable. The Government are imposing more cuts and more taxes in a vain attempt—a last desperate throw of the die—to cling to office.

6.53 pm

Mr. Andrew Welsh (Angus, East): I have just four minutes in which to speak. I shall do so as briefly as I can, so that others can speak as well. I do not wish to speak briefly, however; there is much to be said.

The debate may be an annual ritual, but this one is different. In the past, there has been much talk of cuts, but these cuts are for real, and will affect local authorities

in the future. Cuts that began in 1976, under Denis Healey, have now run their course, but, as I have said, these cuts are for real, and once they have been implemented there will be no going back on them. The Government's 2.6 per cent. increase for local authorities is really only a 1 per cent. increase; given inflation, it represents a cut. We shall end up with the worst of all possible worlds. The council tax will inevitably rise, as will local charges, and services will be reduced.

Even a financially prudent authority such as Angus could not remain within the Government's cap—even with a standstill budget. The Government propose to take £9 million out of its local economy, which will increase unemployment, reduce services and affect local businesses. The policy on capital receipts and capital from revenue, which has halved the amount that the authority would otherwise receive, will inevitably have that result, which will be mirrored throughout the country.

Central Government now dominate local authorities, which are not allowed to set their own budgets or determine their policies according to local need. Central Government determine their priorities for them. The Secretary of State has told them which core services will be given more resources; within a fixed budget, that means cuts in every other service.

There is no new money for the police, fire services, education or any other service. The Government have financed those services by taking 4.9 per cent. out of every other service budget. That means that every other council service budget will be cut not just by the Secretary of State's 4.39 per cent., but by an additional 3 per cent. for inflation. The real cuts amount to some 7.39 per cent.

The Government's way of running local authorities is to force the departments dealing with social work, libraries, roads, infrastructure and other services to cut 7.39 per cent. from their budgets. All that is deliberate, calculated Conservative Government policy. Central Government have set capping and revenue levels, and determined revenue spending patterns and priorities. They have set capital levels, capital-from-revenue levels and end use of capital-from-sales revenues. Central Government now run local authorities: there is no longer an independent local democratic service. The Government have a cheek to claim that they are giving local authorities more power.

Central Government now rigidly fix the total amount of local authority revenue, and thereby local services. Every unnecessary school closure, every unnecesary rent rise, every unnecessary increased charge—all the inevitable consequences of the order that we are discussing—will stand firmly at the door of the Conservative party. This is not a budget for Scotland's democratic local authorities; it belongs to the Conservative party.

The Conservatives can run now, but they cannot for ever hide from the electorate. They will surely get their come-uppance when the people of Scotland have the chance to judge them.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): I call the Under-Secretary of State for Scotland.

Mr. John Maxton (Glasgow, Cathcart): On a point of order, Mr. Deputy Speaker.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Mr. Deputy Speaker.

6.58 pm

Mr. Kynoch: With the leave of the House, Mr. Deputy Speaker—*[Interruption.]*

Mr. Deputy Speaker: Order. Settle down. The Minister does not need the leave of the House—[HON. MEMBERS: "He does."] Order. I have ruled that he does not.

Mr. Kynoch: Thank you, Mr. Deputy Speaker. In the few seconds that I have left—

Mr. Foulkes: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that it does not arise from my earlier decision. If it does, there is no point in the hon. Gentleman's raising it.

Mr. Foulkes: A number of my hon. Friends representing certain parts of the country have not had an opportunity to speak. The Minister took 25 minutes to introduce the debate. Is it not unfair for him to be allowed to reply? He will not actually reply; he will make party political points, as he did at the outset. I urge you, Mr. Deputy Speaker, to call one of my hon. Friends.

Mr. Deputy Speaker: That is not a point of order for me. I have already ruled that the Minister does not need the leave of the House.

Mr. Kynoch: We have heard nothing constructive from the Opposition. That is typical. None of them has recognised that an extra £148 million has been put into local government, and that Scottish local government is being given significantly more than the rest of the United Kingdom. They are trying to shield their local councillors, who are spending and spending taxpayers' money.

All we have heard from the Opposition parties was outlined earlier in the week. It is clear that they want to increase taxation. They want to do away with compulsory competitive tendering and remove capping. They want to remove the uniform business rate from central Government and take it back to local government—and local businesses know what that will mean: increased costs. However, it is consistent with everything that Labour Members have said.

I posed the following questions to the hon. Member for Hamilton (Mr. Robertson): where would he find the funding? How would he find the funding? What would the funding be under Labour? He has not answered those questions. I commend the order to the House.

Question put:—

The House divided: Ayes 284, Noes 252.

Division No. 63] **[6.59 pm**

AYES

Ainsworth, Peter *(East Surrey)*	Arnold, Sir Thomas *(Hazel Grv)*
Aitken, Rt Hon Jonathan	Ashby, David
Alexander, Richard	Atkinson, Peter *(Hexham)*
Alison, Rt Hon Michael *(Selby)*	Baker, Nicholas *(North Dorset)*
Allason, Rupert *(Torbay)*	Baldry, Tony
Amess, David	Banks, Matthew *(Southport)*
Ancram, Rt Hon Michael	Banks, Robert *(Harrogate)*
Arbuthnot, James	Batiste, Spencer
Arnold, Jacques *(Gravesham)*	Bellingham, Henry

Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Jim *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Wallace, James
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Michael Bates and Mr. Gary Streeter.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*

Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Hardy, Peter
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Kilfoyle, Peter
Kirkwood, Archy
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jon Owen Jones and
Mr. Joe Benton.

Question accordingly agreed to.

Resolved,

That the Local Government Finance (Scotland) Order 1996, dated 12th February 1996, a copy of which was laid before this House on 27th February, be approved.

Resolved,

That the Local Government Finance (Scotland) Notional Amounts Report 1996 (House of Commons Paper No. 145), which was laid before this House on 24th January, be approved.

That the Revenue Support Grant (Scotland) Order 1996, dated 12th February 1996, a copy of which was laid before this House on 27th February, be approved.—[*Mr. Knapman.*]

Mr. Robert G. Hughes (Harrow, West): On a point of order, Mr. Deputy Speaker. Doubtless you will have seen on the tapes that the divorce of His Royal Highness the Prince of Wales and Diana, Princess of Wales has been formally announced, which will be greeted with great sadness in this House and by our constituents. I wonder whether you have had a request from the Government for a statement on that matter. It is important and we should hear the facts in this House.

Mr. Deputy Speaker: I have received no such request. It is not a matter for me.

Housing (Scotland)

7.14 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): I beg to move,

That the draft Housing Support Grant (Scotland) Order 1996, which was laid before this House on 1st February, be approved.

I understand that with this, it will be convenient to discuss the following motion:

That the draft Housing Support Grant (Scotland) Variation Order 1996, which was laid before this House on 1st February, be approved.

As the House knows, this is the annual opportunity for us to debate the Housing Support Grant (Scotland) Orders. Traditionally, the debate provides an opportunity to consider, not only the detail of the orders, but wider issues relating to housing and housing finance. I propose to speak briefly to the orders and make some general comments on matters relevant to them. In that way, I hope that the debate can move forward.

I start with the draft Housing Support Grant (Scotland) Variation Order 1996. As was the case last year, a variation order is necessary because of a reduction in the pool rate of interest used to estimate local authorities' loan charges. It is accepted practice for Ministers to propose a variation order in those circumstances. That will reduce slightly the total housing support grant payable in 1995-96, from £23.3 million to £23 million.

For most authorities, the reduction in grant will be marginal. The reduction should not cause too many difficulties for authorities, as the lower level of interest charges should be reflected in lower loan charge expenditure within authorities' housing revenue accounts.

The draft Housing Support Grant (Scotland) Order 1996 provides that the total level of housing support grant payable to Scottish local authorities in 1996-97 will be £19.4 million. Grant for mainstream council housing will be paid to four authorities—Aberdeenshire, Highland, Shetland and Western Isles. Broadly speaking, the grant represents the amount that the authorities need to avoid a deficit on their housing revenue accounts. The assumptions used in calculating the amount of grant are explained in detail in the report that accompanies the order.

As in previous years, the Housing Support Grant (Scotland) Order includes an element—the hostels portion—that helps meet part of the running costs of local authority hostels for the homeless. Hostels grant of £3.1 million will be paid to 21 authorities throughout Scotland and will help to support more than 2,300 places for homeless persons, particularly those who are roofless.

The general portion of housing support grant has declined steadily since the early 1980s, in line with the Government's policy of moving away from indiscriminate subsidies, such as HSG, and targeting resources towards tenants most in need, through the housing benefit system. Very few Scottish authorities now need the financial support of HSG to balance their housing accounts.

Individual tenants have not been forgotten, however. Help for them is made available through housing benefit. In 1994-95, council house tenants in Scotland who were unable to afford the full cost of their housing received rent rebates totalling almost £620 million. Housing benefit is better able to help those in real need than an indiscriminate subsidy such as HSG.

In 1996-97, the housing element of HSG will reduce to £16.4 million, from £19.3 million in 1995-96. There are two main reasons for the reduction. First, as interest rates continue to fall, housing loan charges are expected to increase only marginally in 1995-96. Secondly, local government reorganisation, with the merger of a number of smaller councils, has the effect of reducing the need for grant.

On the assumptions used in the 1996-97 grant calculations, the estimate of management and maintenance expenditure is based on an assumed average spending level of £771 per house, which represents a 3 per cent. increase on the current year—an increase that is more than the current rate of inflation.

If some local authorities want to provide a higher level of service and spend more on management and maintenance, that is their decision. For the purpose of HSG formula, the assumed average standard rent for next year has also been increased by 3 per cent., to £38.60 per week. That is not a forecast, a guideline or a recommendation; it is an assumption used for the grant calculation. Over the years, the actual rents charged by councils have varied from that sum according to decisions made locally about planned levels of housing income and expenditure. In the current year, the average local authority rent in Scotland is £28.78, well below levels in England, where the average is £38.31. How much to charge in rent is a matter for local decision, but once again the taxpayer cannot be expected to fund an increase in HSG to compensate.

At this point, I should draw the attention of the House to the question of contributions from the general fund. Such contributions represent a subsidy from council tax payers to council house tenants. Such a subsidy, like HSG itself, is indiscriminate, in that it benefits all tenants regardless of personal circumstances. It is also unnecessary because tenants who are unable to meet the cost of their housing receive assistance through housing benefit. As has been the case in recent years, therefore, the Housing Revenue Account General Fund Contribution Limits (Scotland) Order 1996, which was laid on 31 January, prevents authorities from budgeting to make general fund contributions to the housing revenue account next year.

Mr. Michael Connarty (Falkirk, East): The Minister seems not to apply the logic that is implied in the ability to apply for tenancies in the public sector. Anyone from the private sector—who may have lived in private sector housing all his life—can make an application to a housing authority, regardless of where he lives. The Minister seems to be saying that there is no contribution from the local council tax-paying population towards that service. He is saying on the one hand—and I agree with him—that everyone can apply for housing in the public sector should they need it, but on the other hand that there is no need to make a contribution locally. People whom I have spoken to are willing to make a contribution, but the Government seem to be restricting people's wishes to contribute to general housing from their council tax.

Mr. Robertson: The hon. Gentleman seems to forget, however, that, since we prevented transfers from taking

place, local authority rents in Scotland have risen, on average, by only 3.5 per cent. Therefore, the problem that he identified—if we do not allow transfers, rents will somehow rise way above the rate of inflation—has not happened. Perhaps I have missed his point.

Mr. Connarty: I was talking about the people in the non-rent paying sector who pay council tax. They wish to contribute—and have never objected to contributing—to local authority housing because they and their children have the right to apply for it, should they wish to do so. The Government appear to be ghettoising public housing by cutting off general support given by people who do not currently live in council housing.

Mr. Robertson: I am sure that the hon. Gentleman agrees that that method of achieving his aim is totally indiscriminate and does not target money on those most in need.

Mr. Jimmy Wray (Glasgow, Provan): I seek clarification from the Minister. He said that rents have increased by only 3.5 per cent. Although the average rent is £28.80 a week, the assumed standard rent is evaluated at £38.80 a week.

Mr. Robertson: We assumed a 3 per cent. increase in rents. That is not a guideline or a recommendation; it is an assumption on which we have based the grant formula. In practice last year, rents in Scotland rose by only 3.5 per cent.

Mrs. Maria Fyfe (Glasgow, Maryhill): The Minister will be aware that, last year, Glasgow's rents went up by 6.2 per cent.—well above the rate of inflation—yet the associated services have decreased over the years.

Mr. Robertson: The hon. Lady should take that up with her local council. If she is concerned about rent increases of 6.5 per cent., which is 3 per cent. more than the rate of inflation, does she agree that a rent deal of a maximum of 1.5 per cent. more than the retail prices index for five years is a good one? Does she also agree that a rent deal of a maximum of 1 per cent. more than the RPI for the next 30 years is even better? Those are examples of the deals that have been done by tenants who have been transferred from public sector housing—local authority housing or Scottish Homes—to housing associations. If the hon. Lady wants such a deal for her constituents, will she help me to persuade the new Glasgow council to seek the necessary finance and mechanism for a large-scale transfer, with rent deals such as the ones that I have just described? Will she join me to obtain such a deal for her constituents?

Mrs. Fyfe: Glasgow tenants now pay almost the entire cost of public sector housing, because it has been years since there was any contribution from the general fund. The increase in rents in Scotland, since 1979, is 483 per cent. Is that fair to tenants? Instead of the Minister talking about deals on stock that cannot be let, it would be much more relevant for him to talk about people's real housing needs.

Mr. Robertson: I repeat: does the hon. Lady want the sort of deal that I have described for her constituents? Will she join me in seeking to persuade the new city council to make such a deal? I shall gladly try to persuade the council to make such a deal, so that we do not have to have debates about rent rises that are twice or three times the rate of inflation. The hon. Lady seems to forget that we have funded investment in Glasgow's housing next year by almost 22 per cent. more per house than the Scottish average. If she wishes to complain about what the new Glasgow council does with the money, she probably has more influence over that than I have.

Mr. Phil Gallie (Ayr): I seek information about the level of housing benefit support for tenants in Glasgow. Has my hon. Friend any idea of what proportion of tenants in Glasgow public housing are on housing benefit? How much is the taxpayer paying for that?

Mr. Robertson: I shall come to that subject later, but I can tell my hon. Friend that, of all Scottish council tenants, some 72 per cent. are on housing benefit and are therefore protected—if not wholly, at least in part—from many of the indiscriminate rent rises that we have seen. I understand that the figure for Glasgow is higher than 72 per cent.

Mr. Nigel Griffiths (Edinburgh, South): Specifically on the point about the number of people who are exempt from paying full rent, does not the Minister realise that the 20 per cent. or so who pay full rent include widows and people with small occupational pensions? Many of those people have been loyal council tenants for many years, and they were promised by Margaret Thatcher in 1979 that she would not penalise them for having widows' pensions or occupational pensions. But they have been penalised, and housing support can go some way to keeping rents at reasonable levels for those people and preventing general resentment from building up against Government policy.

Mr. Robertson: I take it from the hon. Gentleman's comments that he is supportive of our move away, over the past decade, from the indiscriminate subsidy of housing support to the targeting of assistance through the housing benefit system.

I remind the House that the grant decisions reflected in the order will have only a minimal effect on local authority rent levels. Only Aberdeenshire, Highland, Shetland and Western Isles will receive housing support grant for their mainstream council housing. The impact will be outweighed by each authority's decisions on such matters as management and maintenance spending. For the other 28 councils, the rent levels are entirely a matter for local decision. Decisions on HSG, in that respect, are irrelevant. Each council must decide for itself what level of rent is appropriate in the light of local circumstances and defend that decision to its tenants.

Mr. Andrew Welsh (Angus, East): Angus council has the second lowest rents in Scotland and a good record of low rents. How can the Minister justify a rent increase for every Angus rent payer of £2.75 a week to pay for his capital receipts policy?

Mr. Robertson: The decision taken by Angus council is a matter for the council itself. How can the hon.

[Mr. Robertson]

Gentleman, as someone who has been a provost of a housing authority, justify the spiralling debts of local authorities for housing? An extra £1 billion since 1987 has increased the figure to £3.9 billion. The Government have brought in receipt rules with a request for 25 per cent. this year and 50 per cent. next year, because—given the increase in council house sales—it is surely unacceptable that fewer council tenants are paying greater debt charges. That cannot be allowed to continue.

Mr. Welsh: Will the Minister give way?

Mr. Robertson: I must make progress. The hon. Gentleman will get a chance to make his speech.

Predicting the overall average rent increase across Scotland for 1996-97 is difficult, especially as some of the new councils may wish to rationalise the different rent structures that they have inherited. However, I understand that a number of councils have proposed rent increases well above inflation. I remind the House that, last year, councils were able to hold rent increases to an average of 3.5 per cent. This year, they seem to be taking a different course, which they will have to justify to their tenants. I note, for example, that the new Highland council has decided to increase rents by about 9 per cent., or £2.96 a week on average. One press report suggested that the council blamed the Government for the increase. However, the report went on to point out that only one third of the increase was due to a reduction in HSG. I calculate that only 67p of the increase can be attributed to that cause. By far the largest part of the increase was due to decisions taken by the new council.

Where an authority does not receive HSG, it is even more the case that the decisions on rents have nothing to do with the Government and everything to do with decisions of local councillors. I have no quarrel with the idea that local authorities should decide rent levels in the light of local circumstances, but I believe that they should accept responsibility for the decisions and not seek to pass the blame elsewhere.

Mr. James Wallace (Orkney and Shetland): Perhaps the Minister can satisfy my curiosity. In annex C, where the apportionment is given for each authority, Orkney islands council has been omitted. One would have thought that even if the balance was nil, it should have been there. Is there a special reason why Orkney, of all the councils in Scotland, is not mentioned?

Mr. Robertson: The hon. Gentleman will understand if I say that I am sure that during the debate I shall receive inspiration on that matter.

Interestingly, former public sector tenants whose homes have been transferred to new landlords often find themselves protected from such annual fluctuations in their rent, because they have received guarantees about future rent rises as part of the transfer process.

The Government's proposals for housing support grant next year are fair and reasonable. It is a package that balances the interests of tenants, council tax payers and national taxpayers, and I have no hesitation in commending the orders to the House.

7.31 pm

Mr. John McAllion (Dundee, East): The debate is, uniquely, about council housing since housing support grant payments go only to councils. That means that it is not to the Minister's liking, which was obvious from the way in which he read the brief from his civil servants. The Minister is on record as expressing his distaste for council housing. I have a photocopy of a recent magazine article which is headed by an unattractive picture of the Minister. However, to be fair to the magazine, it is difficult to get an attractive picture of this Minister. In the article, the Minister makes clear his attitude to council housing, for which he is responsible. He says:

"I want to see them"—

that is councils—

"get out of the business of being landlords, out of the day to day management of the housing stock".

He wants councils in Scotland out of the housing picture completely.

Even the Minister, with all his arrogance, realises that that is a tall order. The magazine article points out that

"he will have to break the bonds which tie 35 per cent. of the population to public sector housing."

In the article, the Minister says:

"We are quite a bit away from what I am describing. We have a major cultural problem and a major exercise to persuade local authorities and tenants that this is the way forward."

I fear that the Minister is using the word "persuade" in the same way as the Mafia. In other words, councils and council tenants will be made an offer that they cannot refuse and, in part, that is what we are seeing in the order.

We have it straight from the horse's mouth. It does not matter what elected local councils, or council tenants, might think or want, the Minister and the Government have already made up their minds about what those council tenants will get, and they will not get council housing because it will not be on offer. That comes poorly from a Minister who, in the article to which I have already referred, talks about his vision for the future of housing in Scotland and says that he wants greater diversity and choice. It seems that people can have greater diversity and choice as long as they do not choose the tenure of which the Minister does not approve. There is no future for council housing as long as he is the Minister.

Tragically, the Minister's prejudice will impact upon hundreds of thousands of ordinary families in Scotland, partly because of the order. Council housing is by far the largest part of the social rented sector in Scotland. We hear a great deal from Ministers about the 300,000 council tenants who chose to buy their council house under the right-to-buy legislation. We never hear anything about the 600,000 council tenants who have remained in the council sector as council tenants. They are the forgotten Scots under the Government's housing regime. They will be let down by the order and will suffer because of the Government's and the Minister's prejudice and their dislike for council housing.

I shall explain some of the ways in which those 600,000 Scots will suffer. The order sets housing support grant for Scotland next year at £19.4 million. That is just under £3 million or 13 per cent. lower than the planned level for the current year. It is just under £5 million or 20 per cent. lower than the level that the Government gave last year. It represents yet another cut, another twist in an

on-going downward spiral—the steady withdrawal of Government support for council housing in Scotland over the past 15 years.

Fifteen years ago, £228 million was given to Scottish councils in housing support grant. Next year, it will be just £19.4 million and, as the Minister said, only four out of 32 local authorities will qualify for it. In cash terms, councils are now receiving 8.5 per cent. of what they were receiving from the Government 15 years ago. In real terms, they are receiving significantly less than that.

The Minister and his hon. Friends will no doubt say that that is a good thing and that, as a matter of policy, the Government are deliberately withdrawing housing support grant from tenants in Scotland. Well, okay, but what about those who have to pay council rents? The Minister made many statements about council rents, but he did not tell the House that average council rents in Scotland have increased by six times since the early 1980s. That is way above the rate of inflation and way above the increases in incomes of the people who live in those houses. In 1979-80, the average council rent in Scotland was £4.92 a week. Today the average is £28.68 a week. Next year, because of the order, it will increase by up to another 5 per cent., again way above the rate of inflation.

The Minister said that the order will have no significant impact on council rents in Scotland next year. The absence of housing support grant in the order will have a significant impact on council rents next year. Because the Government and the Minister are withdrawing housing support grant from councils, council rents will increase next year, and the Minister should accept his responsibility directly.

Mr. Raymond S. Robertson: I have asked the House to approve a housing support grant order of over £19 million. If the hon. Gentleman were in my position, what would be the housing support grant level that he would be asking the House to approve?

Mr. McAllion: We are dealing with what the Minister is proposing. If he wants to find out how much the order would be under a Labour Government, let him and his hon. Friends call a general election now, and they will find out in a short time.

Mr. Gallie: The hon. Gentleman suggested that it would take a general election to find out what a Labour Government would do. The Labour party has said that it will not increase taxation or take more out of the pockets of the taxpayer. So a Labour Government could not increase housing support.

Mr. McAllion: There was a rumour about two weeks ago—I was contacted by the press—that the Secretary of State was thinking of inviting me and my hon. Friend the Member for Hamilton (Mr. Robertson) to look at all the books to see what resources are available. The Secretary of State has never made good that offer. They know that if we were allowed to see where all the money is tucked away for the tax cuts that the Government hope to use to get re-elected, the cat would be out of the bag. If we could see where the money was, we could perhaps say what we would do with it.

The Secretary of State for Scotland (Mr. Michael Forsyth): The phrase "a look at the books" is absurd. The Scottish Office block is published and is available to the hon. Gentleman. It sets out where the expenditure will come from. Surely it is fair to ask the hon. Gentleman whether, if he were in government, he would increase the level of support provided for council tenants and from where the money would come. Why can he not answer?

Mr. McAllion: The Secretary of State knows very well that the size of the Scottish Office budget is determined by Cabinet decisions on public spending generally. The Cabinet, of which the Secretary of State is a member, has found £1.5 billion to waste on rail privatisation and billions of pounds over the past few years to waste on council tax and other schemes. Where did that money come from? It came from Government decisions taken by the Secretary of State and his right hon. and hon. Friends. If they cannot stand up and take responsibility for those decisions, they should not be there, and most of Scotland agrees with me that it is time that they were not there.

The Minister said that there need not be rent increases in Scotland next year, but we know for a fact that, across Scotland, in Renfrew, Dundee, Edinburgh and Highland, rents will increase significantly as a result of the Government's policies. As always, the Minister blames the councils, and, as always, he is wrong, because the blame lies fairly and squarely with him and his Government, who, over the past 15 years, have waged ideological warfare against the council sector. It was not the councils but the Government who slashed capital allocations to councils in Scotland. It was not the councils but the Government who abolished general fund contributions. It was not the councils but the Government who all but abolished housing support grant and forced councils to put rents up year on year, thereby forcing council tenants to rely on housing benefit and forcing them into a poverty trap, from which thousands of ordinary Scots can no longer escape.

This is the Government who rail against the social chapter and the national minimum wage, who are evangelical about workers pricing themselves into low-paid jobs, who force rent increases on hundreds of thousands of low-paid Scots who cannot possibly afford to pay. Yet the Minister has the effrontery to boast this evening about £650 million of housing benefit being allocated to Scottish tenants. He is creating a poverty trap from which low-paid Scots cannot escape. He is making council tenants in Scotland dependent on handouts, because he is forcing on them rent levels that are well beyond the means of ordinary people to pay.

We should not be surprised by any of that, because the Minister has already made clear his intention to finish with council housing for good in the longer term. It is now official that the final solution has been fixed by the Government, and that, in a Tory future, there will be no more council housing. All the signs are there, because as well as the slow strangulation of housing support grant in the order, we now have the ruling on capital receipts. Next year, 25 per cent. is to be used to redeem debt that councils have accumulated on their housing revenue account. The following year, 50 per cent. is to be used for the same purpose.

In those two years, some £300 million will be cut from investment in council housing in Scotland. All of that will happen at the same time as Scottish Homes, the Government's national agency, begins its second national house condition survey. God knows, the first one painted

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a bleak enough picture for Scottish housing: 95,000 houses in Scotland were below the tolerable standard; 267,000 houses were affected by dampness; 580,000 required urgent repairs; and an outstanding repairs bill of £3.7 billion.

Most decent observers would have expected that a Government who commissioned such a survey and received such a devastating analysis of the crisis facing Scottish housing would have made housing one of their top political priorities—not this Government. They did exactly the opposite. They launched a holy war against housing in Scotland, particularly public sector housing. In all the talk of Government priorities recently, not one Scottish Office Minister can be found who will say that housing is a priority for the Government, because even these Ministers balk at something so blatantly untrue. So they cut the housing budget. They cut the budget for Scottish Homes. They steal the capital receipts from councils' investment programmes. They force rent rises on council tenants. They make the people pay. All of that at a time of crisis in Scottish housing.

Most hon. Members present will have received a briefing from Shelter, which says:

"Few can remember a more damaging round of cuts"

than that introduced by the Minister. In cash terms, it is a cut of 17 per cent. this year. In real terms, it is a cut of 19 per cent. The figure that Shelter uses is £148 million, which, by happy coincidence, is the figure that the Under-Secretary, the hon. Member for Kincardine and Deeside (Mr. Kynoch), quoted in our first debate as the increase for council spending in Scotland. I hope that those figures are not linked.

The Government will have to account for their record on housing when they face the people of Scotland, who will not forget the Government's callous, indifferent and cold attitude to the homeless in Scotland and to the people who are trapped on waiting lists. Ministers might say, "Let the homeless suffer, because they do not have a vote." They might say, "Let those who are trapped on council waiting lists wait." That is the import of their policies. Ministers might judge that those people do not vote for them or the Conservative party, but I warn Ministers that there are others in Scotland who can vote, who detest their callousness, their lack of concern and their reneging on any commitment to the most vulnerable in Scottish society. When they vote, they will remember the Minister's track record on housing. I am sure that the people of Aberdeen, South will lead the rest of the people in Scotland in ensuring that neither the Minister nor any of his colleagues will be in government after the election.

7.44 pm

Mr. Allan Stewart (Eastwood): It is always a great pleasure to listen to the hon. Member for Dundee, East (Mr. McAllion), who has the merit of being an honest socialist—a fairly unusual position for a Member on the Opposition Benches these days. What was most interesting about his speech was that he completely failed to answer the perfectly reasonable questions that were put to him by my hon. Friend the Minister, by my right hon. Friend the Secretary of State and by my hon. Friend the Member for Ayr (Mr. Gallie).

Of course, nobody suggests that an Opposition are able to put precise figures on their policies to the last million pounds, but, as my right hon. Friend the Secretary of State told the hon. Gentleman, the Scottish block figures are perfectly well known. They are published. The hon. Gentleman refused to deny that a Labour Government would abolish all support to council housing in Scotland.

Mr. McAllion: Nobody asked me to.

Mr. Stewart: I am asking the hon. Gentleman now. What is the figure?

Mr. McAllion: I cannot understand how the hon. Gentleman can think that I refused to answer that question when it was never asked of me in the first place. I can tell him that a Labour Government will ensure that all tenures in Scotland are treated fairly and that the resources are distributed fairly across all tenures. It is for people, not Governments, to choose the tenure that they want. Labour will go back to the old system, which was far preferable to the way in which the zealots on the Government Front Bench operate.

Mr. Stewart: I am most grateful to the hon. Gentleman. Perhaps he will give me the figure within £50 million.

Mr. McAllion: If the Secretary of State for Scotland were to invite me into the Scottish Office and to the Cabinet Office to see all the Government's books, I would be glad to give the hon. Gentleman the exact figure.

Mr. Stewart: The hon. Gentleman is wriggling now. All the Scottish Office block figures are published. They are on the record. The hon. Gentleman's problem is that he is subject to the Dunfermline doctrine: that Labour Front-Bench spokesmen are entitled to say anything that they want but must never quote a figure. That means that there is never a real commitment to anything at all.

Mr. Nigel Griffiths: Will the hon. Gentleman give way?

Mr. Stewart: No.

The speech of the hon. Member for Dundee, East was completely meaningless, unless he can say, within a margin, how the Labour party would back its objectives with taxpayers' money. That is what every council tenant in Scotland should learn from the hon. Gentleman's speech tonight.

My hon. Friend the Minister talked about the variation order, which is, of course, a technical matter, and about the hostel element in housing support grant. The House would accept the justification for general taxpayer support to local authority expenditure on hostels, because people move across boundaries. I thought that my hon. Friend made an extremely good case for voting against the order, because he said that it is a random and indiscriminate subsidy, which it is. He said that money out of the general portion is received by Aberdeenshire, Shetland, Western Isles and Highland. Why should I vote for a transfer of resources from the good people of Eastwood to those authorities? I cannot think of any good reason for doing so. I hope that the Labour party will divide the House. If they win the vote, the grant will be abolished. So much the better.

Government policies on housing should be developed by moving faster from using taxpayers' money for current expenditure—that is what the grant does—to concentrating on capital expenditure. I urge my hon. Friend the Minister not to be dismayed if the Labour party divides the House and he loses the vote, thus abolishing the Scottish housing support grant. He will then have a lot of money in hand, which he will be able to spend on capital projects.

Mrs. Fyfe: Will the hon. Gentleman give way?

Mr. Stewart: I am about to finish, and I know that other hon. Members want to join in the debate.

Apart from the hostel element, there are serious reasons for asking why the grant exists at all, and why the money should not be removed from the recipient councils and put towards capital expenditure, to improve the standard of the housing stock in which Scottish council tenants live.

7.50 pm

Mr. Jimmy Wray (Glasgow, Provan): It is some time since we started our debates today, and I have been in the Chamber since we discussed the revenue account. I am sorry that I was not called in that debate, because a lot of political chicanery concerning facts and figures was going on. It was also hard to understand all the positions that various Ministers took up in the newspapers beforehand.

However, in this debate I can speak with some authority, because I was brought up in the Gorbals. There were 10 in our family, and several of them died from tuberculosis at early ages—at four, at 20 and at 33. Other people in the family died early because of the later effects of such conditions. So we know all about bad housing.

I can answer the question that the hon. Member for Eastwood (Mr. Stewart) asked, because I am not a member of new Labour. I am still old Labour. I am red-blooded and I fight for the people when I see an injustice. I spent 30 years dealing with housing complaints every Saturday, and I have probably found houses for more people than has anyone on the Government Benches. People used to say that they had prayed to St. Anthony and he had got them a house—but actually it was me.

I understand why my hon. Friend the Member for Dundee, East (Mr. McAllion) would not give a figure, because obviously he does not know the figure. I can give the Government a figure. I can tell them that if we wiped out the Scottish housing debt, that would improve things.

One of the reasons why we introduced the housing support grant was to clear out bad housing in Scotland. My hon. Friend the Member for Dundee, East is right about the money, because 15 years ago we had £228 million, plus £100 million from the general fund contribution, whereas in 1996 all we have is £19.4 million, including the general fund contribution. Every year, the Minister says that any local authority in Scotland can apply if it is finding difficulty, but several have done so and every one was rejected. The Government should wind up the GFC, because they are not really interested in it.

The only way in which the people of Scotland will get any justice is by getting rid of that lot. They are the last of the Mohicans; they have drained the boxes of every penny that they could find and they all, to a man and to a woman, obey the Secretary of State for Scotland. But he will be off the card when the general election comes, along with the rest of the Scottish Ministers. Possibly the only one to survive will be Lord James himself—

Madam Deputy Speaker (Dame Janet Fookes): Order. Perhaps the hon. Gentleman will remember the tradition here that we address other Members by using their constituencies.

Mr. Wray: I apologise, Madam Deputy Speaker.

I must remind the Government that 25 years ago we were clearing out the slums of Glasgow—the worst slums in Europe, where people were living 600 and 700 to the acre, in rat-infested houses owned by private landlords. Tuberculosis was rampant, and people were dying of poverty. Past Tory Governments acknowledged that poverty but allowed it to continue, because their support came from the private landlords who were charging the poor people in Glasgow, in the rest of Scotland and throughout Britain extortionate rents.

Today we are in the same position. We have a golden opportunity to look after the people of Glasgow and the rest of Scotland. In Glasgow, there are 23,297 dwellings below a tolerable standard, and 7,000 houses lying empty. In 1992, Glasgow city council received 5,673 applications from homeless people; in 1993-94, the figure rose to 13,200. That shows the extent of the problem and the Government's failure to tackle it.

We hear a lot about what is happening in Scotland, but those things are certainly not happening in Glasgow. In some of the constituencies with the worst housing, people suffer from high infant mortality rates, rat infestation and decaying housing unfit for human habitation.

The Secretary of State had a golden opportunity to increase the housing support grant and give Glasgow a chance to do something about poverty. Yet what figures has the Scottish Office produced? Since 1991, £22 million has been cut from the housing support grant, which represents a cut of 95 per cent. By 1995-96, there will have been a total cut of 99 per cent.

The Scottish Office works on a national figure calculated on the basis of rents 10 per cent. higher than rents really are. That means a direct cut for local authorities in Scotland. Rents are deemed to be £38.48, although the average is only £28.68. That is a damned disgrace, a fraud and a lie to the Scottish people, and it should not be tolerated.

The Secretary of State said that he was expecting rent increases of more than 5 per cent. Why would he expect that when increases are really running at only 3 per cent? When the Secretary of State put the cap on and Glasgow council asked for its inflation rate of 3 per cent., according to the right hon. Gentleman the gross domestic product deflator showed an increase of 2.75 per cent., yet he allowed it only a 1 per cent. increase. Now he wonders why the council is in its present state. He will draw upon himself the wrath of the Glasgow people with that increase, and the wrath of the people of Dundee will be turned on him too. Those are the two councils that will suffer the most.

I thought that housing support grant was intended to get rid of bad housing in Glasgow and to keep rents down, but Government policy is to ring-fence housing so that it is

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funded by the people who pay the rent. Housing usually represents the largest single expenditure for individuals and families on low incomes. Earlier this century, Governments realised that, and adopted policies to provide decent housing for everyone, regardless of their income.

Those policies were successful, and, in 1977, the National Consumer Council found that people on low incomes often received better value for money than others, mostly because of good-quality subsidised housing run by councils. People in private rented accommodation suffered to some extent because Rachman-type landlords were exploiting tenants and not spending any money on their houses. As councillors, we were running about trying to get the sanitary inspectors to issue disrepair notices against them.

Now we come to the sad story of when the Government took over in 1979. The election of the Tories changed the situation completely. Their policies totally altered the role of public sector rented housing. The changes involved minimising public involvement and, as in other sectors, giving way to market forces.

The main thrust of the Government's proposals was as follows. Ownership was to be extended and Government expenditure reduced and targeted more effectively. Local authority responsibility was to be decreased by increasing private ownership and transferring homes to housing associations, such as Scottish Homes, with the support of a majority of the tenants. The Government were taking housing out of local authority control, even though local authorities could probably have done something about the problem of slum dwellings.

As well as those United Kingdom-wide plans, specific legislation for Scotland was introduced. Scotland, with its history of low ownership and a large number of council houses, was seen as having plenty of potential. Legislation included the Housing Act 1980 and the Housing and Planning Act 1986. Those Acts were supposed to benefit the poor. They introduced the right-to-buy scheme. We all know about negative equity and that thousands of houses have been repossessed after the Government's Thatcherite policy failed and exploited the poor. With interest rates of 6 per cent. they bought houses with possibly 70 per cent. discounts and ended up two years later paying 18 per cent. interest charges.

That is the sort of Government that we have. They do not care about what happens and then they run around telling us what they are doing for the people. Every Labour Member knows the problems because every Saturday we see such people coming into our surgery, poverty-stricken and in ill health because the Government do not care. Compassion comes only from Labour Members.

Those Acts were supposed to benefit the poor. They introduced the right-to-buy scheme, which allowed tenants to buy their houses at market value minus a discount, based on the length of occupancy. They moved subsidies from buildings to households to help people most in need and to shield the poor. The decline in council housing and the increase in private sector dwellings and housing associations was meant to increase the choice of accommodation available.

What happened? The policy of increasing home ownership has been a success in terms of numbers, with an increase of 450,000 in new owners, but the prospect of home ownership has been unrealistic for people on low incomes; even with discounts of up to 70 per cent. on the market value, the prices were beyond their means.

The Government then committed the cardinal sin—this bright Cabinet introduced deregulation. In 1989, the Tories deregulated private rents. Since then, housing benefits for private tenants have increased from £1 billion to £5.5 billion—an increase of 300 per cent. The planned total in 1997-98 is £7.4 billion. That shows exactly what the Government are about, how they have changed the policy around, how they are putting the burden on the taxpayer, how they are getting at the poor and how housing benefits are clearing up debts. That is the only way in which they are working. The increase in such housing benefits is due mostly to massively increased rents—public money going straight into private landlords' pockets.

I have taken many hours in the Chamber to express my constituents' views. They are the same as the views that they expressed in 1987 when I was first elected to the House. The problems are the same in housing, in education and in any other service that is being provided. The minute that Labour Members see something worth while being done that helps the poor, the Government start to cut. They are cutting and cutting and continue to cut.

I do not want to talk for much longer because other hon. Members want to do so. The people of Scotland and of Glasgow are not kidded by the Government. After the general election, they will be out on their ear because of the way in which they have treated the people of Scotland for 16 years.

Mr. Wallace: On a point of order, Madam Deputy Speaker. The point that I raised with the Minister in his speech probably has more significance than I thought at the time. We are debating the draft Housing Support Grant (Scotland) Order. It states that, under the terms of the Housing (Scotland) Act 1987, the order shall not be made until a draft has been laid before the House, with a report of the considerations leading to the order's provisions, and until that has been approved by a resolution of the House.

The definition of a report is found in section 192(3) of that Act, which states that the report should

"contain a table showing in respect of each local authority, for the year in question—

(a) the estimated amount of grant payable to that local authority; or

(b) if no amount of grant is so payable, that fact."

This purported report is informative, but does not meet the statutory requirement because Orkney islands council is omitted from it. It is an interesting document, but has no legal status. Even if approved by the House, the draft order will not therefore satisfy statute in giving the Secretary of State the power to make housing support grant payments.

I am concerned because the other half of my constituency—covered by the Shetland islands council—is due to receive about £3.9 million. I would hate to find that the Secretary of State could not legally pay that money. Can you rule, Madam Deputy Speaker, whether we are debating a competent order, and whether, if we proceed to make a resolution, it will carry no legal weight? Does the Minister intend to introduce a draft order with a report that meets the statutory requirement?

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Order. I think that I can rule on this matter now. There may be a flaw, but that is not for the occupants of the Chair to determine. The only matter for them is whether the motion is in order, and it is. The Minister must answer any points about flaws in the order that the hon. Member for Orkney and Shetland (Mr. Wallace) detects.

Mr. Kirkwood: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: I think that the Minister wishes to comment.

Mr. Raymond S. Robertson: Further to that point of order, Madam Deputy Speaker. I can confirm that the hon. Member for Orkney and Shetland (Mr. Wallace) is right that Orkney islands council has been omitted from the order. It is a printing error that does not affect the order's validity.

Mr. Kirkwood: Further to that point of order, Madam Deputy Speaker.

Madam Deputy Speaker: Is it a short point of order?

Mr. Kirkwood: It is short, but important. When we consider the parent legislation under which the order and the report are being discussed, the case that has been made by my hon. Friend the Member for Orkney and Shetland (Mr. Wallace) is incontrovertibly true. The exchanges that are taking place are able to be considered by the courts. Some people would have a locus in taking out an interdict if the order went through in this clearly defective state.

Madam Deputy Speaker: Order. I have made the point clearly that it is not a matter on which the occupant of the Chair can rule. It may be a matter for debate and for answer by the Minister, but that is as far as it can be taken by the occupant of the Chair tonight.

Mr. Kirkwood: Further to that point of order, Madam Deputy Speaker. I am grateful for that ruling. I understand that it is not a matter for the occupant of the Chair—that is clear—but it is a matter for people who might suffer as a result of the House passing a defective order.

Madam Deputy Speaker: Order.

Mr. Kirkwood: There is a time limit.

Madam Deputy Speaker: Order. I am aware of that. I have already said that I can deal only with points of order that are relevant to the occupant of the Chair.

Mr. Raymond S. Robertson: Further to that point of order, Madam Deputy Speaker. The order that has been laid before the House is correct and we are voting on the amounts of housing support grant to be paid.

Madam Deputy Speaker: The hon. Member for Orkney and Shetland has made it clear that he is concerned not with that point, but with the report. Again, that is not a matter for me. The debate is short and it should now continue.

8.7 pm

Mr. Phil Gallie (Ayr): Having listened with great interest to the points of order, I should like to return to the speech by the hon. Member for Glasgow, Provan (Mr. Wray). After his speech, there cannot be a dry eye in the House. I respect his views. He is totally honest. Unlike perhaps many of the people who purport to support the Labour party these days, he sticks to his traditional beliefs. He has forgotten many things that have happened in Glasgow in recent years. In the 1950s and 1960s, when Conservative Governments were in power, money was poured into local government and housing in Glasgow. That raised standards considerably. Since Margaret Thatcher was elected as Prime Minister, massive improvements have taken place in Glasgow through repairs and improvement grants. Money went into Glasgow and uplifted it in a way that could never have been dreamt of by the people with whom the hon. Member for Provan served on councils in years gone by.

The hon. Gentleman said that if the Labour party were in power, it could provide £4 billion to write off the council housing debt. That is nine times the annual amount of the tartan tax that the hon. Member for Hamilton (Mr. Robertson) would impose on us should he ever get his hands on the reins of power. At least the hon. Member for Provan has been honest about the figure.

I never fail to be impressed by the honesty that flows from the tongue of the hon. Member for Dundee, East (Mr. McAllion). However, I do not go along with his opinions and occasionally his facts are wrong, but he always believes in what he says. Perhaps some Opposition Members should take note of that.

In one or two areas, there have been massive changes in recent times. The greatest of those changes has been the way in which people are given the means for adequate housing through housing benefit. That benefit currently injects some £620 million a year into local authority housing.

Mr. Bill Walker (North Tayside): While my hon. Friend is addressing the issue of housing benefit, will he remind the House that if councils had put up their rents to economic levels to allow for maintenance, much if not all of the rents would have been paid through housing benefit to those who were eligible and money could have gone straight into the housing coffers? Mismanagement by socialist or nationalist authorities has led to this situation.

Mr. Gallie: I agree with my hon. Friend, and I shall give him a good example of that. Kyle and Carrick district council has put up its rents, but at the same time it has invested massively in its housing stock, upgrading it to such an extent that I defy any hon. Member to say that in his constituency he has better local authority housing.

The predecessor of the hon. Member for Cunninghame, South (Mr. Donohoe) was David Lambie, a guy for whom I have every respect. He was a tremendous constituency Member, but he was totally misguided on this issue. Through their council links over the years, he and his family depressed rents in the Saltcoats area and other parts of north Ayrshire and reduced the quality of housing. At the same time, he had the audacity to come to the House and earn a good salary while living in one of the council

[Mr. Gallie]

houses that he was attempting to protect. Nowadays that would not be allowed, because housing benefit recognises the ability to pay. That is fair.

Mr. Wray *rose—*

Mr. Brian H. Donohoe (Cunninghame, South) *rose—*

Mr. Gallie: I shall give way to the hon. Member for Provan.

Mr. Wray: The one thing that the hon. Member for Ayr (Mr. Gallie) has established is that there are at least two honest men in the House. Will he be truthful and say whether he agrees that a local authority such as that in Glasgow should stop receiving housing support grants?

Mr. Gallie: Yes, I have no difficulty in agreeing to that, provided that there is a means to back tenants who need support, and housing benefit does just that. It is provided by central taxpayers and does not place the burden on other council house residents. It simply spreads the burden and that is fair and right.

Mr. Donohoe: The hon. Gentleman lives in an unreal world. He has lived all his days in the leafy suburbs of either West Kilbride or Ayr: he has never lived in the middle of a slum area. That is part of the problem that he faces in debating housing allocation. I do not represent Saltcoats, but I know that the housing stock there is among the best in Cunninghame and always has been. That is all down to the good management of the old Saltcoats town council.

Mr. Gallie: For a start, the hon. Gentleman's facts are all wrong. I came from an area in Fife that was not known for its leafy suburbs. I lived in a public sector house: my family certainly did not own it. As usual, the hon. Gentleman is way off beam. He is also wrong about housing stock in Saltcoats. I was on Cunninghame district council from 1980 to 1984 and at that time the worst housing stock in Cunninghame was in Saltcoats. He should retract every word that he has said about that, and when he speaks in future he should make sure that he has the facts and not a load of rubbish, which is what he has just spoken.

I should like to deal with some other issues. I welcome the extra injection of cash into council hostel facilities. That is important, particularly for young homeless people. It is not right to put them out into the housing estates and leave them unattended. Hostel facilities are ideal and I commend the Minister for finding the extra cash for them. The Government have also found additional cash for Scottish Homes, but I have a complaint because I learnt recently that Scottish Homes plans to inject into Glasgow some £8 million for so-called ethnic housing. I am not a racist. Housing must be available as and when it is needed and it must be allocated by fair means and be available to all our citizens irrespective of creed or culture or anything else. I question the Government about the correctness of Scottish Homes taking that line and ask whether it is right under the terms of the Race Relations Act 1976.

Mr. Bill Walker: Will my hon. Friend give way?

Mr. Gallie: No. I have already given way and other hon. Members wish to speak.

I will leave the matter with the Government. The hon. Member for Falkirk, West said that his council tenants were prepared to provide additional funding for housing. Perhaps that is right, but all my constituents are prepared to do that through the general taxation system. That brings us back to the housing benefit system, which I think is correct but which the hon. Gentleman does not seem to accept.

Mr. Connarty: I am the hon. Member for Falkirk, East, not Falkirk, West. I did not say that council tenants were willing to do what the hon. Gentleman suggests: I said the opposite. I said that people such as the hon. Gentleman and I who live in the private sector were quite willing until they were stopped by the Government, to contribute some of their council tax, which at that time was rates, to the housing account for bricks and mortar. That was because they and their children, should they ever need it, had the right to apply for council housing. The Government have excluded that and I accuse them of trying to ghettoise council housing, because that is their ideology.

Mr. Gallie: The hon. Gentleman is totally off beam. Many of my constituents and many of the people whom I represented when I was a councillor greatly resented having to pay through the rating system for the provision of housing for others. Many of those people found it difficult to meet their own housing needs, but that was not recognised through the rating system. Now through the general taxation system, through income tax—perhaps a tax that recognises the ability to pay—everyone shares the burden for the provision of such housing. I would have thought that the hon. Member for Falkirk, East (Mr. Connarty) would have applauded and welcomed that. I do not understand the issue that he raised.

Mr. Bill Walker: Will my hon. Friend comment on the Scottish Homes rural initiative, under which the scheme in Spittalfield in my constituency was opened by my hon. Friend the Minister? The initiative is giving people houses at a price that they can afford and creating schemes of which people will be proud because they will own their houses. Those who cannot afford to buy houses rent the others available. It is a superb scheme.

Mr. Gallie: I agree entirely with my hon. Friend.

I should like to refer to the benefits that the right-to-buy policy has brought. Not only have individuals become owners and taken pride in their ownership, but they have injected cash into the properties that they have purchased. They have upgraded properties and areas and made life better for themselves and those around them. Surely everyone should commend that.

The Government's policy on housing is all about devolution—to people who want to buy and people who want to manage their own housing affairs through housing associations. That, too, is a commendable policy and I cannot understand why the hon. Member for Dundee, East seemed to condemn it.

8.20 pm

Mrs. Ray Michie (Argyll and Bute): I am sorry that my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) did not manage to have the

order withdrawn, because it would have been nice to see Scottish Office Ministers being sent back to the drawing board.

The annual debate on the housing support grant never seems to change. Once again the level of support is down. This year the total in real terms spent on housing will be 19 per cent. less than last year. In 1979, if we can think back to then, £164 million was spent. In 1995-96, the grant dropped to £22 million, and in the next financial year it will be £19.4 million. Only the four councils that we have heard about will receive money out of the general portion. Others will receive it from the hostel portion. Under the latter category, my constituency will receive about £80,000. Will the Minister confirm what the City of Glasgow receives in hostel provision?

With the principal source of new council housing investment—capital receipts—being reduced by 25 per cent. this year and 50 per cent. next year to go towards debt repayment, there is no doubt that rents will have to go up. In Argyll and Bute that is certainly the case as it tries to keep up with ever-growing repair and maintenance work in an area where incomes are low, job losses have been announced in each of the past three weeks, and the costs of living and transport are high.

The number of dwellings below tolerable standard will not be reduced either. In 1995, according to Scottish Office figures—I think that the hon. Member for Dundee, East (Mr. McAllion) also mentioned the fact—90,000 homes in Scotland were below tolerable standard. In a rural area such as Argyll and Bute, more than 7,000 homes are below tolerable standard—a mere reduction of 204 houses since last year. That is a disgrace in a country such as ours.

Shelter has called for a rough sleepers initiative in Scotland similar to the one introduced to tackle the problem in London, on which the Government spent £182 million. Will the Minister consider it? The number of homeless people continues to shame our civilised country.

Mr. Raymond S. Robertson: May I explain that we have not taken forward a rough sleepers initiative because we are in the process of undertaking research into the prevalence of rooflessness in Scotland? My right hon. Friend the Secretary of State and I expect to consider the results in the middle of the year. We will be looking at four urban areas plus other areas throughout Scotland. We will be bringing policies forward based on fact and not speculation once we have the results of the research that we have commissioned.

Mrs. Michie: I am grateful to the Minister for that answer and pleased to hear that policies will be brought forward. I hope that those policies will be matched by the requisite resources.

Council house sales are always expected to raise more money than is realistically possible. Of course the sum will be reduced because of the new rules on the repayment of debt. Certainly in my area most of the saleable council houses have already gone and people do not want to buy those that are left. The Government want to sell council housing stock to housing associations regardless of tenants' views simply so that they can enter agreements with the private sector.

Councils should be able to approach the private sector and form partnerships. That fact that they are not doing that is surely an indication of how much the Government dislike local government. It is sad because local authorities and their agencies can do so much more in building stable communities. They can encourage tenants associations to take an interest in planning and management of their housing and the environment.

The funding crisis is going to pose huge difficulties for frail elderly people, those with special needs and children of 16, 17 and 18 years old who come out of care homes and need to be housed in the community. They will need help and often continued support, which councils will have to face under the present funding constraints.

I understand from Scottish Office statements that there are not only plans for a real terms cut of 20 per cent. in council housing budgets, but plans to cut the Scottish Homes budget next year by about £50 million. Will the Minister confirm that? Indeed, there have been continuous cuts in the Scottish Homes budget, which was the great white hope when it was established. The budget has been cut from £135.2 million in 1991 to £107 million.

I want to bring to the attention of the Minister the recent severe cold weather and ask for his support. Much damage was done to housing in Scotland in that period. According to the Convention of Scottish Local Authorities, at least 119,000 houses were adversely affected. In Argyll and Bute more than 1,000 houses suffered—many from loss of heating, not least because people dare not switch on the heating due to the extra cost.

I should like to draw to the attention of the Minister how in my constituency the present system of cold weather payments has been shown to be a complete nonsense. Over the area as a whole, temperatures fell below zero for seven consecutive days. Daytime temperatures varied from as low as minus 15 deg C to minus 18 deg C during the day and fell even lower at night.

Areas north of Taynuilt and up into Wester Ross suffered similar drops in temperature, yet because they are linked by their postcode to the trigger station on Tiree, they received no assistance. As the Minister knows, Tiree sits out in the Gulf stream. Perhaps that is why the Government chose it. It recorded temperature swings of between minus 5 per cent. and plus 4 per cent. over the same seven-day period. However, there was a wind chill factor of minus 11 per cent., so it suffered severe disadvantage—

Madam Deputy Speaker: Order. I am sorry to interrupt the hon. Lady, but I am not clear how the point she is making relates to the order under consideration.

Mrs. Michie: My point relates to housing and the order deals with housing and resources for housing. In particular, I am referring to those houses damaged during the severe weather in Scotland. I asked the Secretary of State for Social Security if he would consider—

Madam Deputy Speaker: Order. I am sorry, but the hon. Lady is not dealing with the main issue of the order. I must ask her to deal with that and also to bear it in mind that this is a short debate and several other hon. Members are waiting to speak on the order.

Mrs. Michie: Thank you, Madam Deputy Speaker. I shall adhere to what you say. Perhaps the Minister has got the message. I hope that he will carefully consider the matters that I have raised tonight.

8.31 pm

Mr. David Marshall (Glasgow, Shettleston): In the housing support grant order, as in the revenue support grant order, the city of Glasgow seems to have been singled out for vindictive treatment. How else can the Government explain a settlement that gives the least resources to the city with the greatest need? The hon. Member for Ayr (Mr. Gallie) referred to Glasgow in the 1950s and 1960s. It was the highly selective policy of overspill of people and jobs to other parts of Scotland that caused many of the problems that the city faces today. Any money being spent in the city is a way of society repaying its debts.

I had hoped to speak in our earlier debate on the revenue support grant. Unfortunately, what should have been a debate lasting more than three hours became a debate that lasted just one hour and 20 minutes—wholly inadequate for such an important subject. Several of my hon. Friends and other hon. Members were unable to participate.

There is to be a massive cut of almost £30 million in capital funding for housing in Glasgow. That is an extremely serious blow to the city—even more so when taken with the revenue grant figure, because the capping level means that Glasgow has to make cuts of £68 million. If we deduct the £25 million that the city finds from various sources, that leaves £43 million to be found from cuts in services and increased charges—a cut of almost £1 million a week or £117,808.21 every day of the year. How can Glasgow tackle the evils of unemployment, poverty and poor housing with such a settlement?

Because of the housing capital cuts, 300 people could lose their jobs in the city's housing department. Already, 700 council employees have taken redundancy. With enforced compulsory redundancies, the figure for job losses could rise to 2,000. That shows the scale of the problem that the city faces.

The proposed council tax increase of 36 per cent. means that band D council tax payers will face an increase of £243—from £676 to £919. In addition, council house rents have had to be increased by an average of £3.94 a week. The combined rent and council tax increases will mean more and more misery for many citizens, especially those caught in the poverty trap whose income is just above the qualifying level to obtain any benefits.

As if the housing support grant order were not bad enough, Glasgow had the misfortune to suffer horrendous damage to its housing stock in the severe weather over the new year. I dealt with that matter fully in an Adjournment debate on 17 January. I am grateful to the Under-Secretary of State for Scotland, the hon. Member for Aberdeen, South (Mr. Robertson), for meeting Glasgow Members of Parliament recently to discuss the severe weather problems and capital allocations. It was a much more constructive meeting than we had expected. Nevertheless, Glasgow is still faced with the same problem.

The latest figures for the cost of the winter emergency are £9.1 million for the reinstatement work in respect of the housing revenue account. To fund that, the council will have to delay capital expenditure of £2.3 million on heating, windows and roofing projects. Day-to-day repairs, at an estimated cost of £2.8 million, will be displaced by frost emergency work, resulting in an increase in outstanding repairs of 10,000. There will also be a potential deficit in the housing revenue account for 1996-97 of £2.9 million. I understand that the Minister has now received the relevant information from Glasgow city council. I hope that he will soon be in a position to respond positively.

On the vexed question of housing support grant, has the Minister yet reconsidered the differences between the Government's capital receipts targets and the council's predicted outturn figures? I want to put the figures to him again. On right-to-buy sales, the Government expectation is an income of £20.872 million. The council prediction is £13.5 million. On stock transfers, the figures are £3.871 million and nothing, and on land sales they are £3 million and £500,000 respectively. That is a total Government expectation of £27.918 million against a council prediction of £14 million—a shortfall of almost £14 million.

As has already been said, the Government's receipts targets are based on a pattern of house sales and Scottish Homes stock transfer activity in 1994-95 rather than 1995-96, when there was a drop in the number of house sales inquiries and take-up and acceptance rates of 35 and 58 per cent. respectively. Most of the houses that people want to buy have already been bought, so the sales of council houses will slump in the coming year. Indeed, to be quite frank, in many cases the stock that is left is not worth buying. Scottish Homes in Glasgow does not expect to have any funding to effect further acquisitions.

A much more realistic target for the council would be a reduction of the receipts targets to £500,000 for land sales and stock transfers combined and to £13.5 million for the right to buy. In addition, there should be a commensurate increase in borrowing consent to ensure that the council is able to meet its legal commitments. Finally, by reducing borrowing consent there will be a serious risk to public-private partnerships such as the Glasgow energy and urban regeneration initiatives.

The Minister is insisting that the target for voluntary transfers—which are really compulsory transfers—of 1 per cent. of the total remaining housing stock must be reached in the next financial year. For Glasgow, that means that almost 1,100 houses must be transferred to new landlords—but who? Is there to be a return to Rachmanism, as my hon. Friend the Member for Glasgow, Provan (Mr. Wray) asked? Scottish Homes cannot fund housing associations to take on those houses, so who will be the landlords? The same applies to land sales. Will speculators move in and buy up land so that when the Glasgow Development Agency, Scottish Homes, Greater Glasgow health board or Glasgow city council want to buy the land back to develop it, they will have to pay extortionately high prices? That is not sense; it is nonsense and it is also counter-productive.

I appeal to the Secretary of State not simply to abandon local government but to show some compassion and concern for those who most need the essential services that local government provides. If the Secretary of State for Wales can find an additional £15 million to ensure that no council has to increase its council tax by more than 25 per cent., why cannot the Secretary of State for Scotland do the same?

Mr. Connarty: I am interested in the points that my hon. Friend is developing. Glasgow will have a problem similar to that of other authorities that have built large

multi-storey blocks of flats, with perhaps 85 flats in each block. The cost of refurbishment can be up to £1.6 million per block. It appears that the Government are not taking into account in their calculations the costs of allowing the blocks to deteriorate further. Surely Glasgow will have a massive problem. I know that 11 blocks in Falkirk district require massive investment. Will the Government tell us where the money will come from to refurbish those blocks?

Mr. Marshall: I could not agree more with my hon. Friend. The money is there; what is not there is the will to make it available. If the Government can find £30 million for HCI, £69 million to cap water bills, £600 million to write off water quango debts and more than £1 billion for the waste of the rail privatisation shambles, they can find some money to help local authorities and to help the people of Scotland.

8.39 pm

Mr. Raymond S. Robertson: We have had a useful debate and in the short time that is left, I will try to respond to as many points as possible. The hon. Member for Orkney and Shetland (Mr. Wallace) questioned the validity of the report. The legal advice we have received is that the omission of Orkney is a technical error in the draft report which will be corrected when the report is finalised after the debate. The error does not affect the validity of the order.

The hon. Member for Argyll and Bute (Mrs. Michie) asked about hostel grants to Glasgow. The hostel grant covers the deficit between the cost of operating hostels and the income received. It can, and does, vary from year to year. In 1995-96, Glasgow received £125,000 and in 1996-97, it would have received £92,000, but the figure was reduced because of an overpayment in an earlier year. The subsidy system is based on making an estimate for the year ahead. If the deficit turns out to be less than estimated, the payment is adjusted in a later year's order. That is why the Glasgow grant is less next year; that is purely a technical effect of the system.

My hon. Friend the Member for Ayr (Mr. Gallie) asked about housing benefit in Glasgow. I understand that around 82 per cent. of Glasgow tenants are in receipt of housing benefit. Last year, £156 million was paid to Glasgow tenants in rent rebates. My hon. Friend also referred to Scottish Homes and the £8 million grant for ethnic housing in Glasgow. I understand what my hon. Friend was saying, but I point out that it is a matter for Scottish Homes and he should take it up with the chairman or the chief executive.

The hon. Member for Dundee, East (Mr. McAllion) talked about housing support grant levels and the general fund contributions. I estimate that the cost of implementing an HSG subsidy regime using actual average rents and actual expenditure, as proposed in the brief to which the hon. Gentleman referred, would be £93 million, which is £73 million more than planned. Is the hon. Gentleman saying that he would allow council tax levels to rise to accommodate that figure? He is not willing to catch my eye, which makes me think that he was saying one thing when he was standing and another once he was sitting. Is he saying that he would allow council tax levels to rise to meet that £93 million?

Mr. McAllion: If the hon. Gentleman could find the money that has been wasted on assisted places, on the nursery voucher scheme and on rail privatisation, I could certainly find money to support council housing.

Mr. Robertson: That is £6 million. What happens to the other £87 million? Throughout the hon. Gentleman's speech, he called for more money to be spent and for more resources to be ploughed in. He says that the Government are waging a holy war against council housing. That is a strange accusation to level at a Minister who was brought up in a council house and whose parents still live in a council house. The hon. Gentleman would not say how many more resources he would be willing to commit. Will he do the decent and honourable thing by informing the House how much more, if he were standing in my place tonight, the order would give? Until he tells us how much, he can have no credibility.

Mr. McAllion: The Minister will have no credibility as long as he wastes money on nursery voucher schemes that nobody in Scotland wants, as long as he wastes money on assisted places schemes, as long as he wastes money on rail privatisation and as long as he wastes money in many other areas of public expenditure. He should get his right hon. Friend the Secretary of State to argue in the Cabinet for more public investment. Everyone in Scotland and the United Kingdom knows that the Government are planning tax cuts as an election bribe. That is where we would get the money to fund public services.

Mr. Robertson: So parents all over Scotland are to take it that nursery vouchers are a waste of money and that increasing nursery provision is a waste of money. I ask the hon. Gentleman the same question. How much more would he ask the House to approve tonight? He cannot bleat and rant about a lack of resources if he will not say by how much he believes we are underfunding. The hon. Gentleman must answer the question.

Mr. McAllion: I have told the Minister about billions of pounds of public expenditure that he has wasted. We would redirect that money towards public resources. If the hon. Gentleman really wants to find out the figure, I repeat my challenge to him and his right hon. and hon. Friends. If they want to know—

It being one and a half hours after the commencement of proceedings on the motion, MADAM DEPUTY SPEAKER *put the Question, pursuant to Order [22 February].*

The House divided: Ayes 244, Noes 190.

Division No. 64] **[8.45 pm**

AYES

Aitken, Rt Hon Jonathan	Atkinson, Peter *(Hexham)*
Alexander, Richard	Baldry, Tony
Alison, Rt Hon Michael *(Selby)*	Banks, Matthew *(Southport)*
Allason, Rupert *(Torbay)*	Banks, Robert *(Harrogate)*
Amess, David	Banks, Tony *(Newham NW)*
Ancram, Rt Hon Michael	Batiste, Spencer
Arbuthnot, James	Bellingham, Henry
Arnold, Jacques *(Gravesham)*	Beresford, Sir Paul
Arnold, Sir Thomas *(Hazel Grv)*	Biffen, Rt Hon John

Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clarke, Rt Hon Kenneth *(Ru'clif)*
Clifton-Brown, Geoffrey
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Knox, Sir David
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, Sir David
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Martin, David *(Portsmouth S)*
Mates, Michael
Mayhew, Rt Hon Sir Patrick
Merchant, Piers
Mills, Iain
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Sir Irvine
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sweeney, Walter
Sykes, John
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Michael Bates and
Mr. Richard Ottaway.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell-Savours, D N
Canavan, Dennis
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corston, Jean
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dewar, Donald
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil

Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hall, Mike
Hanson, David
Harman, Ms Harriet
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kennedy, Jane *(L'pool Br'dg'n)*
Kilfoyle, Peter
Kirkwood, Archy
Liddell, Mrs Helen
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon Alfred *(Wy'nshawe)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
Orme, Rt Hon Stanley
Pearson, Ian
Pike, Peter L
Pope, Greg
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dennis
Walker, Rt Hon Sir Harold
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Alan W *(Carmarthen)*
Winnick, David
Wise, Audrey
Worthington, Tony
Wray, Jimmy

Tellers for the Noes:
Mr. Malcolm Chisholm and Ms Janet Anderson.

Question accordingly agreed to.

Resolved,

That the draft Housing Support Grant (Scotland) Order 1996, which was laid before this House on 1st February, be approved.

MADAM DEPUTY SPEAKER *then put the remaining Question required to be put at that hour.*

Resolved,

That the draft Housing Support Grant (Scotland) Variation Order 1996, which was laid before this House on 1st February, be approved.—*[Dr. Liam Fox.]*

DEREGULATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 14A (Consideration of draft deregulation orders),

SCHOOLS

That the draft Deregulation (Length of the School Day) Order 1996, which was laid before this House on 15th January, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

NOISE BILL [*MONEY*]

Queen's recommendation having been signified—

8.57 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I beg to move,

That, for the purposes of any Act resulting from the Noise Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums so payable under any other Act.

The Bill creates a new offence in respect of noise emitted from dwellings at night that exceeds a permitted level as measured by an approved device.

Question put and agreed to.

PRISONERS' EARNINGS BILL
[*WAYS AND MEANS*]

Resolved,

That, for the purposes of any Act resulting from the Prisoners' Earnings Bill, it is expedient to authorise the payment into the Consolidated Fund of amounts deducted from or levied on prisoners' earnings.—*[Dr. Liam Fox.]*

Roads (East Sussex)

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Liam Fox.]*

8.58 pm

Mr. Nigel Waterson (Eastbourne): I am delighted to have the opportunity of initiating this debate.

There have been substantial cuts in the roads programme in recent years—a fact that is often lost on the anti-roads lobby. Even with an integrated transport policy, there is a need for sensible and necessary road schemes that improve the environment and support economic activity.

An excellent example is the A22 new route into Eastbourne, which has attracted some £25 million of Government funding. That is extremely welcome, and I was delighted to be present at the opening on 12 January of the first phase of the road. My hon. Friend the Minister for Railways and Roads will be interested to know that there was not a protester, a tree house or a tunnel in sight at the opening, because the road is welcomed by the entire local community.

The existing A22 brings a large flow of traffic, especially in the summer, through residential areas in my constituency into the centre of the town. That is dangerous and causes pollution for residents. It gives them a problem in getting out of their front drives. My constituents in Willingdon and Ratton, and especially in King's drive, will benefit from a significantly enhanced quality of life as a result of the road scheme.

The new route from Dittons to Seaside diverts traffic away from those residential areas and opens up access to business and industrial areas, and to the Sovereign Harbour marina development. Even better, the road crosses marshy land that is of little use for any other purpose. I pay tribute to Mr. Bob Wilkins, the county engineer, and his team, who have done so much work on the project. I look forward to the opening of the final phase in about two and a half years' time.

Another excellent example is the Polegate bypass. That will be of enormous environmental benefit to my constituents in Polegate, which is a major road bottleneck, especially during rush hours. A wall of stationary traffic often divides Polegate in two—traffic that does not want to be there in the first place. The fumes and other effects are especially bad in the summer months. The project has been sought after for many a long year. It is essential that the road should be finished in time for the completion of the new A22, or £25 million will have been spent on a road that leads nowhere.

The Polegate bypass is included in the list of schemes to be carried out under a design, build, finance and operate, or DBFO, scheme. That is welcome. I am grateful for the help and support of my hon. Friend the Member for Lewes (Mr. Rathbone) in pushing for an early start date on the Polegate bypass.

I believe that DBFO concessions normally involve core requirements to ensure timely delivery of new construction schemes. This scheme is fairly straightforward, and has cleared all its statutory planning procedures. There is nothing standing in its way from that point of view. The compulsory purchase order for the scheme expires on 28 September this year. As I understand it, provided that notices to treat are served on landowners before that date, the statutory procedures will not have to be repeated. It would be beyond bearing if that did not happen in the relevant time scale, and we had to start the statutory procedures again.

The third scheme involves the A27 between Lewes and Polegate, and is the last vital piece in the local roads structure. The road is dualled west of Lewes, but is single-track between Lewes and Polegate. My hon. Friend the Member for Lewes has lobbied long and hard for that development, and I have been happy to add my voice to his since I came into the House. Together, we brought a high-powered delegation to meet the Minister only last November to push the case for the A27.

The scheme has the support of the county council, Eastbourne borough council and Wealden district council. Only yesterday, East Sussex county council, in full session, reconfirmed its all-party support for the new A27. All significant business and industrial organisations support the scheme under the umbrella of the A27 Support Group, ably and energetically chaired by Michael Barrett. All told, it represents some 5,000 businesses in the area, with the active participation of the Eastbourne Business Partnership.

That widespread support is not surprising. First, there is the question of safety. The road is dangerous. Sussex police have recorded 141 accidents involving injury, resulting in 267 casualties; there were seven fatalities, 63 serious injuries and 197 slight injuries on the stretch to which I have referred during the five years to December 1993. Traffic flows are very heavy on the A27, which carries more than 22,000 vehicles a day. That is well within the ordinary and accepted parameters in respect of traffic flows for dual carriageways.

I am particularly indebted to Mr. Brian Stoodley, a leading local surgeon at Eastbourne district general hospital, who has taken an interest in the issue. Along with his colleagues, he has to deal all too often with the practical and unpleasant consequences of the design of the road.

On the subject of safety—as well as the efficient use of the road—it is worth pointing out that, according to one survey, in a distance of approximately 10 miles there are some 110 points of access to, or egress from, the existing road. No wonder it is both dangerous and slow.

I believe that sensible road projects of this kind have considerable environmental advantages. We are indebted to Saab, the Swedish car manufacturer, whose research has shown that a car covering a distance of 10 m, with its engine idling, in a queue of traffic—that is so often the position on the A27—will emit 57 times as many hydrocarbons and 60 times as much carbon monoxide as a car passing at 30 mph.

Not only has the south-east not done as well as other parts of the country in the lottery of road building in terms of motorways and dual carriageways; within the general picture of deprivation, East Sussex has done extremely badly, even in comparison with West Sussex. West Sussex has 48.53 miles of county roads, as opposed to 9.13 miles in East Sussex; West Sussex has 40.71 miles of trunk roads, compared with only 13.91 in East Sussex. Those are pretty depressing statistics.

One of the main reasons for the project is the impact on business. The current poor communications have a major impact on the holiday and conference trades. A number

of large conferences and seminars originally destined for my constituency have gone elsewhere, because of the time that it takes to get there and back. That is serious, in a town in which some 6,000 jobs and more than £100 million in revenue depend on tourism and related business each year.

I have received a mass of letters—some of which the Minister has seen—from local businesses of every description. Let me give just three serious recent examples. Only a few weeks ago, it was announced that Rhone-Poulenc-Rorer, the pharmaceuticals giant whose northern European headquarters are currently in Eastbourne, is to relocate to somewhere nearer the M25. More than 100 jobs may be affected. It gives as one of its reasons the inadequate road structure in the area.

Another example is a company called T. Cox and Son Ltd., which has been in Eastbourne for 99 years. As its director, Mr. Richard Piper, points out in a letter to the A27 support group,

"it is extremely sad that in our centenary year, in 1996, we will be re-locating to Tonbridge."

The company employs more than 70 staff. Mr. Piper goes on to say:

"We have been obliged to make the decision to re-locate because we can no longer effect a timely and efficient distribution to our customers from our Eastbourne premises."

In conclusion, he says:

"Eastbourne has so much going for it but I fear that its economic survival is being strangled because it is virtually detached by road from the rest of the country."

Another company, ADM, recently calculated that it spends £150,000 a year in additional wage and fuel bills because of the slow road structures in the area. Mr. Nik Askaroff, the managing director, said in a recent letter:

"it is not our intention to put any more investment into Eastbourne until we see some positive action as regards the roads and the help for industry. To this end we have just opened a 7,000 sq. ft. unit in Basildon with 25 jobs which have been lost to Eastbourne."

That is good news for Basildon, but bad news for my constituency.

Hon. Members may ask whether many people oppose the road scheme. As I have already said, it is the official policy of the large local authorities in the area that the road scheme should go ahead, and business organisations and other organisations are solidly in favour of it. However, a recent transport policy document put out by the East Sussex group of Liberal Democrats was stridently anti-road in its theme—it is clear that they do not support it.

One of the authors of the policy document is Councillor Norman Baker, who has a long record of opposition to the scheme. He is also the chairman of the county council economic development committee. His views on this issue are perhaps coloured by his personal interests—which I hasten to add have been declared in the usual statutory way—because the proposed route passes close to his home. As chairman of the committee, he is speaking totally at odds with the policy of his county council, reiterated as recently as yesterday.

The other authors of the pamphlet are the Liberal Democrats' parliamentary candidates for Hastings and Rye and for Eastbourne. The document talks about "providing local improvements" only on the A27. In my view, dualling is the key—nothing else matters. This document flies in the face of overwhelming local opinion and of mounting evidence of job losses. It is hardly surprising that the recently leaked Liberal Democrat policy document, "Towards 1996", describes their image as "anti-road barmies".

There are people who oppose the road because they have homes, often second homes, along the proposed route. There is also the usual group of anti-road protesters who are well organised and well funded—some of whom move around the country from one project to the other and often have little knowledge of or interest in my constituency and local needs.

This programme was retained in the Government's road building programme in the budget. It was also included in a list of schemes for smaller-scale improvements. I urge the Minister for Railways and Roads to recognise that nothing less than dualling will do with respect to the A27. Let the design work on the scheme proceed, taking into account all reasonable objections on environmental grounds, so that my constituents and those who live nearby can have a vital road link that is built in harmony with the countryside.

9.13 pm

The Minister for Railways and Roads (Mr. John Watts): I am grateful to my hon. Friend the Member for Eastbourne (Mr. Waterson) for raising this topic this evening. It is refreshing to have heard from him a balanced account of the importance that roads can have—an account grounded in the real needs of a community, its people and businesses.

On our plans for the road network in East Sussex and the concerns expressed by my hon. Friend, we must balance transport benefits against their environmental cost. An equally important concern is the balance between the number of good transport investments that we are called on to support and their affordability.

Frankly, we cannot afford to support anything like the number of good, worthwhile projects available, if we are to continue to control our expenditure. Our review of the motorway and trunk road programme announced in November sought to ensure that we were committed to the most effective overall programme achievable, in the light of the resources available to Government in the next few years.

Before talking about individual road schemes, it may be worth saying something about roads for the county as a whole. My hon. Friend will recognise that East Sussex is served by a trunk road box. The M25, although not in East Sussex itself, provides for strategic east-west movements to the north of the county. It is also, of course, the point of access to the strategic motorway network as a whole.

To the south of the county is the A27/A259 south coast trunk route. The importance of that link to the economies of Brighton, Eastbourne, Hastings and other towns is not disputed, and there is little that I would want to add to what my hon. Friend has already said about the importance of those links. The trunk road network is extended south of the A27 by the A26 to Newhaven.

The M25 and the south coast trunk route are linked by two trunk roads to the west and east of the county—the A23 to Brighton and the A21 to Hastings.

We have proposals in the future programme for all those roads except the A26. We announced last year our intention to widen the busiest section of the M25—the section between the M3 and the M40—to five and six-lane dual carriageway.

[Mr. John Watts]

For the A23, we still have one scheme in our long-term programme, but we have in fact already implemented most of our proposals for the A23, with a programme of schemes costing about £85 million. Regular users of the A23 will be well acquainted with the improvements that have been achieved on the route in the past five years.

On the A21, I was pleased to be able to announce in the November review that two schemes would form part of a package to be built under the private finance initiative. Those are the Tonbridge to Pembury improvement and the much-needed, long-awaited Lamberhurst bypass.

Again, those schemes are not in East Sussex—they are in Kent—but they are on the Hastings link to the M25, and that is a key reason why we have sought to ensure that those improvements are provided as soon as possible. They will be built under what we call design, build, finance and operate arrangements—DBFO for short—in which a single contractor finances and constructs road improvements. He then maintains and operates the road for a 30-year period.

The DBFO package for Kent and East Sussex does, of course, extend beyond the A21; it includes the construction of the A27 Polegate bypass in my hon. Friend's constituency, and he has asked about timing.

The Highways Agency is aiming to award a contract for the project in the 1997-98 financial year. Construction should start shortly after the contract is awarded. All DBFO contracts have an incentive for the contractor to get on with construction as early as he possibly can. As I explained to my hon. Friend in my recent letter, the agency is aware that the compulsory purchase order for the Polegate bypass expires in September. It will therefore serve notices to treat before the expiry date. That is sufficient to ensure that the order is valid and that the statutory procedures will not need to be repeated.

On the proposed Lewes to Polegate improvement, my hon. Friends the Members for Lewes (Mr. Rathbone) and for Eastbourne came to see me about this scheme in November and made the case for its importance. The A27 between Lewes and Polegate is a single carriageway with poor alignment. It is common to see long queues trailing behind slow-moving vehicles and even farm traffic. Conditions of that sort inevitably lead to the sort of safety problems that my hon. Friend the Member for Eastbourne explained, and to unpredictable journey times.

I have also received strong representations from people who are uneasy about the effect of the published scheme. I would add that the total cost of the proposed scheme was estimated at about £82 million, making it one of the most expensive schemes in the programme. Given that those difficulties exist, we need to be very clear that we are striking the right balance between the need for improvements, environmental protection and overall cost. For that reason, I have asked the Highways Agency to review the scheme to see what the effects of smaller-scale improvements would be.

I am reluctant to anticipate the outcome of the review. In particular, my hon. Friend asked about a continuing commitment to dualling. Without anticipating the results of the review, there is a strong prima facie case for providing a dual carriageway for most, and indeed probably all, of that section of road. But we must have a look at the detail before we can make a firm decision.

If there were an option for single carriageway for some or all of the route, I would want to know the answers to various questions. What would it cost? What would it achieve? What would be the additional cost of a dualling option? What extra benefits would dualling realise? What is the difference in the environmental impact? Those are exactly the type of questions on which I am looking to the agency for advice.

I would add now that, since the existing scheme covers more than 10 miles of road, there may also be phasing options that are worth considering, which might make the scheme more affordable. But I do not want to prejudge the outcome of the review. For tonight, I wish to assure my hon. Friend that we do not intend to walk away from the problem.

I have confined my response to trunk roads, but before closing I must acknowledge my hon. Friend's words about the A22 improvement, which we have funded through the transport supplementary grant at a cost of more than £30 million. I agree that that was a much-needed scheme for Eastbourne, with real economic benefits, and I am grateful that my hon. Friend has mentioned it tonight.

The overall message that I wish to give my hon. Friend to take to his constituents is that I understand the concerns about roads in Sussex. I could not do otherwise, given the continual pressure to which I am subjected—in a most welcome way—by my hon. Friends the Members for Eastbourne and for Lewes. I understand the frustration that people must feel that we are unable to do more, more quickly. The decision to include the A27 scheme in DBFO was taken because that is the quickest way that we can deliver the benefits of that scheme, which are, of course, also related to the benefits from the A22 improvement.

We have tried to take account of the needs in our review and in the difficult choices that we have had to make in recent months. I hope that, as the programme unfolds, we will be able to deliver the sort of road infrastructure that industry in the area desperately needs, and to provide the environmental benefits and congestion relief that will be of great benefit to my hon. Friend's residential constituents.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past Nine o'clock.

House of Commons

Thursday 29 February 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF WESTMINSTER BILL *[Lords]*

Motion made, and Question proposed,

That the Promoters of the City of Westminster Bill *[Lords]* may, notwithstanding anything in the Standing Orders or practice of this House, proceed with the Bill in the present Session; and the Petition for the Bill shall be deemed to have been deposited and all Standing Orders applicable thereto shall be deemed to have been complied with;

That if the Bill is brought from the Lords in the present Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the last Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as were made by him in the last Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during any previous Session.

Hon. Members: Object.

To be considered again on Thursday 7 March.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

1. **Mr. Turner:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Farmers Union to discuss the common agricultural policy. [16097]

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): I meet the NFU regularly to discuss all aspects of agricultural policy.

Mr. Turner: Is the Minister aware that Opposition Members agree with the National Farmers Union that the divisions and isolation on Europe in the Conservative party are greatly weakening the Government's negotiating position? What does he think about the statement by the previous NFU president that he intends to vote Labour at the next general election?

Mr. Hogg: If he does, he will be very upset by the consequences, should the hon. Gentleman's party by any evil chance be elected.

Sir Roger Moate: When he next meets members of the NFU, will my right hon. and learned Friend discuss the form of the dairy regime? According to figures from his own Department, a Dutch cow receives about £400 a year in financial support from the Common Market, as does a Danish cow. This country receives £80 per cow. Why is the British cow worth so much less than European Community cows? One might ask who is milking whom.

Mr. Hogg: I have always taken the view that the British cow is a splendid cow.

My hon. Friend has made a good point about the need to reform the common agricultural policy. The British Government have been taking the lead in that regard. I am glad to say, however, that there has been a substantial increase in farmers' incomes, which have risen by some 52 per cent. in real terms over four years.

Mr. Anthony Coombs: I welcome the fact that the cost of the CAP has fallen by about 20 per cent. since 1988. Will my right hon. and learned Friend confirm, however, that the CAP costs the average family about £20 a week in additional bills? Is that not a very good reason for reviewing its operation at the intergovernmental conference, particularly given that, with the expansion of Europe, it will become even less sustainable than it is now?

Mr. Hogg: My hon. Friend is right to say that the cost of the CAP is unsustainably high. That is one of the reasons why we want it to be substantially reformed. It is worth pointing out, however, that between 1988 and 1994 there was an annual decrease of some 0.2 per cent. in real terms in the cost of the CAP to the taxpayer. Under the last Labour regime, the cost quadrupled.

Mr. Stevenson: Has the Minister discussed with the NFU the dramatic increase in the CAP budget to which the United Kingdom Government have agreed? Between 1992-93 and the current year, the budget has increased by £4.5 billion—about 30 per cent. How can the Minister justify that, and how can he equate it with the Government's professed intention of reforming the CAP, which, they say, would be good for the taxpayer, the consumer and the farmer?

Mr. Hogg: The hon. Gentleman clearly was not listening to what I said. Between 1974 and 1979, under the Labour Government, expenditure on the CAP quadrupled. That coincided with a period in which food prices rose and farm incomes fell in real terms. Under the Conservative Government, we have got a real grip on the CAP—for example, in the 1992 reforms. As I said a moment ago, between 1988 and 1994 there was an annual decrease, on average, of 0.2 per cent. in expenditure on FEOGA.

Dr. Strang: How can the huge arable and set-aside payments to large farmers be justified? Surely it is indefensible that, last year, 13 cereal growers received individual payments of £500,000 or more from a regime that, this year, will cost more than £1 billion? How does the Minister reconcile that expenditure with his decision to cut European money towards the cost of school milk?

Mr. Hogg: The hon. Gentleman really should not exaggerate the contribution that either he or the Labour party has made to the discussion on agricultural reform. I just happen to have on me every word that appeared in the Labour party manifesto in 1992 on agricultural policy. Those words make up two sentences. They are conveniently pasted on the back of an ordinary bus ticket, the type of bus ticket that a Labour Member used to take on her journey from Peckham to St. Olave's. If you, Madam Speaker, would like me to deposit that artefact in the Library of the House of Commons, I will most certainly do so. It will not take 10 days to read.

Dr. Spink: Having dispatched Labour's policy, does my right hon. and learned Friend agree with the Liberal Democrats' assessment that they are"too pro-European ever to reform the CAP"?

Mr. Hogg: I do indeed agree. I happen to have in my hand a report prepared by a lady called Candida Gould, who is described as a "Political Warfare Officer"—not a job that we would expect to find in a party that criticises other parties for partisan policy making. On behalf of the Liberal Whips office, she said, "The Lib Dems are too"—

Madam Speaker: Order. The Minister is amusing us this afternoon, but it is not the purpose of the House to be amused by a Minister. He is here to answer questions on Government policy and I should like him to be accountable for that policy today.

Mr. Tyler: I hope that the Minister will have some—

Madam Speaker: Order. I have not called the hon. Gentleman's question. Let us have an answer from the Minister that relates to his responsibilities.

EU Intergovernmental Conference

2. **Mr. Tyler:** To ask the Minister of Agriculture, Fisheries and Food what issues relevant to the responsibilities of his Department are on the agenda for the European Union intergovernmental conference; and if he will make a statement. [16098]

Mr. Douglas Hogg: As I announced on 7 February, we will seek to add to the treaty of Rome a protocol that will provide that full regard should be paid to

"animal welfare in matters relating to agriculture, transport, research and the single market".

Any further proposals will be announced at the appropriate time.

Mr. Tyler: I am sorry that I was distracted by your intervention, Madam Deputy Speaker.

I am grateful to the Minister for that reply and I acknowledge the advance that has been made, but will he acknowledge that many hon. Members on both sides of the House have expressed concern this afternoon about the IGC agenda preparation's failure so far to take into account the need for radical reform both of the common fisheries policy and of the common agricultural policy? Will the Minister confirm, as it is a major feature of his Green Paper, that there needs to be a substantial transfer from production-related support to environmental, employment and social objectives, and that the IGC can consider those matters?

Mr. Hogg: I think that the hon. Gentleman is rather confused about the IGC's purpose. On the common agricultural policy—here I make a distinction between the CAP and the CFP, the common fisheries policy—we are talking about reform in policy. Negotiations will proceed in parallel with the IGC to try to ensure thorough CAP reform. It is possible that issues will properly be dealt with in relation to certain specific defects that we have identified in the CFP. If that is our conclusion, we will make proposals at the appropriate time.

Mr. Harris: On the last point made by my right hon. and learned Friend, will he look in particular at the memorandum that I and others have sent him on possible parts of the common fisheries policy that could be taken into account at the intergovernmental conference, such as the setting of parameters for the review of the policy and the very important question of what on earth we do about the wretched Spanish flag of convenience vessels and vessels from other member states that are plundering our stocks?

Mr. Hogg: My hon. Friend, along with other hon. Friends, has produced an important memorandum identifying a range of issues within the common fisheries policy that we need to address. My colleagues and I, especially my hon. Friend the Minister of State, have been looking carefully at the memorandum. My hon. Friend is right to draw specific attention to quota hopping, which is the point that he made at the end of the question. These are matters on which we are reflecting, and if we see positive ways forward we shall come to the House, in one way or another, to make our conclusions known. My hon. Friend has contributed enormously to the formulation of our thinking on this matter.

Bovine Spongiform Encephalopathy

3. **Mr. Hinchliffe:** To ask the Minister of Agriculture, Fisheries and Food what is his latest estimate of the total number of animals affected by bovine spongiform encephalopathy. [16099]

The Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food (Mrs. Angela Browning): Up to 23 February, a total of 158,277 cases of BSE had been confirmed in Great Britain.

Mr. Hinchliffe: Does the Minister expect the results of the Ministry's study of cattle born after the feed ban to prove conclusively whether BSE is vertically transmissible?

Mrs. Browning: Our research into maternal transmission and animals born after the ban is intended to give a conclusive answer. We are some way from that so, in the interim, we have said categorically that we cannot rule out maternal transmission. I can assure the hon. Gentleman that if maternal transmission is subsequently proved, the numbers already show that it would not be sufficient to be responsible for the figures I gave in my initial answer.

Mr. Nicholas Winterton: Does my hon. Friend agree that public confidence in British beef has been severely undermined by irresponsible media reporting, by media scaremongering and by media madness? Does she agree that British beef—I eat it on all occasions—is not only safe but the best? We should stand up for the British beef farmer.

Mrs. Browning: Indeed, my hon. Friend has summed up exactly the travesty presented by the media when they seek to decry an industry that is of high quality and respected around the world. British beef is safe to eat. Those are not just my words, but the words of the chief medical officer and the chairman of the Spongiform Encephalopathy Advisory Committee. I commend the eating of British beef to all hon. Members who eat meat.

Live Animal Transport

4. **Mr. Connarty:** To ask the Minister of Agriculture, Fisheries and Food when he last met his European counterparts to discuss the welfare of farm animal exports. [16100]

Mrs. Browning: The Council of Agriculture Ministers negotiated an important agreement on the welfare of animals in transport in June 1995. My right hon. and learned Friend and his predecessor have had bilateral contact with a number of their counterparts since then, on a variety of issues including animal welfare.

Mr. Connarty: Given the wish of the farming industry to maintain the reputation of British beef exports, does the Minister share our concern about the allegations made in the "Dispatches" programme of 17 January that local veterinary inspections of calves were not carried out to ensure either that they did not have foot and mouth or that they did not come from mothers that had connections with BSE? If the Minister shares that concern, can she explain why Jonathan Stirling, the veterinary surgeon accused of those malpractices, has been reinstated before the inquiry has come to a conclusion?

Mrs. Browning: We take very seriously any allegations of the kind that the hon. Gentleman has outlined and that were flagged up in the "Dispatches" programme. The programme makers have made available to us documentation which is being rigorously inspected. However, I point out to the hon. Gentleman that, as in other cases where people are accused of something, it is part of our culture that people are innocent until proven guilty. We would not wish to take action against an individual until the allegations had been properly investigated, which is what is happening.

Mr. Gale: I thank my hon. Friend for her continued efforts in bringing about the end of the use of veal crates on mainland Europe and securing humane transport conditions. Will not the protocol, to which my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food referred a few moments ago, help that process enormously? Is it not a prime example of the Government pursuing unilateral action in Europe? Do they not deserve support for that?

Mrs. Browning: I am grateful to my hon. Friend. He has clearly identified the Government's policy, which has been opposed by the Opposition in the past year. If we are to succeed, whether with veal crates or with transport regulations, in improving the welfare of animals in transit and the methods by which they are reared, we must gain the prize of high standards across the European Union—not just apply them here, never mind what happens across the channel. We are making very good progress on those issues. The European dimension is important to the welfare of animals.

Mr. Morley: Do not the irregularities exposed in the Channel 4 programme "Dispatches" demonstrate that it would be far better if animals being exported were inspected by an independent veterinary body rather than allowing exporters to choose their own veterinary surgeons? Is it not true that the Minister's Department produced the Morris report which demonstrated a range of serious failings in that area? Why has that report been suppressed and not made available for hon. Members to read it?

Mrs. Browning: The Morris report was an internal document, and such reports are not usually made public. I can, however, assure the hon. Gentleman that all the points raised in that internal document have been addressed and its recommendations have been actioned.

Environmentally Sensitive Areas

5. **Mr. Peter Ainsworth:** To ask the Minister of Agriculture, Fisheries and Food what progress he has made recently in allocating money under the environmentally sensitive areas scheme. [16101]

The Minister for Rural Affairs (Mr. Tim Boswell): Payment in English ESAs will total £30.5 million this year.

Mr. Ainsworth: Does my hon. Friend agree that, in an age of food production surpluses, there is very little logic behind continuing to pay farming subsidies other than those related to environmental protection? I congratulate my hon. Friend on the fact that, during a very tight public spending round, he has managed to find another £5 million over two years for countryside stewardship schemes. Is that not a clear example of the Government's determination to protect and enhance our green and pleasant land?

Mr. Boswell: I am grateful for my hon. Friend's comments. We certainly wish to emphasise increasingly the environmental role in public support for agriculture. The environmentally sensitive areas scheme was wholly

devised and brought into effect under the present Administration, and we are already beginning to see its benefits.

Mr. Ainger: Is the Minister aware that approximately half my constituency has been designated an environmentally sensitive area but that, because of the disaster caused by the massive spillage of 60,000 to 70,000 tonnes of oil from the Sea Empress, fishery products from my constituency are basically—sometimes literally—blacked? The National Farmers Union, hundreds of constituents of mine and many other Members and organisations, including fishery and farming organisations throughout the country, are demanding an independent inquiry into the disaster. Will he join them and try to persuade his right hon. Friend the Secretary of State for Transport that an internal inquiry carried out by his Department is totally unacceptable and will not carry the confidence of my constituents or anyone else? Will he urge the Secretary of State to accept that if the report is to have any credibility, it must be independent and, ideally, controlled by Lord Donaldson, who conducted the excellent inquiry into the Braer disaster?

Mr. Boswell: I am very sorry about the position in which the hon. Gentleman's constituents find themselves. The environmentally sensitive areas regime to which he referred is terrestrial, but that in no sense takes away the problems that apply to his fishermen, who are of course now excluded from a certain fishing zone. My hon. Friends and I are very concerned, and I shall convey the thrust of the hon. Gentleman's interest in an independent inquiry to my right hon. Friend the Secretary of State for Transport.

Mr. Ian Bruce: My hon. Friend will know that, during a tight settlement by the Government this year, £5 million extra has been put into the countryside stewardship scheme. I congratulate my hon. Friend on that. Does he agree that the best friend of the countryside is our farming community? It takes a responsible view of what it is doing—despite the sort of criticism that we constantly hear, especially from the animal rights lobby, who sponsor even Labour Front-Bench spokesmen, to the tune of £15,000, which explains why we hear such daft, mad policies from Labour.

Mr. Boswell: I am grateful to my hon. Friend for pointing out that we are providing an additional £5 million for countryside stewardship for the year that begins in April, and a further £5 million for the following year. That is because, like my hon. Friend, we believe that farmers are the best custodians of the countryside and should have every practicable incentive to carry out that task. We firmly reject the philosophy based on control, regulation and interference that characterises Opposition policies.

Turkey Farming

6. **Mr. Cohen:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to improve the standards in turkey farming. [16102]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Tony Baldry): We are currently considering recommendations from the Farm Animal Welfare Council for changes that will build on the protection already offered by legislation and welfare codes.

Mr. Cohen: Does not the selective breeding of turkeys result in male birds suffering from congenital hip disorders and enduring chronic pain? Do not 2.5 million birds die in their sheds each year? Is there not a case for urgent reform of current turkey farming practices, and do not Agriculture Ministers deserve stuffing for allowing those bad practices?

Mr. Baldry: The hon. Gentleman rather spoilt what was obviously a serious observation by his trite comment at the end. Of course it is important that high animal welfare standards be maintained and improved. The Farm Animal Welfare Council reported last year on the welfare of turkeys and made several recommendations. If anyone had evidence to support the hon. Gentleman's contentions, that evidence would have been made available to the council. We have been taking careful note of the subsequent comments of the industry and of animal welfare organisations, and we shall publish our response shortly.

Mr. Congdon: I welcome what my hon. Friend said about the need to ensure that turkey farming is carried out as humanely as possible. Should we not also recognise how successful the industry has been in rearing turkeys that represent such excellent value for money for the British consumer?

Mr. Baldry: My hon. Friend makes an excellent point. The price of turkey in supermarkets and elsewhere has been coming down over the years, which is of considerable benefit to the consumer and reflects considerable credit on the British turkey industry.

Nutritious Food

7. **Mr. Mackinlay:** To ask the Minister of Agriculture, Fisheries and Food what measures he proposes to increase appreciation of and access to nutritious food. [16103]

Mrs. Browning: The range of foodstuffs available today is such that everyone should be able to select an interesting, enjoyable and nutritious diet of their choice. My Department provides information and advice to assist people to do so.

Mr. Mackinlay: But not everyone can. Has not the Minister's own nutrition task force drawn attention to the high rate of heart disease in this country, and to the fact that by the year 2005 a quarter of women and one in five men will suffer from severe obesity unless there is a change in dietary habits and a greater awareness of the problems caused by eating junk food? Do the Government not have an obligation to ensure that the poorest and most disadvantaged people have access to the most nutritious food, and that the food industry is taken to task to make it label foods properly and give proper advice and guidance? Leadership should come from the Government to protect the health of the people of this country.

Mrs. Browning: The nutrition task force low income project team—I think that is the group to which the hon. Gentleman referred—has produced a report, which we shall publish soon. The MAFF national food survey, which has been in operation since 1940, regularly monitors the diet of a full cross-section at all levels of income. The problems of obesity and heart disease that the hon. Gentleman mentioned are indeed important, and they are among the targets of "The Health of The Nation" White Paper. We believe that it is excess fat in the diet that causes the problem, and people do not necessarily have to spend a lot to eat a diet that is nutritious and does not contain excessive fat. *[Interruption.]* The hon. Gentleman is pulling a rather funny face. I shall show him two booklets that MAFF produced, which give guidelines for a balanced diet. Some of the eight guidelines are:

"enjoy your food; eat a variety of different foods"—

such as pasta and rice, which are very low cost, and vegetables, although not only the most expensive ones—

"eat the right amount . . . eat plenty of foods rich in starch and fibre".

If the hon. Gentleman requests more details, I should be very happy to send him, and any other hon. Member, a copy of our advice.

Mr. Fabricant: May I invite my hon. Friend to take a motoring tour with me around Europe? Behind our car we will have a refrigerated trailer that will contain apples from Kent, gooseberries from Worcestershire and best British beef from Staffordshire. When we get to Europe, we will stop off in the Champs Elysées, or the Grand Place in Brussels, and have a picnic. The fine British food will be appreciated not only by us, because we shall invite some of the Europeans to try it too. They will see that British food is not only nutritious; it is a darn sight better than French horse or—come to that—French golden delicious apples.

Mrs. Browning: My hon. Friend is attempting to flag up, quite rightly, the excellent regional foods for which this country is rightly proud. I must say that, as I was sitting on the Front Bench when my hon. Friend extended to me his very generous invitation, I received a message from the Whips which said, "Don't you dare."

Dairy Products

8. **Mr. Alan W. Williams:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the imports and exports of dairy products. [16104]

Mr. Baldry: Over the past 10 years, the value of UK dairy exports has increased twice as much as imports and, in real terms, the UK's trade deficit in dairy products has been cut by 26 per cent.

Mr. Williams: In my constituency, Andrew Dare, the chief executive of Milk Marque, recently pointed out that the value per tonne of imported dairy products is 40 per cent. greater than the goods that we export. What can the Government and the dairy industry do to boost added value in the dairy industry so that we move upmarket—to such items as yoghurts, desserts and fine cheeses—for import displacement and to improve that export performance?

Mr. Baldry: That is exactly what is happening. I think that the hon. Gentleman has somehow got the situation the wrong way around. Since deregulation, we are seeing high-value milk products for export; there is no longer an incentive for processors to put milk into such low-value products as skim milk or into butter for intervention. We are seeing a very substantial increase in the value of our exports, which have increased by some 126 per cent. What is happening is what the hon. Gentleman wants to happen.

Mr. Tredinnick: Does my hon. Friend agree that the reason why Britain is not 100 per cent self-sufficient in milk quotas can be directly attributed to the failure of the previous Labour Government? The base that was set in 1981 was influenced by the depression caused by that former Labour Government.

Mr. Baldry: The Opposition might not like it, but the reason why we are not self-sufficient in milk products is that, during the late 1970s, the agrimonetary policy that was followed by the former Labour Government disadvantaged this country. That policy meant that, when milk quotas were introduced, this country was not self-sufficient.

Calves

9. **Mr. Clapham:** To ask the Minister of Agriculture, Fisheries and Food how many representations he has received concerning the welfare of calves in the last two years. [16105]

Mr. Douglas Hogg: The answer is: many.

Mr. Clapham: I am grateful for that answer, because it reflects the British public's great concern. Does the Minister share my view that it is unacceptable that calves which are exported from the UK are put into veal crates that are so cruel that they were banned in the UK in 1990? Will the Minister stop the trade if the current judicial review, which has been called by animal welfare organisations, demonstrates that he has the power to do so?

Mr. Hogg: I am rather surprised that the hon. Gentleman did not give credit to the Conservative Government. First, the UK ban was introduced by the Conservative Government—not by anybody else. Secondly, the fact that the European Union is, at this very moment, discussing the proposals for banning veal crates is due primarily to the hard work that my right hon. Friend the Chief Secretary did over a number of years to bring this discussion before the Council and the Commission. We are pressing the matter exceedingly hard, and the hon. Gentleman should give credit where credit is due.

Dr. Strang: Does the Minister recall that his predecessor proclaimed that the days of the veal crate were numbered? However, more than 400 days later, we are still exporting calves into relative darkness to be malnourished and reared in crates in which they cannot turn around. Will the Minister answer this question: is it true that he has said that, even if European law permits it, he will not act to prevent the export of calves into continental veal crates?

Mr. Hogg: I shall make two points. First, I find it astonishing that the hon. Gentleman should ever raise this subject. Let us not forget that the matter was discussed in 1975 and, on a free vote, the hon. Gentleman, who was then an agriculture spokesman, voted to resume the export of live animals, even though the right hon. John Silkin, the future Minister, voted the other way. It is a clear case of members of the Labour Front-Bench team saying one thing, but doing another.

As for the second part of the hon. Gentleman's question, I have made the position quite plain. I do not believe that I have the legal power to prohibit the export of live calves. If I did have that power, I would not exercise it because I do not believe in heaping unilateral burdens on British farmers. Such things should be dealt with throughout Europe. Incidentally, that was substantially the position adopted by my right hon. Friend the Chief Secretary and stated expressly in the House.

Public Footpaths

10. **Mr. Colvin:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure access to the countryside through established public footpaths. [16106]

Mr. Boswell: The Government have adopted the target of bringing the current rights of way network into good order by 2000. That is primarily the responsibility of highway authorities, which are devoting additional resources to the task.

Mr. Colvin: I appreciate that the matter was covered in the White Paper on the rural economy. As the Department of the Environment was joint author of that White Paper, what discussions has my hon. Friend had with his opposite number at the Department of the Environment about the reform of the law and regulations relating to rights of way? Diversions should be easier to obtain because that would mean not only safer rights of way but better access to the countryside for the public than would be afforded by the Opposition's right to roam proposals. Would not the Opposition's proposals be difficult to manage and almost impossible to enforce?

Mr. Boswell: I assure my hon. Friend that we have close and continuing relations, and an element of joint working, with our colleagues at the Department of the Environment in pursuing the follow-up to the rural White Paper, including the important points that he made about a simpler regime for footpath diversion and, for that matter, the concerns expressed about four-wheel drive vehicles. I stand by the remarks in the White Paper about the right to roam proposals, which my hon. Friend highlighted, which were to the effect that they would elevate one interest above all others and create a pattern of rights without responsibilities. We regard that as very ill-founded.

Sir James Molyneaux: Is the Minister aware that access to the countryside has created problems for many farmers who face public liability claims, a great many of which are entirely bogus and, in some areas, so numerous that insurance companies are refusing to provide cover?

Mr. Boswell: I am grateful that the right hon. Gentleman has raised that point. That concern, which I am sure arises in his area as it does in many other parts of the United Kingdom, is one that will be part of our discussions.

Mr. David Nicholson: Does my hon. Friend recognise that useful progress was made on this matter as a result of the private Member's Bill in the previous Parliament initiated by my hon. Friend the hon. Member for Gainsborough and Horncastle (Mr. Leigh), of which I was a co-sponsor? Will he contrast that with the Labour party's "right to roam" Bill, which has been condemned by the prominent Labour peeress Baroness Mallalieu for imposing burdens on farmers, encouraging rural crime and being effectively unenforceable?

Mr. Boswell: I am grateful to my hon. Friend for drawing the House's attention to the excellent work of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) with his Bill. My hon. Friend is right to the bring our attention to the views of the noble and learned Baroness on the right to roam proposals. On the radio, she said:

"the reality is that no legislation in respect of access can truly succeed without the co-operation of those most directly concerned, the farmers and landowners."

Mrs. Golding: The Minister knows that the Labour party believes that the countryside should not be a battleground of blocked pathways and bad tempers. We believe that access to the countryside should be about consideration, conservation and consultation. He knows that access agreements have already been made in Scotland between landowners and ramblers under the right to roam proposals. Does he think that what has been achieved in Scotland could not be achieved in the rest of country?

Mr. Boswell: The hon. Lady misunderstands two points. No Conservative Member is against access to the countryside where it is by agreement and properly managed. We have no objection to farmers and landowners concluding agreements for public access, whether in Scotland, England or other parts of the United Kingdom. What we fear in the proposals for a right to roam is the imposition of a right, over the heads of farmers and landowners, without any corresponding obligations. It would amount, even if she means it well, as I am sure that she does, to a troublemakers charter, and it would not advance the cause of better access.

11. **Mr. Simon Coombs:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that nationally recognised public footpaths and bridlepaths are formed with full consultation with local farmers. [16107]

Mr. Boswell: Legislation already requires that new public rights of way are created in full consultation with landowners. Responsibility for this is primarily a matter for highway authorities. We welcome constructive dialogue between interested parties.

Mr. Coombs: Does my hon. Friend agree that, in seeking to achieve the delicate balance between the rights of ramblers and walkers and those of farmers and landowners, it is inevitable that the Ministry of Agriculture, Fisheries and Food should be on the side of the latter? In that context, will he bear in mind the need to seek secure diversion of footpaths around farm yards, where safety considerations should be paramount? In the past, it has not been easy to persuade local authorities to allow such diversions.

Mr. Boswell: I assure my hon. Friend that the attitudes of Government Departments on the matter are at one. We are interested in improving access by agreement and making the arrangements as flexible as possible. At the same time, he rightly flags up our departmental interest in ensuring that farmers are not messed about if that can be avoided. I am concerned that we should provide a better regime for diversion. I hope that local authorities will consider that under their existing powers, and we shall consider whether it is necessary to go further in conjunction with them.

Mr. Bennett: Does the Minister accept that, in the early part of the century, large numbers of people from the towns enjoyed walking in lowland parts of Britain, using country lanes and footpaths? Is he aware that it is now almost impossible to enjoy such rambles because of the traffic on country lanes? Does he accept that there is a strong case for creating new footpaths, especially on set-aside land, so that people can continue to enjoy long walks without having to compete with traffic on country lanes?

Mr. Boswell: I know from my experience as a farmer that there is plenty of use of the footpath and bridleway network. Currently, there is a provision of 120,000 miles. We have no objection to extending that. The issue between the parties is whether it should be by agreement or imposition.

Farm Incomes

12. **Mr. Michael Brown:** To ask the Minister of Agriculture, Fisheries and Food what has been the change in farm incomes since September 1992. [16108]

Mr. Douglas Hogg: Total—[HON. MEMBERS: "Hear, hear!"] It is indeed good news, Madam Speaker. Total income from farming is estimated to have risen by 52 per cent. in real terms between 1992 and 1995.

Mr. Brown: Does that not show that, under a Conservative Government, farm incomes have risen while food prices have fallen? Can my right hon. and learned Friend refresh my memory? Was it not the other way round under the last Labour Government? Did not farm incomes fall, while food prices rocketed?

Mr. Hogg: You will not be surprised to learn, Madam Speaker, that my hon. Friend is right. The full particulars are as follows: agricultural spending within the common agricultural policy quadrupled under Labour; food prices in real terms went up under Labour; and, under Labour during 1974-79, total income from farming, expressed in real terms, went down by 32 per cent.

PRIME MINISTER

Engagements

Q1. **Mr. David Shaw:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16127]

The Deputy Prime Minister (Mr. Michael Heseltine): I have been asked to reply.

My right hon. Friend the Prime Minister is carrying out official engagements in the far east.

Mr. Shaw: Is my right hon. Friend aware that in Dover and Deal we have a selective system of education that offers choice and diversity and requires no parent to send his child 15 miles to school? Is he aware that we have grant-maintained grammar schools, high schools, a grant-maintained comprehensive school and we now have a Labour-run county council that wants to try to change what the Conservative county council set up? Is he further aware that the Labour party's policies in Kent reek of old Labour hypocrisy? Is the Labour party trying to change the policy or the guidelines, or is it just being hypocritical?

Madam Speaker: Order. I have cautioned the hon. Gentleman before. Ministers at the Dispatch Box are not responsible for the policy of any other political party. They are responsible for Government policy and they should be asked matters relating to that policy and for which they are accountable. I have no doubt that there is something in the hon. Gentleman's earlier comments to which the Deputy Prime Minister can reply, but I am sure he will relate his comments to Government policy.

The Deputy Prime Minister: I think that I can stretch my answer to embrace your suggestions, Madam Speaker. The fact is that my hon. Friend has described the excellent range of choice and policies that Conservative education policy represents. He will be well aware of the criticisms of the alternative structure of comprehensive education that we have heard from the Labour spokesman on education, the hon. Member for Sheffield, Brightside (Mr. Blunkett), who said:

> "In spite of 30 years of comprehensive education, the pattern of excellence at the top and chronic under-performance at the bottom persists".

That is the most comprehensive criticism of Labour education policy that I have ever heard, even from a Labour spokesman.

Mr. Prescott: Why did the Prime Minister refuse to answer parliamentary questions about the names of the people he will be meeting on his publicly funded visit to Hong Kong?

The Deputy Prime Minister: I have not the slightest doubt that my right hon. Friend's programme will remain flexible during the course of his visit. Any Labour Member who has ever represented his country abroad will know the great importance of being able to respond to suggestions of meetings in the margins of international councils. It is ludicrous to think that one can plan all those

things with so many world leaders in one circumstance at a time. It shows that the Opposition are so devoid of reality that they are unfit to govern.

Mr. Prescott: Is the Deputy Prime Minister aware that there is a great deal of public concern because, during the Prime Minister's last visit to Hong Kong, he met a number of wealthy Hong Kong business men who then gave millions of pounds to Tory party funds, none of which was publicly declared? Can the right hon. Gentleman give us an assurance that, on this occasion, no such meetings will take place?

The Deputy Prime Minister: If the hon. Gentleman would ever take the trouble to find out about the world outside Britain, he would know that there are a number of wealthy Chinese business men in Hong Kong, because it is one of the most successful capitalist economies in the world.

Mr. Prescott: Why does the right hon. Gentleman refuse to be open and honest about Tory party funding? Have we not returned to the fundamental question about the Tory party—what does it have to hide?

The Deputy Prime Minister: I think that the hon. Gentleman would be a great deal better off telling the country about the clandestine meetings that are taking place with the trade unions to do the deals that will enable them to support the Labour party, in the hope that it will get power.

Mr. Nigel Evans: Does my right hon. Friend agree that top British companies succeed because they are no longer hamstrung by trade union domination, and that that has resulted in the lowest strike level for more than 100 years? Will he give the House a commitment that the Conservative Government will not engage in any sleazy backroom deals with trade unions to do away with the trade union legislation that has enabled Britain to be the enterprise economy of Europe?

The Deputy Prime Minister: I can give my hon. Friend an unequivocal assurance that we will do no sleazy backroom deals with anyone, whether in the trade unions, the capitalist system or anywhere else.

Q2. **Mr. Tyler:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16128]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Tyler: Does the Deputy Prime Minister recall who was the last Conservative Minister to take full accountability for the actions of his Department and to resign on principle? Does he think that certain Ministers in the present Government should follow that example?

The Deputy Prime Minister: The hon. Gentleman will remember that he lost the vote on Monday. I recall that my noble Friend Lord Carrington resigned in circumstances with which the hon. Gentleman will be as familiar as I am, but the fact of the matter is that my right hon. Friends explained our views on the Scott report. The House listened to the arguments and found in favour of the Government.

Sir Patrick Cormack: As my right hon. Friend quite clearly and rightly believes in retaining the rank of Prime Minister, will he please explain to the House why we are to abolish the rank of field marshal?

The Deputy Prime Minister: I think that my hon. Friend misunderstood the recent announcement. As I understand it, the rank of field marshal will now be awarded only to generals commanding an army in the field in times of war.

Q3. **Mr. Gapes:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16130]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Gapes: Does the Deputy Prime Minister recall that, before he was appointed to his elevated position last July, the Labour party was leading the Conservatives by 27 per cent. in the opinion polls? Has he seen the MORI poll in *The Times* today, showing that Labour's lead over the Conservatives is now 31 per cent? In view of that, does the Deputy Prime Minister believe that he should continue in his responsibility for the presentation of Government policy?

The Deputy Prime Minister: The answer—*[Interruption.]* I thought that the House might be interested in the answer to the question, which is best summarised in one word: yes.

Q4. **Sir Alan Haselhurst:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16131]

The Deputy Prime Minister: I have been asked to reply.

I refer my hon. Friend to the answer I gave some moments ago.

Sir Alan Haselhurst: Will my right hon. Friend undertake to examine the workings of the Land Compensation Act 1973? Is he aware that claimants against Stansted airport have to wait between four and five years for settlement, and that that is causing a great deal of anguish, if not hardship, in many cases; whereas the airport operator can still sustain claims up to 1988 and has absolutely no idea of its total liability? Is that not a recipe for maximum discontent?

The Deputy Prime Minister: I am sympathetic to the point that my hon. Friend has made, and I know the efforts to which he has gone to make representations on this issue. However, the matter is not under ministerial control; it is a matter of quasi-judicial responsibilities and the processes must unfold in the way that he has described.

Mr. Rooker: Will the Deputy Prime Minister address the issue of the standards of conduct in public life? Are the Government planning to do anything to close the loophole—about which we are criticised—whereby hon. Members use the freedom of aircraft tickets to travel between constituencies to gain private air miles for their families? *[Interruption.]*

Madam Speaker: Order. Hon. Members should listen to questions, and to the answers.

Mr. Rooker: Will the Deputy Prime Minister explain the difference in that action and the actions of a publicly funded Prime Minister travelling to the other side of the world to fill the coffers of his party's political funds?

The Deputy Prime Minister: The hon. Gentleman raised a serious issue in the first part of his question, and I shall deal with it seriously. Guidance to Ministers is quite clear: they are not allowed to use air miles incurred in public services for private purposes.

Q5. **Mr. Gill:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16132]

The Deputy Prime Minister: I have been asked to reply.

I refer my hon. Friend to the answer I gave some moments ago.

Mr. Gill: Will my right hon. Friend assure the House that Her Majesty's Government would be prepared to walk away from the conference table at the forthcoming intergovernmental conference if they cannot get a deal that is acceptable to the majority of British voters?

The Deputy Prime Minister: The Government will shortly publish a White Paper on their approach to the intergovernmental conference. The British Government will represent the interests of this country at the conference, and it is their view that they will do that more effectively if they participate in the dialogue.

Q6. **Mr. Flynn:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16133]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the answer I gave some moments ago.

Mr. Flynn: Does the Deputy Prime Minister agree that the heartbreaking pollution from the Sea Empress is the worst environmental catastrophe ever to hit the United Kingdom? Is he aware that an internal inquiry by civil servants of the conduct of other civil servants and their Minister is not a satisfactory inquiry? Will he give the undertakings that a full inquiry will take place, preferably under Lord Donaldson, and that it will be public and entirely independent?

The Deputy Prime Minister: As my right hon. Friend the Secretary of State for Transport told the House last week, the marine accident investigation branch will carry out a thorough and independent inquiry into the cause of the incident and the conduct of the salvage operation.

Sir Michael Shersby: Will my right hon. Friend take the opportunity today to recall that, when he was the Secretary of State for the Environment, he pursued the excellent policy of defending the metropolitan green belt? Does he agree with me that the metropolitan green belt is the greatest bulwark against urban sprawl? Will Her Majesty's Government continue to make that policy the centrepoint of their environment policy?

The Deputy Prime Minister: My hon. Friend will know that my right hon. Friend the Secretary of State for the Environment is as determined as any former Secretary of State in his advocacy and maintenance of Government policy on the green belt. He will act in compliance with planning policy guidance and with the law. He must consider any matters that are put before him, but no one should doubt his commitment to the green belt.

Q7. **Mr. Jack Thompson:** To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16134]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Thompson: Bearing in mind the enthusiasm of the Deputy Prime Minister and of the Prime Minister for efficiency in Government Departments—which was shown clearly by their support for market testing—is it not now appropriate for the British people to market test the Government?

The Deputy Prime Minister: They would find that they are looking forward to an economy that is as strong as any in contemporary history. As my right hon. and learned Friend the Chancellor of the Exchequer explained at the time of the Budget statement, they are looking forward to an increase in average incomes of £9 a week. Since then, there have been two reductions in interest rates. We have the lowest inflation rate for many years, falling unemployment and a competitive currency. It is obvious that the Government have presided over extremely exciting economic prospects.

Channel Tunnel Rail Link

3.30 pm

The Secretary of State for Transport (Sir George Young): With permission, Madam Speaker, I should like to make a statement about the outcome of the competition to select a private sector promoter for the high-speed channel tunnel rail link.

The competition took place under the Government's private finance initiative, and was keenly fought by four very serious and capable bidders. In order to meet the requirements of the stock exchange, I announced this morning that the winning consortium is London and Continental Railways, whose members are Halcrow, London Electricity, National Express, Virgin, Warburg, Arup, Bechtel and Systra. I should now like to give the House further details.

This is the launch of a new, international, private sector enterprise. The agreements that I have signed with London and Continental are much more than a construction contract. It is about the private sector taking on the running of the existing Eurostar services, procuring the construction of the new high-speed railway line, operating and maintaining the railway after its completion, and providing international passenger services. In short, it is the creation of an entirely new business: a complete private sector railway.

The benefits of the deal for the nation are wide-ranging and substantial. London and Continental will bring to European Passenger Services the commercial and marketing skills of highly successful private sector transport operators. It has impressive plans for increasing EPS passenger numbers and revenues.

The construction of the new high-speed railway from St. Pancras to the channel tunnel will reduce journey times for international travellers by about 40 minutes: London to Paris will be two hours 25 minutes; and London to Brussels, two hours five minutes. The new line will greatly increase the capacity of the international rail market, removing a constraint that would otherwise have limited its growth.

The railway will be a great boost to economic development and regeneration, particularly in the Thames gateway area. We have already announced that there will be a combined international and domestic station at Ebbsfleet in north Kent. I can announce today that a combined international and domestic station will also be provided at Stratford in east London. That station will help attract development and jobs to Stratford itself, to east London more widely, to docklands and to the Lea Valley. It will be a shot in the arm for development in areas where that is sorely needed.

London and Continental's plans will also extend the benefits of the channel tunnel rail link beyond the south-east. In particular, it proposes to construct a short length of new railway within the King's Cross railway lands, which will provide a direct twin-track connection between the channel tunnel rail link and the west coast main line. That will allow direct and frequent international services from cities such as Manchester and Birmingham, bypassing St. Pancras and calling at Stratford. That will cut journey times by up to an hour: for instance, Birmingham will be just four hours from Paris, and Manchester five hours.

London and Continental will now promote applications under the Transport and Works Act 1992 to construct the station at Stratford and the short length of new track just north of St. Pancras.

The main CTRL terminus at St. Pancras will provide an excellent interchange for services to the midlands and the north along the midland main line and the east coast main line, and also with the Thameslink 2000 project which I announced on Tuesday. The new St. Pancras terminus will, of course, respect the architectural integrity of that magnificent building. It will also greatly enhance the prospects for a sympathetic development of the St. Pancras Chambers, and for the redevelopment of the King's Cross railway lands, which is the largest redevelopment opportunity in London.

London and Continental plans to continue frequent international services from Waterloo, where travellers will also benefit from faster journeys via the CTRL, with a saving of around 20 minutes on current times.

Domestic rail travellers will also benefit from the new line. As we announced in July last year, the Government will be reserving capacity on the new line for up to eight domestic trains an hour in the peak period. The new services should start as soon as CTRL is open, and will dramatically improve journey times from many parts of Kent. The increase in overall rail capacity will help ease congestion and improve reliability on existing Railtrack lines.

The key criteria for the evaluation of the bids were the size and timing of the Government's financial contribution, and the risk each bidder was prepared to accept.

The Government will transfer certain assets to the promoter: European Passenger Services, free of capital debt; Union Railways, the Government-owned company which has developed the project thus far and supported us in promoting the hybrid Bill; and, lastly, the land and property needed for the project, in particular the railway lands at Kings Cross and Stratford, and surplus properties acquired in connection with previous rail link schemes.

London and Continental will be free to develop those parts of the lands not required for CTRL itself; and arrangements have been put in place to ensure that the Government receive a fair share of development profits realised from them. In addition, London and Continental is required to use any income derived from the sale of surplus properties only for the CTRL project.

The Government will also provide financial support with a present value of around £1.4 billion, compared with the overall construction cost of about £3 billion. That is an excellent investment for the nation, since we estimate the benefits of the project to be worth around £6 billion. Those are made up mainly of benefits to international and domestic passengers and regeneration benefits. We have linked the payment of grant to construction milestones to incentivise London and Continental, and to ensure that real progress is made. We do not expect to make the first payments before the year 2000.

CTRL is a key part of the European Union's trans-European network, and London and Continental will receive substantial financial support from the trans-European network programme, expected to be around £100 million up to 1999, with more thereafter.

The allocation of risk between public and private sectors lies at the heart of the private finance initiative. London and Continental will bear in full both the

construction risks and the risks relating to the performance of EPS. Financing for the development phase is contractually committed. The Government will take responsibility for the passage of the hybrid Bill which is now before Parliament, and those risks which they are better able to manage than the private sector.

London and Continental will start immediately on detailed design work. That will enable it to be fully ready, by the time that the CTRL hybrid Bill receives Royal Assent, to raise the main financing, and for the full construction works to start. On current plans, London and Continental anticipates that work could start late next year, and construction is expected to take five and a half years.

As the House knows, the hybrid Bill which will authorise the construction of CTRL has now completed its scrutiny by a Select Committee of the House. I applaud the efforts of the Select Committee, its Chairman, my hon. Friend the Member for Reading, West (Sir A. Durant), and its Deputy Chairman, my hon. Friend the Member for Sheffield, Hallam (Sir I. Patnick). The Select Committee has now reported the Bill, and members of the Standing Committee have been chosen. I look forward to the Standing Committee beginning its consideration of the Bill on 5 March.

Through Union Railways, London and Continental will help the Government to promote the Bill during its remaining stages. London and Continental is bound by all the undertakings and assurances already given in connection with the Bill, as well as others that will no doubt be given during the later stages of the Bill.

This is an historic day for transport in Britain, and a triumph for the Government's private finance initiative. It is because of private finance and private initiative that this impressive project can go forward today. The private sector has come forward with excellent proposals, and we shall all benefit from them. Passengers will benefit, economic regeneration will benefit, and the taxpayer will benefit.

I have now announced in one week two massive investments in Britain's new private sector railway—Thameslink 2000 and the channel tunnel rail link. Here is real proof of the benefits of the Government's policies to tap the skills and finance of the private sector, and of our commitment to a dynamic future for the railway industry.

Ms Clare Short (Birmingham, Ladywood): Will the Secretary of State confirm that he first made this announcement at a press conference at Waterloo station earlier today? Does he not think that he should apologise to the House for that discourtesy?

The Secretary of State will be aware that the Labour party, for a long time, has supported the development of the channel tunnel rail link. We believe that it could and should have been built by a public-private partnership such as that proposed by British Rail and Trafalgar House in 1989. Clearly the then proposed route needed modification.

Will the right hon. Gentleman confirm, however, that the project could have been started in 1989, at a cost of less than £1 billion to public funds? Does he not agree that the delay has had tragic consequences, including the imposition of terrible blight on many homes? Delay has denied us the opportunity provided by the channel tunnel to move more freight from road on to rail. It has affected the finance of the channel tunnel, and massively put back the improved rail services for commuters that the link will provide.

Will the Secretary of State confirm that the work did not begin in 1989 because the Government were then insisting that the link should be fully funded by the private sector? Will the right hon. Gentleman confirm also that the massive delay and terrible blight that have ensued are the results of the Government's ideological obsession with privatisation? Those factors caused the Government to reject the public-private partnership which was on offer in 1989.

Will the Secretary of State admit that the Government have made a complete U-turn and are handing over £3 billion-worth of public assets, including Waterloo international station, land at King's Cross, St. Pancras station, 120 acres at Stratford, and Eurostar? In addition, the Government are writing off £1.3 billion-worth of Eurostar debt, and contributing £1.4 billion to the project. Thus, the taxpayer is contributing £5.7 billion for a £3 billion project that we could have had for £1 billion in 1989. It is—*[Laughter.]* That is absolutely true.

Is it not true also that the powers of the regulator are less in terms of this project than those that prevail for the rest of the rail network? Will the Secretary of State explain why that might be? Is there any fixed date for work to begin on the project? Is there not a danger that the successful bidder could proceed slowly, sit back and enjoy the growing profits coming to him from Eurostar?

Will the Secretary of State confirm that the contract would fall if the CTRL Bill failed to pass through the House and the other place? What would happen if that were to happen? I understand that Eurostar is to be handed over shortly. Will the Secretary of State tell us what will happen to Eurostar if the project does not go ahead?

Finally, will the Secretary of State apologise to the House and the country for the Government's ideological obsessions, which have massively delayed the project that we are now considering? It is—*[Interruption.]* This is the truth. Conservative Members may not like it, but it is the truth. The taxpayer is paying a high cost for the Government's right-wing ideological obsessions. There have been enormous delays, and the taxpayer is being asked to pay £5.7 billion instead of £1 billion, which would have been the cost of bringing the project forward in 1989.

Sir George Young: I make no apology for my statement to the House, which I think will be widely welcomed by those who take a serious interest in transport policy. I announced the winner at 10 o'clock this morning, because stock exchange requirements oblige the companies concerned to notify it when they incur additional obligations. I did not announce then the decision on Stratford, the Government's commitment or other relevant aspects, which I preserved until my statement to the House this afternoon.

I am glad that the hon. Lady would like to see the channel tunnel rail link constructed. If she wants to proceed with the 1989 proposals, she will have to explain to her hon. Friend the Member for Newham, North-West (Mr. Banks) why she wants a route that would not have provided the regeneration opportunities that are now available to the Thames gateway. So far as blight is concerned, the hon. Lady will know that the Select Committee saw about 1,000 petitioners, and that it has safeguarded the interests of those who have been affected by the proposals.

[Sir George Young]

As far as the commencement date is concerned, London and Continental proposes to start when the Bill has completed all its stages in both Houses, which I hope will be in about a year's time.

Taxpayers' interests have been protected in respect of the eventualities that the hon. Lady mentioned. The key point that she will have to answer is that it was her party that cancelled a publicly funded channel tunnel; we therefore take with a pinch of salt commitments by the Labour party to any publicly funded project.

So far as the rail link is concerned, the hon. Lady must decide whether she is old Labour or new Labour. If she is old Labour, and she wants this project to be funded conventionally, she must come to the House, with the sanction of her hon. Friend the Member for Dunfermline, East (Mr. Brown), and commit herself to £3 billion-worth of public expenditure.

If, on the other hand, she is new Labour and welcomes projects that involve the private sector, she should welcome with open arms the project that I have just announced, which is a public sector/private sector project; driving the project forward—protecting the taxpayers' interests, harnessing the enterprise, energy and resources of the private sector—at a faster pace than the public sector would ever have been able to afford.

Sir Anthony Durant (Reading, West): My right hon. Friend will be aware that my Committee sat for 320 hours and 71 sittings on this important Bill. I am sure that my Committee would welcome the fact that the station at Stratford is to be built. We put in the Stratford box so that it could be built, because we supported it but did not wish to hold up the Bill. We are also delighted—I am sure that my Committee would agree—about the development at King's Cross and St. Pancras. I hope that it will be well planned and well developed, as it is a very important development in that part of London. My only plea is: can we get on and build the line?

Sir George Young: The whole House will want to pay tribute to the work of my hon. Friend and all members of the Committee, who spent such a long time listening to the petitioners and processing the Bill through its Select Committee stage. I share his wish that the Bill should make speedy progress in Standing Committee and in another place, so that developers can have the legislative cover that they need.

I am sure that the promoter, London and Continental, will take to heart my hon. Friend's exhortations about the treatment of St. Pancras. All of us who know St. Pancras chambers cannot wait to see that building brought back into constructive use. The regeneration work that will take place there—the construction of a major international terminal—will make it possible to put St. Pancras chambers to more productive use than we have seen for the past decade or so.

Mr. Tam Dalyell (Linlithgow): May I refer to the references to the north? The Secretary of State mentioned Manchester and Birmingham. Has he any idea of the frequency of service to Edinburgh and Glasgow using Stratford rather than the difficulties of King's Cross?

Sir George Young: At this stage and with trains likely to start running on the link in 2002, the hon. Gentleman will understand that I cannot predict with great accuracy the frequency of the services that will run through to the north, but under the present regime, EPS will run services through London to Birmingham and Manchester, so those who live north of London will have an opportunity to get on an EPS train and go to the continent. Those facilities are, I believe, being extended this year.

Mr. Bob Dunn (Dartford): I welcome my right hon. Friend's statement, especially his confirmation that the station will be built at Ebbsfleet in my constituency. Will he confirm that he will impose, as much as he can, a rigid timetable, so that construction is locked into the shortest possible time, to minimise disruption to my constituents in north-west Kent?

Sir George Young: It is a contractual minimum requirement that London and Continental should build a combined international and domestic station at Ebbsfleet. In fact, it is keen to do so, because that is an integral part of its plans. It also intends to improve the station by building extra platforms, so that trains running from the north Kent line on to the CTRL can stop at Ebbsfleet, providing an excellent interchange with international services.

The structure of the contract provides London and Continental with every incentive to make good progress. Only when it has achieved a substantial proportion of the contractual requirements will it receive its grant from the Government, and only when the contract is fully met can trains run on the line and provide revenue. I hope that that gives my hon. Friend the reassurance he seeks.

Mr. David Chidgey (Eastleigh): I welcome the Secretary of State's announcement: the link is essential to our rail system. Sadly, however, there has been a good deal of delay, especially in comparison with the progress made by the French.

Notwithstanding the right hon. Gentleman's earlier remarks, is it not a fact that, had the British Rail proposals been proceeded with in 1989, the link would be nearly in place by now, at a cost of around £1 billion? I recognise the problems that the right hon. Gentleman cited, but is it not also true that much of the delay was caused by the Government's insistence on using solely private finance?

The net result has been an increase in costs from £1 billion to £3 billion. Does not total reliance on the PFI concept mean that the taxpayer ends up paying more, because private finance is more expensive than finance generated by the public?

I welcome the statement about the channel tunnel rail link with the North London line, which will provide links with the west coast main line. That is an important part of the development. Will the Secretary of State assure the House, however, that, throughout the channel tunnel rail link, there will be requirements for the necessary works to be done to accommodate large-gauge freight and to facilitate piggy-back operation?

That will enable us to provide a modern rail freight service throughout the west coast main line, using the meagre £70 million that is needed to upgrade the system. We shall then have a proper, efficient, modern connection between our freight system and the rest of Europe.

Sir George Young: The CTRL will indeed be able to carry freight, certainly piggy-back—although its main purpose is to carry passenger traffic, thus freeing other lines that may be more appropriate for freight. The capacity and track geometry are suitable, and the necessary loops are there to accommodate freight traffic.

As for the allegation that this deal will cost more than the original one, I do not believe that that is true. The 1990 proposal would have required or placed at risk £1.9 billion of Government money. The eventual outturn could have been much higher, and would probably have fallen on the taxpayer. We now have a well-structured contract that minimises the risks to the taxpayer.

More important, the 1989 and 1990 proposals would not have brought about the significant regeneration that we have secured by re-routeing the CTRL through the Thames gateway and east London, and providing a station at Stratford, where regeneration may create up to 50,000 jobs. We must view the project in the round. It is not just a transport contract; it is very much a regeneration contract as well.

Dame Peggy Fenner (Medway): I was pleased to hear my right hon. Friend assure the House that the conditions imposed on the bid would include all the proposals agreed to by the Select Committee—that the Government had accepted them all.

My right hon. Friend said that other matters could be raised during the Bill's remaining stages, including its consideration in the House of Lords. Does that apply to further petitions in respect of noise barriers? My constituents in Borstal are not wholly satisfied that the barriers agreed to by the Select Committee will be adequate. I would welcome reassurance from my right hon. Friend.

Sir George Young: My hon. Friend is right. Petitioners will have further opportunities in another place to make that point. As I made clear in my statement, if the Bill is amended as it goes through Parliament, the Government will bear the risks of any changes; but the project will still proceed.

Mr. Stephen Timms (Newham, North-East): May I welcome unreservedly the Secretary of State's comments about Stratford international station? He has always taken a close interest in east London, and I congratulate him on his decision. Will he join me in saluting the eight-year, Newham council-led campaign for that station, supported strongly and determinedly by hon. Members on both sides of the House? Will he confirm that the station will open when the link opens in 2002? Does he agree that the implication of his comment about through services to Manchester and Birmingham not stopping at St. Pancras is that Stratford will be the hub of the national high-speed rail network?

Sir George Young: I can think of one or two other destinations that might make a similarly ambitious claim, but I pay tribute to the work of the many people who have Stratford's interests at heart. When I was at the Department of the Environment, I had frequent contact with them, and my hon. Friend the Minister for Local Government, Housing and Urban Regeneration has been in contact with the Stratford Promoter Group and other representatives of Stratford's interests.

Enormous opportunities are available at Stratford railway lands, which will be transferred to London and Continental. With local interests, it will want to work up a development strategy for that site, so that the most can be made of it for the benefit of the Thames gateway region.

Stratford provides an important interchange. It will be on the Jubilee line extension and it is already on the Central line, the docklands light railway and British Rail lines both east and west. I am sure that people who represent Stratford's interests will seize the opportunities that my announcement has made available to them.

Mr. James Couchman (Gillingham): I join other hon. Members in congratulating my right hon. Friend on his statement, and echo, as Kent's representative on the Standing Committee, the hope that it will not take 320 hours and 71 sittings to complete its work.

More seriously, I welcome my right hon. Friend's statement on domestic services. He will know that my constituency at the eastern end of the Thames gateway is served by the North Kent line, which is perhaps one of British Rail's less glorious and glamorous lines. What impact may his announcement have on the franchise that is to be granted for the operation of domestic trains through Kent on the north Kent line? Might it affect the amount of time given on that franchise, which some of us had hoped would include a commitment to some new rolling stock for that line, as some of the rolling stock on the Kent coast line is still the worst anywhere on the rail network?

Sir George Young: I am grateful to my hon. Friend, and I welcome his diligence as a member of the Standing Committee. As a result of the announcement, people in Kent who are within reach of Ashford and Ebbsfleet will be able to use the CTRL to gain speedy access to St. Pancras. Having travelled recently on the North Kent line, I recognise that there is scope for improvement.

The franchising director will be letting a contract soon, and there are options for companies bidding for the franchise to include the option of new rolling stock. The franchising director has made it clear that he will consider a longer franchise in return for investment in new rolling stock.

I have made it clear that domestic services will run on the CTRL. The rolling stock will have to be compatible with rolling stock on the CTRL and be capable of going fast. When the franchise is let, I imagine that the franchising director will include, among the passenger service requirements, an obligation to run a certain number of domestic services on the new CTRL, when it is built.

Mr. Tony Banks (Newham, North-West): It was music to my ears to hear that Stratford in my constituency will be the site of the international station. I remind the House that, not that long ago, British Rail was talking about an approach through south-east London, going straight to King's Cross. Now we have an easterly approach with an international station at Stratford. It is excellent news. I welcome it, and I thank the Secretary of State—all those visits to the east end have clearly paid off.

Will the Secretary of State join me in paying tribute to the Stratford Promoter Group, which was a public and private sector organisation, and to hon. Members on both

[Mr. Tony Banks]

sides, especially the hon. Member for Reading, West (Sir A. Durant), who gave such great support to Stratford in the early days?

Although the tunnel will go immediately under my house in Forest Gate, I cannot wait to sit in my front room and hear the rumble of the trains on their way to Stratford.

Sir George Young: Hon. Members clearly get their pleasures in a variety of different ways. I am conscious that, in the 13 years we have been in the House together, I have said much from the Dispatch Box that has caused the hon. Gentleman great distress. I am glad that, at long last, I have managed to say something from the Dispatch Box that has given him some pleasure. I hope that he agrees that it was worth waiting for.

I pay tribute, of course, to the work of the Stratford Promoter Group and other organisations that have campaigned tirelessly for Stratford to be a domestic and international station, and whose work has now borne fruit.

Sir John Stanley (Tonbridge and Malling): As my right hon. Friend said that the construction risks would be borne by London and Continental, can he confirm that that means that 100 per cent. of all overrun finance—the excess of actual costs over estimated costs—will be borne by London and Continental, and that the company will be placed under a clear contractual obligation to complete the project to specification, regardless of outturn costs?

If that is the case, as I anticipate, does my right hon. Friend agree that the way he has found of financing the project is infinitely better than the way proposed by the Opposition, which would have left the taxpayer with a wholly open-ended liability to complete the project?

Sir George Young: My right hon. Friend is right. The risks have been transferred from the taxpayer to the contractor, as my right hon. Friend has just described. Some of the key advantages of the private finance initiative are the risk transfer, the protection of the taxpayers' interests, and the incentive for the contractor to get on with the job and complete it on time, rather than looking to the taxpayer and the public sector to bail him out if things go wrong.

Ms Margaret Hodge (Barking): Will the Secretary of State confirm that London and Continental will be responsible for administering the discretionary purchase scheme for people whose properties have been blighted? Who will take the financial responsibility if that scheme is extended as a result of the Standing Committee proceedings?

Will the Secretary of State also confirm exactly what risks, both financial and non-financial, the Government will continue to bear? What sanctions will be placed on London and Continental, not just to finish the project within cost but to finish it within time? What controls does he propose to ensure that freight is carried underground, certainly through my constituency, rather than overground?

Sir George Young: On the first point, the development agreement requires London and Continental to continue the Union Railways voluntary purchase scheme until Royal Assent to the Channel Tunnel Rail Link Bill, and the discretionary purchase scheme until one year after opening. It also requires London and Continental to apply all present statutory compensation according to the national compensation code. The full agreement will, in the normal way, be made available to the National Audit Office. I will, however, ensure that a memorandum setting out the structure of the agreement is placed in the Library next week.

Mr. Jacques Arnold (Gravesham): Does my right hon. Friend agree that, if the House had listened to the proposals by the Labour and Liberal Democrat spokesmen that we should go ahead in 1989, at a cost of almost £1 billion, the environment of Kent would have been ridden roughshod over, there would not have been resources for the compensatory buy-outs, and, worse than that, Ebbsfleet and Stratford would not have been developed along the route?

Does my right hon. Friend recognise that Ebbsfleet is vital to the regeneration of the Thames gateway, and that it means thousands of new jobs and far better transport connections for my constituents? Can he confirm that London and Continental will pick up all the environmental undertakings that have been given so far by Union Railways?

Sir George Young: The answer to the last part of my hon. Friend's question is yes. On the first part, I am slightly surprised to hear myself constantly being urged to have gone ahead with the 1989 proposals, which, as my hon. Friend said, were of a much lower environmental standard and would have forgone the regeneration benefits, to which I am sure the House attaches considerable importance. A quarter of the CTRL will be in a tunnel. The Select Committee has made a number of recommendations to enhance noise mitigation and environmental protection. The 1989 proposals were in all those respects significantly inferior to the one that I have just announced.

Mr. Andrew Mackinlay (Thurrock): Has not the hon. Member for Medway (Dame P. Fenner) got a point? Although the Select Committee has very graciously and fairly amended the proposals, it was open to the Government and Union Railways to concede many obvious petitioners' claims right at the beginning of the process. I personally lobbied the hon. Member for Slough (Mr. Watts), the Minister for Railways and Roads, on very reasonable points that were subsequently conceded by the Select Committee. If it has to go through another place, would it not be more sensible and fair and advance the whole project if some of the legitimate petitions of disadvantaged people were conceded now, rather than being extracted later like teeth from a whale?

Was the Secretary of State at the Conservative party conference in October 1991, when the then Secretary of State for Transport, the right hon. and learned Member for Edinburgh, Pentlands (Mr. Rifkind), announced the final line of route? Why has it taken since October 1991

to get to the stage where we can make some progress? Have not the Secretary of State's Government, which he has supported, been sloppy and dilatory?

Sir George Young *rose—*

Madam Speaker: Order. I am sure that the Secretary of State will oblige with short answers. Will hon. Members who want to put questions also oblige by being brief?

Sir George Young: I very much hope that I was at the Conservative party conference in 1991. I am sure that my right hon. and learned Friend made a memorable speech in response to the transport debate.

On the hon. Gentleman's first point, we have a Select Committee to decide whether the petitioners are making legitimate points. He seems to want us to second-guess the Committee. That is why we have a Select Committee—to adjudicate on precisely those matters.

It is not the case that time has been wasted. Money and time have been well spent on developing the route and consulting the public, and on scrutiny in the House, which is not yet complete. We have a good route, which gives a massive boost to regeneration and is environmentally sensitive. The time spent on the competition has not delayed anything, because it has been going on in parallel with the passage of the hybrid Bill.

Sir Alan Haselhurst (Saffron Walden): Is my right hon. Friend aware that not the least welcome part of his announcement is the new international station at Stratford, because it opens up to potential channel tunnel passengers right across East Anglia the opportunity of connecting to the tunnel by train? When he next meets the chairman of Railtrack, will he bear in mind the fact that the upgrading of the line between Peterborough and Cambridge will provide a valuable belt and braces for trains from the north going to Stratford?

Sir George Young: I shall pass on my hon. Friend's point to the chairman of Railtrack. My hon. Friend has made a valuable point that has not so far been made. An international station at Stratford gives people living in East Anglia the opportunity of getting to the continent far more quickly than if there were no station there and they had to go right into London and out again. That is why my statement will be widely welcomed, not only in Birmingham and Manchester, but in East Anglia.

Mr. John Heppell (Nottingham, East): May I congratulate the Secretary of State on his announcement about the Stratford station? I join in congratulating the hon. Member for Reading, West (Sir A. Durant), as I am sure would all Labour Members who served on the Select Committee, not only on the amount of time the Committee spent in deliberation but on the way in which it was conducted. Labour Members felt that their views were taken into account as much as those of Conservative Members, which is not always the case.

I am concerned that the Secretary of State described the rail link as a private sector enterprise, although I accept that there is a partnership between the private and public sectors. It seems that the public sector is providing an awful lot of subsidy. I am not just talking about the £1.4 billion transparent subsidy: I am worried about the other subsidies that are not transparent. What about the £1.3 billion that has been written off on Eurostar's debts? What about the cost of Eurostar itself? What about the cost of Union Railways? What about all the land—not only land used for building the railway, but surplus land that is to be used for development?

Madam Speaker: What about applying for an Adjournment debate? I am sorry to interrupt, but I had pleaded for brief questions, so that the statement might get moving a little faster.

Sir George Young: I shall try to reply briefly. We have introduced a clawback mechanism so that the taxpayer can get some benefit from the increase in property values. If the hon. Gentleman says that the King's Cross lands are very valuable, he must explain why they have lain derelict for decades. European Passenger Services is at present a loss-making service, so against that background it is difficult to argue that it is of great financial value.

Mr. Piers Merchant (Beckenham): Is my right hon. Friend aware that his announcement will be warmly welcomed in my constituency because of the beneficial effect that the new line will have in alleviating pressure on existing routes? But does he know that there is still considerable concern in my area about freight traffic? Will he examine the recent claims that Railfreight may be about to break its promises and massively increase the use of the lines through Bromley for freight, because of problems with its new electric locos?

Sir George Young: Of course I shall make inquiries, and write to my hon. Friend about that last matter. On his first point, it is indeed true that, by increasing the railway capacity through the CTRL, we help to reduce the congestion in south-east London, so my hon. Friend's constituents will benefit from the link even if they do not use it themselves.

Mr. Harry Cohen (Leyton): As an east London Member of Parliament, of course I welcome the international station at Stratford, which will bring economic and employment opportunities to the surrounding boroughs—but it will also have potentially serious traffic implications. On behalf of the areas surrounding the station, such as Leyton, I ask the Secretary of State to set up either a committee within the Department or an independent group to ensure that the potential traffic problems are not ignored.

Sir George Young: My hon. Friend the Minister for Transport in London heard the hon. Gentleman's intervention, and we shall indeed monitor the traffic impact of the construction of the new station at Stratford.

Mr. Richard Tracey (Surbiton): I am sure that my right hon. Friend will agree that, in direct contrast to the carping comments about his statement by those on the Opposition Front Bench, that statement, together with Tuesday's statement about Thameslink, underlines the distinct Government strategy for the transport infrastructure of London and the home counties—with considerable spin-offs for the rest of the country.

[Mr. Richard Tracey]

As for my local point, will my right hon. Friend assure travellers in south London and Surrey that the Waterloo services will still be very regular?

Sir George Young: Yes. London and Continental has made clear its plans to continue the Waterloo service. Opposition Back Benchers have been warmer in their tributes to my statement than have Opposition Front-Bench spokesmen, and I am sure that that fact will be noted. My hon. Friend is right to point out that this has been a good week for London. On Tuesday, we had the statement about Thameslink and on Wednesday the statement about the millennium exhibition, and today we have had the statement about the channel tunnel rail link.

Ms Glenda Jackson (Hampstead and Highgate): I declare an interest as a Member sponsored by ASLEF, the train drivers' union. Will the Secretary of State flesh out a little more the protection for taxpayers? We have heard about more than £3 billion in national assets being handed over to the consortium, but little about how the taxpayer will be protected should it prove incapable of running a railway or of raising the money to build a new line.

Sir George Young: I explained that I would ensure that a memorandum setting out the structure of the agreement would be placed in the Library next week, and in view of your injunction, Madam Speaker, that we should give short answers, I think that that is the right way to respond to the hon. Lady's question.

Mr. David Amess (Basildon): Does my right hon. Friend agree that his excellent announcement will mean increased prosperity not only for people in Newham but for those in Basildon and Southend, and throughout East Anglia? Will he confirm that Stratford station will open in the year 2002? Finally, does he accept that, as a result of his announcement, West Ham United may now win the Premier League?

Sir George Young: My hon. Friend injects a note of controversy by declaring his allegiance to one football club, although, as a Queens Park Rangers man, I would not endorse it. My hon. Friend is right to say that, as a result of today's announcement, there will be enormous benefits for all those who will be able to access Stratford station. From Stratford, they will be able to get a fast train to Paris and Brussels, which would not have been possible had we not included Stratford in the announcement.

Mr. John Austin-Walker (Woolwich): Although I welcome the statement on Stratford international terminal and the Minister's recognition of the importance of public transport to economic regeneration, does he recognise that Union Railway, London Underground, British Rail and all the local authorities are keenly interested in the Woolwich rail tunnel, which could link Ebbsfleet and Stratford, supply public transport access to the Thames gateway on the south bank of the river, and provide an excellent opportunity for economic regeneration? Will he press ahead with that?

Sir George Young: I hear what the hon. Gentleman says. My hon. Friend the Minister for Transport in London has recently consulted on a wide range of schemes—public transport and roads—in east London. He proposes to take that consultation forward.

Mr. David Tredinnick (Bosworth): May I also congratulate the Chairman of our Select Committee, my hon. Friend the Member for Reading, West (Sir A. Durant)? We sat three days a week for a year, and he chaired it very fairly?

My right hon. Friend the Secretary of State referred to the fact that this is principally a passenger railway, but is he aware of the Committee's concern about freight and the fact that, at Singlewell in Kent, we required the optional loops for freight to be included in the main part of the Bill? Does he agree that huge environmental possibilities are connected with this new railway—not least because of the spur that is being put through to the west coast main line—in getting freight off the roads? Has he made any assessment of how much freight we can get off the roads, and of what the environmental impact will be?

Sir George Young: My hon. Friend asks a much broader and very important question about the capacity to move freight from the roads to the railway. As he may know, my predecessor launched a great debate on transport. I am in the process of considering the representations that have been made, and the Government hope to draw together the threads of the debate and make a response to it. The broader answer to my hon. Friend's question may become clearer after that response.

My hon. Friend will know that we have kept the options on freight open by enabling the CTRL to carry freight—by specifying suitable track geometry and the introduction of the loop. It will therefore be able to carry the so-called piggy-back trains and other container loads, if that is where the demand lies.

Mr. Gordon Prentice (Pendle): I too welcome the decision on Stratford station, but if its benefits were so self-evident, why did it not appear on the face of the Bill, rather than merely being the option of a long box? We have the station only because of tremendous pressure from local people and from members of the Select Committee.

I should return, very briefly, to the point about public subsidy. When the cost is grossed up, this railway will incontestably require more than £5 billion of public subsidy. The railway did not go ahead in 1990, when—as the Minister conceded a few moments ago—the total public subsidy would have been £1.9 billion. It was vetoed at that point by the then Secretary of State for Transport, Lord Parkinson. The delay in getting this project off the ground has been a national disgrace.

Sir George Young: The hon. Gentleman will have heard a number of other Opposition Members pay tribute to the statement, precisely because it includes Stratford. If he is pressing the case that the Government should have gone ahead in 1989 or 1990, he should remember that at that time it was proposed that the line should go not through east London but through south-east London. He will have to explain to

Opposition Members who have welcomed the statement that the course he advocates would not have attracted the regeneration benefits that accompany today's statement.

Mr. Mark Robinson (Somerton and Frome): I congratulate my right hon. Friend on announcing the first new major railway line to be built in this country since Victorian times. Will he ensure that all the design documents and other detailed work are properly logged, so that the Railway Heritage Committee knows what it can preserve for future generations? I hope that, under my Railway Heritage Bill, which received a Second Reading a couple of weeks ago, the Committee's powers will be extended to cover the private sector.

Sir George Young: I am grateful to my hon. Friend; the answer is yes. He makes the important point that this will be the first new railway line to be built since the Victorian age. It is a tribute to the present Administration that the decision to go ahead with it has been made during our term in office.

Mr. Anthony Coombs (Wyre Forest): I warmly welcome what I understand is the biggest private finance initiative project ever. Will my right hon. Friend confirm that it will cut journey times between Birmingham and Paris to four hours, and thus have a significant effect on the economic infrastructure of the midlands? Does he think that it is slightly hypocritical of the Labour party to argue for better economic and transport infrastructure for the midlands, but, at the same time, consistently to oppose the PFI and the privatisation which have made it possible?

Sir George Young: My hon. Friend makes a valid point. We continually hear about new Labour and its willingness to work with the private sector, but when such a project is put before the House, it is condemned by Members of the Opposition Front Bench. My hon. Friend rightly points out the benefits to people in the midlands from the announcement that I have just made.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Humber Bridge Debts Act 1996

Hong Kong (Overseas Public Servants) Act 1996

Wild Mammals (Protection) Act 1996

Edinburgh Assay Office Act 1996

Business of the House

4.20 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, Madam Speaker, I should like to make a statement about the business for next week.

MONDAY 4 MARCH—Debate on the Economy on a Government motion.

TUESDAY 5 MARCH—Debate on Benefit Fraud on a Government motion.

WEDNESDAY 6 MARCH—Until 2pm, there will be debates on the Motion for the Adjournment of the House.

Second reading of the Community Care (Direct Payments) Bill [Lords].

Motion relating to the Education (School Premises) regulations.

THURSDAY 7 MARCH—Debate on Equal Opportunities for Women on a Motion for the Adjournment of the House.

FRIDAY 8 MARCH—Private Members' Bills.

MONDAY 11 MARCH—Estimates Day (2nd allotted day—first part). There will be a debate on the Spring Supplementary Estimate, Class XIII, Vote 4, Department of Social Security: Administration and Miscellaneous Services. Details will be given in the *Official Report*.

Motion relating to Welsh standing orders.

At Ten o'clock the House will be asked to agree the Spring Supplementary Estimates and the Defence Votes A.

TUESDAY 12 MARCH—I expect to take the Consolidated Fund Bill, followed by other Government business.

I am not yet able to give details for Wednesday 13 and Thursday 14 March, although it may be necessary to take Government business on the Thursday. Friday 15 March is a non-sitting day.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 6 March to consider European Community Document No. 11954-95 relating to worker information and consultation.

Wednesday 6 March—European Standing Committee B. European Community Document: 11954-95, Worker Information and Consultation. Relevant European Legislation Committee Report: HC 51-viii.]

Monday 11 March—Estimates Day. Spring Supplementary Estimate, Class XIII, Vote 4, Department of Social Security: administration and miscellaneous services. Relevant reports: the fifth report from the Social Security Committee of Session 1994-95 on The Work of the Department of Social Security and its Agencies (House of Commons Paper No. 382), the Government's reply thereto (Cm 3148) and the Social Security Departmental Report: the Government's Expenditure Plans 1995-96 to 1997-98 (Cm 2813).

Mrs. Ann Taylor (Dewsbury): I thank the Leader of the House for that statement, but must express our disappointment that next week will be the third in which no Opposition day has been allocated.

[Mrs. Ann Taylor]

I begin by reporting what my right hon. Friend the Leader of the Opposition said yesterday about elections in Northern Ireland. The Opposition will facilitate any necessary legislation, assuming, of course, that such a move is broadly acceptable to both communities.

While we welcome the fact that we are to have a debate on the economy next Monday, the lack of notice about such a debate will cause concern to some hon. Members. Will the Leader of the House assure us that Monday's debate will not replace the set-piece economic debate that is usually held in the summer but will be in addition to it? If he can confirm that, will he ensure that greater notice is given next time? That is especially important to Back Benchers, but, in view of the Jopling agreement, it is also important that the House should have as much notice as possible of such a important debate.

On Wednesday, the House is to debate the Education (School Premises) Regulations. The Leader of the House knows that attention has already been drawn to the fact that the regulations have an incredible number of handwritten alterations; they are covered in scribbles. That issue has been under consideration by the Government for at least three years and the former Secretary of State for Education admitted that it was sensitive territory. Will the Leader of the House acknowledge that important issues that affect the education of our children should not be treated in such a cavalier fashion and that the House should not be treated with such contempt by asking Members to debate regulations that can hardly be read because of the number of handwritten comments on the only documents that are available?

I understand that the Dearing report on the education of 16 to 19-year-olds is to be published soon. It seems appropriate that there should be a statement to the House at the time of publication. Can the Leader of the House facilitate that?

On a matter not covered by next week's business, may I ask the Leader of the House whether he can find time for a debate on legal aid? Many hon. Members know—as I do—from constituency work, that there are many anomalies in the current system and that people have been alarmed at recent press reports of particular cases. A system in which too many people who need legal aid do not get it while, too often, those who do not appear to need it do get it must be a matter worthy of further debate by the House.

Finally, I return to an issue that I have raised before with the Leader of the House. Many hon. Members do not think that it is satisfactory that the recommendations of the Standing Committee on European Legislation are not given more weight. Have Ministers set their minds against debating important issues such as convergence, social protection and economic and monetary union? We have not yet been told when the White Paper on the intergovernmental conference is to be published and debated. It is rumoured that the White Paper will not be published until the third week in March. Can he confirm the timing of its publication and give an assurance that there will be sufficient time for a full debate on the Floor of the House so that all its aspects can be fully debated before Easter?

Mr. Newton: That was an exceptionally long list of questions, but I will do my best with it. On the question of an Opposition day, I take the hon. Lady's comments as a representation for a day in the following week and I will certainly bear that in mind.

I thank the hon. Lady for her reiteration of the indications of support of the right hon. Member for Sedgefield (Mr. Blair) for Northern Ireland legislation in the possible circumstances that were described yesterday.

On the economic debate on Monday, hon. Members know that there has been much pressure over a period of time for a spring economic debate as well as a summer one. I have been glad to find time for one, albeit at fairly short notice. I do not intend it as a replacement for the summer economic debate and I will bear in mind the hon. Lady's point about longer notice, if it is possible.

On the Education (School Premises) Regulations, the hon. Lady knows that the background to the matter is that Opposition Members pressed hard to see the final version while the Nursery Education and Grant-Maintained Schools Bill was in Committee. As a result, the Government have gone to considerable lengths to try to make sure that the Opposition had the chance to consider the text of the regulations and now to provide for a debate. I accept that that has led to the regulations, because of the speeding up in response to Opposition representations, appearing in a less than ideal form. I will try to make sure that they are available in a tidier form at the earliest possible moment, with a view to helping the debate next week.

On the Dearing report on 16 to 19-year-olds, I will keep in mind the hon. Lady's request for a statement and bring it to the attention of my right hon. Friend the Secretary of State for Education and Employment.

On legal aid, I cannot make an off-the-cuff promise of a debate, but the hon. Lady may be aware that my right hon. Friend the Lord Chancellor has recently published some regulations on the matter, which might provide an opportunity. I will certainly look into it.

On scrutiny, no; the Government have not set their face against accepting recommendations for debate, whether in Committee or on the Floor of the House. We need to consider them on their merits on each occasion, although I accept that there may sometimes be differences of opinion about what is appropriate.

On the IGC and the White Paper, we intend to provide for a debate as usual before the Turin meeting, and the White Paper should be published in good time for that debate. I anticipate publication somewhat earlier than the third week in March.

Sir Dudley Smith (Warwick and Leamington): May I echo what the hon. Lady said about legal aid and the need for a debate about some of the abuses that are going on? Is my right hon. Friend aware that I have two constituents who were married to a Mr. Luis Vianna—a Portuguese national—who has not paid a penny piece to them or the four children he has had by them? Yet, there are good grounds for thinking that he has had upwards of half a million pounds in legal aid to pursue those families in the courts, despite the fact that he is a business man and a property developer.

Mr. Newton: My hon. Friend would not expect me to comment on a specific case from the Dispatch Box, but the regulations that my right hon. Friend the Lord Chancellor laid before Parliament on Tuesday, to which I referred, are intended to strengthen the arrangements for means-testing the "apparently wealthy". Those regulations will come into effect on 1 June 1996.

Mr. Chris Davies (Littleborough and Saddleworth): Will the Leader of the House give hon. Members the opportunity to debate the report published by the Audit Commission in the past few hours, called "Streetwise", which reveals that of 120,000 police officers only about 6,000 are on patrol at any one time and most of those in cars? Hon. Members will no doubt want to point out the importance of patrolling officers to members of a community as a source of reassurance, and to discuss the disparity in performance between different constabularies.

Mr. Newton: We welcome this latest Audit Commission report and I have no doubt that it will be carefully studied. We hope that it will lead to further improvements in police effectiveness. The Government's commitment to police patrol is clear, not least in the funding recently announced, which is sufficient for an additional 5,000 officers in the next three years.

Mr. Edward Garnier (Harborough): Will my right hon. Friend find an early opportunity for a debate on defence procurement, so that we can discuss the order for three new type 23 frigates announced yesterday? Would it not be helpful, not only to Conservative but to Opposition Members, to have a day on defence procurement so that we can discover if the Opposition have any policies on it, not least in the light of their appalling attitude towards defence spending at the last election?

Mr. Newton: It is certainly an interesting idea, but it is not long since we had the annual debate on the Navy; the annual debate on the RAF is the only one outstanding. Although I accept that it might be a bit difficult to discuss frigates during that debate, it would provide my hon. Friend with an opportunity to make some observations about defence procurement generally.

Mr. Alfred Morris (Manchester, Wythenshawe): Is the right hon. Gentleman aware of the plight of the 3,100 people with haemophilia who were contaminated with hepatitis C by NHS blood products? Is he aware of how many have died or are dying and of the terms of my hugely supported, all-party, early-day motion about the tragedy? If he is, will he try to persuade the Health Secretary to make an oral statement next week in response to the motion?

Mr. Newton: As the right hon. Gentleman and indeed you, Madam Speaker, will know, of course I am aware, from my former experience as a Minister for Health, of that tragedy. On the right hon. Gentleman's other points, he will be aware that that matter has been raised with me on a number of occasions by my hon. Friend the Member for Hendon, South (Mr. Marshall) and I am afraid that I cannot add to what I said on those occasions, but I will draw the matter to the attention of my right hon. Friend the Secretary of State for Health.

Sir Patrick Cormack (South Staffordshire): When may we have a debate on Northern Ireland? It is a long time since we had a full day's debate, and a debate on the Adjournment would enable Members to express their opinions on recent developments and proposals.

Mr. Newton: I will, of course, bear in mind my hon. Friend's request.

Mr. Dennis Skinner (Bolsover): Will the right hon. Gentleman arrange for a statement on a subject that was raised during Agriculture questions today, namely the allocation of set-aside money? Is he aware that large sums of set-aside money were paid out to members of the aristocracy or landed gentry? May we have a guarantee as to what conditions apply to what happens to that money? Will some of it finish up in the Tory party coffers before the next general election? As Prince Charles has received more than £500,000 in set-aside money, may we have a guarantee that he will not be using it to set aside the Princess of Wales?

Mr. Newton: So far as I am aware, the rules on set-aside are of general application and I see no reason why those whom the hon. Gentleman chooses to describe as the landed gentry should be excluded. As to what they do with their funds, that appears to me to be a matter for them.

Mr. Rupert Allason (Torbay): Is my hon. Friend aware that there is great concern about the Kingskerswell bypass and the fact that it has been put on the list for long-term development? Is he aware that it is a vital lifeline for south Devon? It is an economic priority and it is to my great regret that I did not add it to my list of demands on Monday evening. Will he now please accept that, as a PS, I would like to do so.

Mr. Newton: I was not aware of any demands that my hon. Friend made on Monday evening; I am sure that his co-operation was given most willingly. I shall bring his representations to the attention of my right hon. Friend the Secretary of State for Transport.

Rev. Martin Smyth (Belfast, South): I feel like the importunate woman coming again to ask the Lord President for a meeting of the Northern Ireland Grand Committee. Is he in a position to answer my request positively, because of the justice of its case and the necessity to have such a meeting?

Mr. Newton: Without accepting the hon. Gentleman's description of himself, I have no objection at all to his raising the matter with me again as I have a piece of paper on which it says that, subject to the agreement of all concerned, I hope next week to table the necessary motion for the specific debate for which the hon. Gentleman asked me last week or the week before. I hope that it will be possible to arrange for the meeting to be held on 21 March, which may be a convenient date, but of course that would be subject to the agreement of everyone concerned.

Mr. Julian Brazier (Canterbury): May I urge my right hon. Friend to set aside a day as soon as possible for a debate on regional assemblies and regional government?

[Mr. Julian Brazier]

Many of my constituents, who have received huge council tax bills from the Lib-Lab controlled Kent county council, are appalled by Labour's proposals for regional assemblies and regional government.

Mr. Newton: I live in hope that the next Opposition Day, for which I was pressed only a little while ago, might be used to unveil a little more of the Opposition's policies on those matters, but if that fails, of course I shall consider my hon. Friend's proposal.

Mr. David Winnick (Walsall, North): Will the Prime Minister be making a statement on his trip to Hong Kong? In the post-Nolan climate, does the Leader of the House recognise how essential it is that the Prime Minister answers the question that was put to him earlier today: is money being collected by rich business people to help the Tory party at the next election? We are entitled to know and the Prime Minister should make a statement on his return.

Mr. Newton: The House will have heard the exchanges with my right hon. Friend the Deputy Prime Minister and I certainly do not intend to add to what he said. I am sure that my right hon. Friend the Prime Minister will consider whether it seems appropriate for him to make a statement on his trip at the appropriate time.

Mr. Jacques Arnold (Gravesham): I echo the regret expressed by the Labour spokesman that there will not be an Opposition day next week and perhaps none the week after. We could debate the threat to grammar schools, or the threat to grant-maintained schools, or the threat to fundholding practices or the threat to the free and efficient operation of the labour market—all of which are Labour party policies.

Mr. Newton: On Monday we may well discuss the threat to the labour market; we recently debated fundholding practices, on which some important points were made; and a Bill is currently before the House which will enable points to be made about grant-maintained schools.

Mr. Gerald Bermingham (St. Helens, South): Suttons, a large transport company, operates in my constituency. Will the Secretary of State for Transport come before the House and explain how he intends to implement the Brussels directive with respect to eyesight? At present, it looks as though drivers will be asked to read numberplates from a distance without using their glasses or contact lenses because Brussels says that they may be a danger if people are involved in an accident. As a result, up to 100,000 lorry drivers will lose their jobs, which cannot be right.

Mr. Newton: Last week, I said that the points made by the hon. Gentleman appeared to be exaggerated. My right hon. Friend the Secretary of State for Transport is due to answer questions on Monday 11 March.

Mr. John Austin-Walker (Woolwich): Earlier this week, I raised a question with the Secretary of State for the Environment about the problem of rising groundwater levels in London and the threat of flooding. I asked him what he was going to do about the potential threat to the London Underground and buildings. He said that no Government building is in imminent danger, as far as he is aware. He is washing his hands of the affair. Thames Water is unwilling to drill the wells that would alleviate the situation as it is uneconomic: there is no shortage of water in London, despite the fact that in other areas there have been drought orders. Will he find time for a debate on the lack of co-ordinated planning in the water industry, and the problems faced by a fragmented and privatised water industry?

Mr. Newton: It will not surprise the hon. Gentleman to know that I do not accept the latter part of his remarks, which seem to be extremely tendentious. I will bring his concerns to the attention of my right hon. Friend, and it may be that the hon. Gentleman will wish to look to a Wednesday morning for such a debate.

Mr. Harry Greenway (Ealing, North): May we have a debate next week on housing allocations policy so that I can bring before the House a leaked letter from a Labour Ealing councillor asking for council accommodation for a family living outside Ealing and, therefore, not on Ealing's list, but known to be Labour supporters? The councillor is seeking to build up Labour party support in that area of my constituency. Could we also discuss the fact that the chief executive of Ealing is to conduct an inquiry into this disgraceful and doubtful behaviour, but that she will be handicapped because the file concerned has gone missing?

Mr. Newton: My hon. Friend will not expect me to comment on the specific allegations, and I certainly shall not do so. I am sure that what he has referred to will be carefully investigated. The housing allocations policy is a matter that arises on the Housing Bill, which is currently before the House.

Mr. Tam Dalyell (Linlithgow): I anticipate a guarded and cautious reply to this question: may we have a statement next week on a topic on which the House of Commons has been extremely reticent hitherto—the situation that has developed in the royal family in two respects. First, may we discuss the proposed role in some quarters of Diana Princess of Wales, because many hon. Members feel that it is unacceptable that she should be an ambassador in terms of policy or as a dispenser of aid? Secondly, if there are to be changes in the responsibility of the monarch for the education of royal heirs, should the House of Commons be consulted?

Mr. Newton: The hon. Gentleman correctly anticipated a guarded and cautious response, and he will duly receive one. I will say only that it seems to me that it is appropriate for the House of Commons to be reticent on these matters.

Mr. John Marshall (Hendon, South): Will my right hon. Friend arrange for an early debate on crime in London? Is he aware that Sir Paul Condon has been able to report a 75 per cent. increase in the number of muggers being arrested under Operation Eagle Eye? Is he also aware that there has been a large reduction in the number

of household burglaries in London under Operation Bumblebee? Is this not good news for the law-abiding majority in London?

Mr. Newton: That news about levels of crime is encouraging and, in my view, a tribute to the Commissioner of Police of the Metropolis and to his force, and to the measures that my right hon. and learned Friend the Secretary of State for the Home Department has put in place.

Mr. Barry Field (Isle of Wight): May we have an early debate on the policy of clamping vehicles that do not display a vehicle excise duty licence, so far as its display and sale is concerned? I understand that the Liberal Democrats are encouraging people not to comply with this law because they believe that duty should be put on fuel, which would have a detrimental effect on people living in rural areas. I promise my right hon. Friend that if the debate led to rural post offices being allowed to sell the vehicle excise duty licence, there would be a cacophony of cancellation stamps on the counters of postmistresses and postmasters throughout the country. Rural areas throughout the United Kingdom would welcome such an initiative because the vehicle excise duty licensing department has prevented sub-postmasters and sub-postmistresses from selling these licences for too long.

Mr. Newton: Leaving aside the continuing confusion in my mind about Liberal Democrat policy in these matters, I will undertake to bring those representations to the attention of my right hon. Friend the President of the Board of Trade, who is the Minister concerned with the Post Office. However, some rural post offices—including the one in the village in which I live in Essex—can and do sell vehicle excise duty licences.

Mr. Paul Flynn (Newport, West): Will the Leader of the House arrange for next Thursday's debate to include a discussion on bank holidays, particularly the request made by every county council in Wales, which represent every person in Wales, that St. David's day be declared a bank holiday in Wales? That request was rejected contemptuously by a one-word reply from the Prime Minister. How dare the Prime Minister—whose party managed to get only 4 per cent. of the vote at the last by-election in Wales, and only 4 per cent. of the councillors in the last election in Wales—determine what should happen in Wales? Is this not proof that Wales has a large democratic deficit and is effectively being ruled by England as a colony?

Mr. Newton: That was as tortuous a question as I have ever heard, and I do not agree with the detail of it. It is particularly ungenerous on the day that we have staged the annual St. David's day Welsh debate. In the light of what has been said, I have ambitions to make sure that that debate takes place on a bank holiday and that the hon. Gentleman has to be here.

Mr. Andrew Mackinlay (Thurrock): May we have a debate on the disparity of treatment that clearing banks and other financial institutions extend to people who are facing bankruptcy? The Leader of the House will be aware of the article that appeared in *The Sunday Times* last week showing that Lord Younger of the Royal Bank of Scotland and Sir Gerrard Neale put together a rescue package for a Conservative Member of Parliament. Is this fair in relation to other businesses that are facing bankruptcy? May we have a debate so that we can probe that matter and argue the case for people who are struggling to keep their businesses alive but who cannot get the extended credit from the banks which has been afforded to an hon. Member of this House?

Mr. Newton: That is one of the two or three attempts that the hon. Gentleman has made to raise the issue. The hon. Member for Wallasey (Ms Eagle) raised it with my right hon. Friend the Prime Minister on Tuesday and I have absolutely nothing to add to what he said on that occasion.

Mr. Nick Ainger (Pembroke): May we have a debate on the Sea Empress disaster at the earliest opportunity, particularly in light of the fact that the Secretary of State for Transport has made two statements to the House about the incident but he has instituted only an internal inquiry? Since his statement last Thursday, it has become clear that the environmental damage is far greater than was first predicted. It is already far greater than the damage incurred following the Braer disaster, in relation to which Lord Donaldson conducted an independent inquiry.

Since the Secretary of State's statement, it has come to light that Department of Transport officials and their agencies were involved in the decision-making process about an accident on Thursday 15 February which led to a disaster on Monday 19 February. To a certain extent, they are to blame for that disaster and for the resulting threat to the local economy and environment in my area. Will the Leader of the House urge the Secretary of State for Transport to establish an independent inquiry—ideally chaired and controlled by Lord Donaldson—bearing in mind the significant changes that have occurred since his last statement?

Mr. Newton: Of course, I acknowledge the significance of the environmental damage. I had hoped that the hon. Gentleman would also acknowledge the scale of the work that is going on. For example, I understand that no fewer than six oil recovery vessels are at work in Carmarthen bay and that more than 450 people are involved in beach cleaning and other activities at some 20 sites.

As to the main thrust of the hon. Gentleman's question—which echoes a comment made during Prime Minister's questions today—the Marine Accident Investigation Branch will carry out a thorough and independent inquiry. If I were a member of that branch, I would rather regret the implicit slur that it will not do the job properly.

Point of Order

Mr. Jim Cousins (Newcastle upon Tyne, Central): On a point of order, Madam Speaker. I seek your assistance in ensuring that hon. Members receive answers to parliamentary questions in good time. The Department of Social Security in Newcastle is facing great changes. More than a month ago I tabled a question asking purely for facts—there was not a single policy implication—about job losses in Newcastle DSS in the past 12 months. I have had to wait more than four weeks for a reply. I seek your help in ensuring more timely and better quality answers from the DSS.

Madam Speaker: I have every sympathy with the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) if what he says is correct—I have no reason to doubt that it is. Four weeks is an inordinately long time to wait for a reply from a Department and I hope that Ministers have noted the exchange.

BILL PRESENTED

Marriage Ceremony (Prescribed Words)

Mr. Julian Brazier, supported by Mr. Michael Alison, Mr. Donald Anderson, Rev. Martin Smyth, Mr. Lawrence Cunliffe and Mr. John Marshall, presented a Bill to provide alternatives for the declaration and words of contract prescribed by law for marriage ceremonies in registered buildings and register offices, on approved premises and in certain other circumstances: And the same was read the First time; and ordered to be read a Second time upon 29 March 1996 and to be printed. [Bill 71.]

Welsh Affairs

4.52 pm

The Secretary of State for Wales (Mr. William Hague): It is a great pleasure to open this annual debate on Welsh affairs. I am pleased that we can celebrate St. David's day by debating Welsh issues.

I know that you, Madam Speaker, were pleased to celebrate St. David's day this morning by receiving daffodils from five-year-old Megan Godwin representing the children of Wales. Tomorrow, I shall be pleased to welcome His Royal Highness the Prince of Wales to the Welsh Office in Cardiff where he will meet many staff.

We shall celebrate St. David's day tomorrow by announcing one of the largest investment projects to come to Wales in recent times. It demonstrates clearly the points that I intend to highlight in my remarks today: the undeniable momentum behind the Welsh economy, the importance of driving up levels of education and training, and the benefits that accrue to Wales from being part of the United Kingdom. I intend also to discuss at some length our approach to the environment, particularly in light of the Sea Empress incident about which I shall say a good deal. I shall also make some important announcements about the future responsibilities of local government in Wales.

The economic background to today's debate is good—as it is across the United Kingdom. The Government's policies aim to deliver low inflation, sound public finance and an efficient economy. They are the features that enable businesses to create wealth and deliver increased employment and rising living standards. That is true for this, and for any other, country. Our international competitors know that now, but we have set the pace. Interest rates have been set to achieve underlying inflation of 2.5 per cent. or less, and inflation has been below 4 per cent. for more than three years—which is the best run for almost half a century. Unemployment in the United Kingdom is now well below the European average.

Mr. Peter Hain (Neath): I ask the Secretary of State to clarify a report which appeared in yesterday's *Western Mail* that European Union objective 2 status may be lost in Neath, Port Talbot and parts of Cardiff and that funds may be switched to parts of England in order to benefit the Conservatives. I am sure that he will agree that the Welsh Office should fight hard on behalf of areas such as mine where unemployment is still very high in real terms.

Mr. Hague: I certainly do not wish to see the status of those areas change in any way. The Government do not plan to propose any change in their status and we do not want the European Commission to do so. I shall visit Brussels next Monday, when I shall make that point to the European Commission.

Total United Kingdom industrial production is at record levels, manufacturing investment has risen 12 per cent. in a year and the public sector borrowing requirement has fallen. They are the major strengths of the United Kingdom's economic recovery. Wales shares in that economic record and it exceeds the average United Kingdom performance in some important respects. Output in Wales rose by more than 4 per cent. in the year to September 1995 and manufacturing output rose by 3.7 per cent. Since 1990, average wage levels in Wales have risen faster than in Great Britain as a whole.

Unemployment has fallen by 22 per cent. since the end of 1992. The old image of Wales as an area of chronic structural unemployment has not been true for some time. Unemployment in Wales has been at or near the United Kingdom average for 18 months. No Government since the 1920s—and no Labour Government—have been able to say that.

Mr. Alan Williams (Swansea, West): Will the Secretary of State revise his comments in view of the fact that the failure to keep the level of unemployment to that inherited by the Government in 1979 has meant the loss of 1 million man years of work in Wales and £13 billion in earnings?

Mr. Hague: I am painting a different picture of the Welsh economy today—one of rapid improvement and greater employment in manufacturing and elsewhere. Since 1985, manufacturing employment in Wales has increased more than it has in any other region of the United Kingdom. Looking to the future—which is what really counts—a recent Dun and Bradstreet survey found that almost 80 per cent. of Welsh firms expect to increase their sales, which is the highest proportion in Great Britain; almost 70 per cent. of Welsh firms expect to increase their exports, which is the highest proportion in Great Britain; and almost two thirds of Welsh firms expect to increase their employment, which is the highest proportion in Great Britain.

That is the background to the Welsh economy. The Government aim to keep Britain on course to becoming the enterprise centre of Europe. My ambitions for Wales are no less: I want Wales to be an enterprise centre in Britain. Our history, skills and recent performance give me confidence that Wales can be at the leading edge of the United Kingdom's economic success.

Mr. Llew Smith (Blaenau Gwent): I shall put the question posed by my right hon. Friend the Member for Swansea, West (Mr. Williams) in a different way. Will the Secretary of State comment on the fact that, since the Tories came to power in May 1979, 500 million working days have been lost in Wales through unemployment?

Mr. Hague: The hon. Gentleman must recognise that unavoidable structural changes have occurred in the Welsh economy. The steel works at Port Talbot, which employs 4,000 workers, produces more steel now than it did in 1980 when it had a work force of 18,000. We could not have set our face against those changes and maintained competitive industries by refusing to embrace progress. Instead, we have ensured that new industries come to Wales, and there is more evidence every week that that effort is gaining momentum. We must now take that success forward, and public and private bodies must work together to do so. Wales has a strong tradition of partnership and team work, and nowhere is that more important than in winning inward investment.

More than 70,000 people are now employed in Wales by overseas-owned manufacturing companies. Those companies provide tremendous employment opportunities and a healthy diversification of industrial activity. They also create opportunities for indigenous companies.

Competition for inward investment has become fierce. Wales continues to perform to the envy of many other regions in the United Kingdom, but we cannot rest on our laurels. I was delighted to announce, a few weeks ago, the first major investment from Korea, following my recent visit to that most promising market and much hard work by other people. That investment means 300 new jobs as a start—a shot in the arm for the valleys. There is more good news on the way.

I want to pay tribute to the hard work of the Welsh Development Agency, which has been much criticised in the past. The people who run the agency have done a lot of work to put the problems behind them. I am committed to maintaining and building on the success of Wales and I urge everyone involved in industrial development—and parties in the House—to join in the team Wales effort.

Several hon. Members *rose—*

Mr. Hague: I am spoilt for choice, but I shall give way to the hon. Member for Pontypridd (Dr. Howells).

Dr. Kim Howells (Pontypridd): I agree with the Secretary of State's point about the Welsh Development Agency and the need not to rest on our laurels, but can he tell us why we lost the Chunghwa Picture Tube Company factory? Why did that factory go not to Cardiff, but to Lanarkshire? Why is it generally understood that the Welsh Development Agency was out-performed by the Lanarkshire development agency and Locate in Scotland? Will the Secretary of State inquire into the reasons for the loss of that contract and publish his final report so that we can all read it?

Mr. Hague: We will not win every project. We know that. We compete for many projects that we will not win because other people are bound to win some of them. There are many factors involved in such decisions, including the suitability of the site, the proximity to other businesses in the same industry, and development area or assisted area status. All those factors come together and the decisions are very complex.

I have inquired about the project that the hon. Member mentioned and I am well aware of the details. I do not believe that the contract was lost by Wales because of any failing in the WDA or in the work that was done on the project. Such decisions are based on complex factors, some of which I have mentioned, which sometimes bring success to Wales and sometimes bring it to other parts of the United Kingdom. I shall announce a major inward investment project tomorrow, and people in other parts of the United Kingdom and Europe will ask why they did not get the contract. This time, we will be the successful ones.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Members of my party join others in rejoicing at the success of the Welsh economy. [HON. MEMBERS: "Where are they?"] They are doing some very important things.

Dr. Howells: Perhaps they are watching rugby.

Mr. Dafis: The rugby is on Saturday and this is Thursday.

I emphasise that the kind of success that inward investment brings has not benefited the western regions of Wales—eastern areas, including Montgomeryshire and places that are close to the English border and have links

[Mr. Dafis]

with the midlands, have benefited. Will the Secretary of State undertake to emphasise the importance of strengthening the economy of the western regions of Wales, because their weaknesses show not just in unemployment figures, but in figures for outward migration by the young? There are many deep, structural weaknesses in the economies of those regions.

Mr. Hague: Of course it is important to try to share the benefits of inward investment. That is why we have set a target for the Welsh Development Agency for the proportion of investment to areas outside the M4 and A55 corridors. I shall reaffirm that target for the coming year—I have reaffirmed it in my discussions with the Welsh Development Agency in the past few days. I recognise the importance of what the hon. Gentleman says, but an independent Wales would do nothing like as well at attracting inward investment. He and his party should bear that in mind when they consider the subject.

Mr. Rhodri Morgan (Cardiff, West): Before the Secretary of State leaves the subject of the Chunghwa Picture Tube Company, will he confirm whether our failure to land that project had anything to do with the cut of £30 million in his Department's budget for regional selective assistance, as revealed in the Department's report a year ago, and the £40 million cut in the budget of the Welsh Development Agency, giving altogether a cut of more than £70 million and almost halving the budget available for regional economic development in 1995-96?

Mr. Hague: There has been no reduction on such a scale in support for regional development. The hon. Gentleman may be quoting a figure that refers to more than changes in regional selective assistance. In any case, regional selective assistance is a demand-led expenditure, so it works the other way round from the way he suggests. Provision for regional selective assistance falls or rises as the projects that are eligible for it come in or fail to come in. The change that the hon. Gentleman mentioned may be a reflection of the level of inward investment in that year, but it is not the cause of that level, as his question suggested. The hon. Gentleman will notice that I have allocated a substantial sum for regional selective assistance when we discuss the new departmental report in a few weeks' time.

No economy can succeed by inward investment alone. Indigenous firms are crucial, not least the smaller ones. Half of all manufacturing employment in Wales is in firms with fewer than 200 employees.

Firms need fast access to first-class advice and information about the public sector support available to them. That is why in January we launched business connect—covering the whole of Wales and the full range of public sector services. With one telephone call, anyone can have access to the whole network of public support.

Export promotion is a key component of Government policy. In the first trade mission programme, we covered 30 countries, resulting in £87 million-worth of new business for more than 250 Welsh businesses. I have now extended that programme for a further three years. I hope that that will allow a further 24 missions and that it will have something to offer companies of all sizes with varying degrees of export experience.

Everything in the economic future of Wales depends on the skills of the work force. Our goal is a world-class education and training system. All Welsh schools, further education colleges and higher education institutions are concentrating on lifting performance to contribute to achieving the national targets, as set out in our document "People and Prosperity".

The Welsh training and enterprise councils are supporting our activity and agreeing local skills priorities with the Welsh Development Agency, the Development Board for Rural Wales and the new unitary authorities. In line with the strategy in "People and Prosperity", I have asked the TECs to give top priority to manufacturing skills. Five hundred young people started modern apprenticeships in manufacturing in Wales in 1994-95. This year, I have allocated funding for 3,800 young people to start modern or accelerated apprenticeships, some 1,200 of them in manufacturing. We will expand modern manufacturing apprenticeships still further next year. This year, I have also allocated an extra £3 million to help local manufacturers train 1,200 adults for the next two years to give a fast injection of manufacturing skills.

The document, "A Bright Future", also published last year, set out a detailed programme to raise attainment in schools. Secondary schools are already making big strides in improving their performance. The number achieving high grade GCSEs continues to improve. One in five pupils now achieve two A-levels, whereas one in 10 did so 20 years ago. Over the past six years, the number leaving school without qualifications has dropped sharply from 17 per cent. to 11 per cent., but there is much to do to raise educational standards further and meet national targets for achievement in academic and vocational qualifications.

As a result of the bright future programme, every school in Wales is now expected to set its own targets for achievement and to beat its previous best, year by year. Successful primary schools are the vital underpinning, especially for the basic skills of literacy and numeracy. The 1995 test results show that standards at 11 are not good enough—fewer than half reached the standard expected of the majority in tests of English and maths.

Schools' targets will be reviewed as part of regular and independent inspections, and action plans following inspections will include targets for improvement. Where the targets are found to be insufficiently challenging, the inspectorate will expect schools to reconsider and set new, more challenging ones.

The development of vocational options in Wales is also an emerging success story. In Wales this year, 46 schools will be involved in the general national vocational qualifications development scheme for 14 to 16-year-olds. More than 60 per cent. of participating schools in Wales will offer manufacturing, engineering, or construction.

I have recently set up the disabled pupils school access initiative. About half a million pounds a year has been made available to assist local education authorities to provide improved access for disabled pupils in schools. We have introduced other initiatives to raise standards by expanding choice in education. That is something that Opposition Members have never favoured, but, steadily, they are becoming accustomed to it, as we have seen over recent months. Included also is the popular schools initiative, which promotes parental choice and diversity of provision. Total funding is now nearly £26 million.

We are also proposing a pre-school voucher scheme for four-year-olds, which will put purchasing power in the hands of parents. The scheme will enhance choice and diversity of provision. My hon. Friend the Under-Secretary of State announced today an expansion of the assisted places scheme, which means that 270 new places will be made available in 16 schools to provide opportunities for academically able children whose parents would not otherwise have been able to afford independent schools.

Mr. Win Griffiths (Bridgend): What is the point of doubling the size of the assisted places scheme if the places now available are not being filled?

Mr. Hague: We shall see whether we fill the places. I believe that we shall. We are bringing new schools into the scheme. That means that more pupils will be able to take up places. More schools will be near to them.

Several hon. Members *rose—*

Mr. Hague: I shall give way later. I have much to say and I am mindful of the time. I want to move on to other subjects.

The improvement of all our public services has been a major theme for the Government. Government policy on the national health service is directed at one simple aim—to improve the health of the people of Wales. The service must be properly funded if we are to achieve that aim, and it is. We have fulfilled our pledge to increase health care spending each year in real terms. That has led to genuine improvements in service. The number of people treated by our hospitals has doubled over the past 16 years. Therapies and treatments undreamt of in the 1970s are now commonplace.

A new patients charter for Wales was launched on 21 February. It sets out new and better standards of care. Hospital waiting times have been reduced. Over the past 12 months alone, the number of patients having to wait longer than six months for a hospital out-patient appointment has fallen by three quarters. I have asked NHS Wales to aim at a maximum total waiting time of 18 months for patients who need hospital treatment. The parallel drive to improve further the effectiveness of clinical care has captured the imagination and enthusiasm of health care professionals throughout Wales.

The NHS is also delivering impressive efficiency gains. Five health authorities will shortly replace the present 16. Over the next few years, that reduction will enable it to manage with 300 fewer staff and to release £8 million for direct patient care. Trusts are also under pressure to reduce management costs and to deliver further efficiencies. I shall help them to achieve savings by cutting the burden of paperwork and sharpening the focus of the Health Department. The challenge now is to ensure that every penny of the £2.2 billion of taxpayers' money entrusted to the NHS in Wales is spent effectively and for the benefit of patients.

Other high priorities for my Department are the promotion and facilitation of the use of the Welsh language, and access to the arts, sports and the cultural heritage. We shall continue actively to support the Welsh language. We shall enhance the role of the Welsh Language Board by transferring to it from April 1997 responsibility for public support for the four major voluntary sector Welsh language bodies in Wales.

Mr. Barry Jones (Alyn and Deeside): The Secretary of State has talked about the arts. Notwithstanding his generous intervention, the future of Theatr Clwyd remains extremely cloudy. Would it be possible for the right hon. Gentleman in any way to intervene to ensure that neighbouring English authorities make a contribution? What can the right hon. Gentleman do to persuade neighbouring authorities in Wales to assist? The future appears to be extremely difficult.

Mr. Hague: As the hon. Gentleman knows, I do not have the power to command local authorities to devote money to Theatr Clwyd or to many other projects. Indeed, many authorities would complain bitterly if I had that power. As the hon. Gentleman has acknowledged, in view of the strategic and artistic importance of Theatr Clwyd, I have agreed in principle to provide a one-off grant of £1.3 million to pay off the outstanding capital debt. The Arts Council of Wales has agreed to increase its annual grant. It is now for local authorities, as the hon. Gentleman rightly suggests, to come up with the remaining goods. There has been generous support through the Welsh Office and it is up to everyone in the House who is concerned about these matters, as the hon. Gentleman rightly is, to encourage local authorities to do their bit.

My right hon. and hon. Friends and I have delivered a great deal of support in the complete writing off of the theatre's debt. It is right that we should now look to local authorities to meet the remaining gap. Every opportunity should be taken to market the work of the theatre as effectively as possible in future.

Dr. John Marek (Wrexham): I know that the Wrexham county borough authority is prepared to contribute to the theatre, but it needs its capping limits to be raised before it is able to do so. Will the Secretary of State look favourably upon raising capping limits so that the authority can make a contribution?

Mr. Hague: I am not able legally to change capping limits to enable an individual authority to spend on a particular project. I have considered the matter and I do not think that I can help in the way suggested by the hon. Gentleman. I hope, however, that local authorities will be able to deliver, as it were, on their side of the deal. It is important for Theatr Clwyd to survive. I think that the Welsh Office has delivered generous support.

I look forward to the opening, at the end of May, by Her Majesty the Queen, of the third building of the national library of Wales, for which my Department has provided £11 million, which will meet the library's needs for at least the next generation.

The Millennium Commission has recently announced an award of nearly £22 million to enable a national botanical garden to be established at Middleton hall. I am delighted that the supporters of the site have been successful. I am sure that it will prove to be a great asset to Wales in terms of nature conservation, scientific research, education and tourism. I am delighted also that the commission has decided to support the rugby stadium in Cardiff. That will do much to ensure the success of the rugby world cup in 1999.

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Last September, I launched the sport in schools initiative. The Sports Council for Wales is energetically working on following up the initiative with 100 centres of excellence. I hope that we shall see an increased number of sporting successes for Wales during the coming year.

The quality of our environment is one of our most precious assets. In recognition of this, in my time in office so far I have increased the budget of the Countryside Council for Wales. I have announced our intention to produce a rural White Paper, which will be published within the next few weeks. I am launching the Environment Agency for Wales next month. I hope that the agency will liaise closely with other environmental bodies in Wales. I am committed to improving services for people who live and work in agriculture in rural Wales. My White Paper will set out my views and policies in detail.

We have made good progress in many environmental areas in Wales but we cannot, of course, discuss the environment without referring to the Sea Empress incident. Hon. Members are well aware that the ship initially ran aground on Thursday 15 February. Following a lengthy salvage operation, the ship was berthed in Milford Haven during the evening of Wednesday 21 February. The remaining oil is now being pumped out of the vessel. I add my tribute to that of my right hon. Friend the Secretary of State for Transport to those brave people who worked long and hard, in dangerous conditions, throughout the operation.

The consequences of the oil lost from the Sea Empress remain with us. The effects on the beautiful Pembrokeshire coast and islands, and those on the rich wildlife, are distressing. They are being tackled energetically. My right hon. Friend the Secretary of State for Transport made two statements last week. The marine accident investigation branch is investigating the incident and I hope that its report will be ready soon. I have twice visited Milford Haven to see the effects of the incident and to witness the work that is being done to tackle the consequences. The most obvious visible effect is on the coastline and the wildlife. There are, too, economic consequences. All fishing in the area affected by pollution has stopped, both for shellfish and white fish, since the Sea Empress ran aground. I pay tribute to the responsible attitude of the fishermen, traders and processors in agreeing to observe an immediate voluntary ban on fishing in the interests of the safety of the food chain. In the light of scientific advice, I have placed the ban on a formal basis. I signed an order yesterday to prohibit all fishing within Welsh waters affected by oil pollution. I shall review the boundaries of the restricted area when further scientific analysis has been carried out.

Mr. Nick Ainger (Pembroke): In my speech later, I shall concentrate on the Sea Empress, but is the Secretary of State aware that fishermen who operate and catch their fish—or who were catching their fish—far from the area covered by the exclusion order are also suffering because, unfortunately, if any fish product has "Welsh" or "Wales" on it, nobody wants to touch it with a bargepole? Is it possible to extend the exclusion order for a short period and introduce the testing regime, which must come in anyway, and thereby clear the areas that we all know are not suffering from any pollution?

Mr. Hague: I shall consider the hon. Gentleman's point, as he raises an important issue that extends to other industries where there is a risk that Wales will be regarded as a polluted place even though only part of it has suffered from this incident. It is important for hon. Members, while in no way trying to disguise or minimise the scale of the incident, to make it quite clear that much is being done to clean up the problem and that vast areas of Wales are not affected. If we do not, our tourism industry might suffer unnecessary consequences.

I shall consider the hon. Gentleman's point. It would be strange to extend the ban to an area that is not affected, but I realise that he raises a legitimate problem and thinks that that is a solution. I shall come back to him and am happy to discuss the matter further.

Mr. Jon Owen Jones (Cardiff, Central): Will the Secretary of State give way?

Mr. Hague: Yes, although I have other things to announce and I should get on.

Mr. Jones: I am grateful to the Secretary of State for giving way. On the related issue of the number of people and the different industries in Wales that have been affected by the disaster—the Secretary of State just mentioned tourism—is it not clear that there is a real danger—perhaps it is inevitable—that the amount of compensation currently available to people will be exceeded? What measures does the Secretary of State, with his colleague in the Ministry of Transport, believe he can take to ensure that extra compensation is made available so that people who have genuinely lost out as a result of the disaster are properly compensated?

Mr. Hague: I am coming to some of the measures that I want to take—I shall reach them in about a minute's time.

Scientific advice is that there is no indication at present of any risk to agricultural produce from oil particles being blown inland, but as a precaution we are analysing samples of agricultural produce and crops that are eaten by farm animals. These are very much precautionary measures to provide reassurance to farmers and growers and to the general public. We expect to get the results of the tests on the samples within the next few days. There are no indications of any risk to animal health or to the safety of meat when animals are sold for slaughter, but to give absolute reassurance on the matter, members of the state veterinary service are monitoring the situation on my behalf.

I have provided up to £250,000 for the Countryside Council for Wales for a comprehensive environmental assessment and monitoring programme. The Countryside Council for Wales will work with other statutory agencies and voluntary environment groups. The work is being complemented by the Ministry of Agriculture, Fisheries and Food, which has made available the research vessel Coryster for work on fish and shellfish. An independent assessor will examine the response, clean-up procedures and the techniques employed following this incident.

The Wales tourist board is taking an active lead with other interested public bodies in Pembrokeshire and throughout south Wales to ensure that tourists to the area are kept informed of the true state of the coastline. It is

staying in the closest possible touch with the clean-up operation and will mount a vigorous and high-profile campaign of reassurance for potential visitors.

The main priority now is to provide assistance to people in west Wales whose livelihood has been affected by the spillage. Let us be clear that the responsibility for compensating those who have suffered loss must rest with the industry, on the clear principle that the polluter must pay. Some £8 million is available from the vessel's insurers, the Skuld Protection and Indemnity Club of Norway, and some £50 million is available from the International Oil Pollution Compensation Fund. Urgent discussions took place yesterday between the relevant Government Departments, representatives of the fund, the insurers and the oil industry. The insurers have agreed to meet the claims of hardship cases straight away. They will set up a claims handling office in Milford Haven in co-operation with the IOPCF, which will immediately start to process claims received between now and the end of April and make hardship payments to individuals and small businesses. I welcome that action by the insurers.

The executive committee of the IOPCF is expected to meet again in April to consider further compensation arrangements. Although the responsibility for dealing with compensation rests with the insurers and the IOPCF, there are ways in which the Government can help, in addition to the measures that I have announced. First, I have taken steps to enable me, should there be any problems with the prompt payment of compensation in difficult cases, to set up a bridging fund of up to £2 million, financed by the Welsh Office, to be disbursed by the local authorities concerned. Any payments would be repayable in due course by the insurers or the IOPCF. I hope and expect that the bridging fund will not be necessary, but felt it prudent to ensure that we could bring it into play if the arrangements did not work as we expect them to.

Secondly, the Government will not ask for payment from insurers for costs that we have incurred until it is clear that all other claims can be paid in full. Thirdly, I shall consider sympathetically any representations that local authorities may wish to make concerning the costs incurred by them, including temporary supplementary credit approvals. Fourthly, I shall explore with the European Commission what assistance it might be able to provide to help alleviate the economic and environmental consequences. The affected area covers many protected sites, including sites protected under European directives. Fifthly, I have set up an oil incident response unit in the Welsh Office, which will report directly to me. It will act as a central point of liaison for local authorities, the Countryside Council for Wales, the Wales tourist board and the insurers, and it will provide help for people who need advice on these various and sometimes complex arrangements.

I hope that the House will welcome these arrangements and join me in saluting the hard work and dedication of all who are currently involved in the clean-up operation.

Mr. Gareth Wardell (Gower): The Select Committee on Welsh Affairs, which I chair, decided this morning to conduct a short inquiry into the problems that the fishing industry in Wales may experience following the Sea Empress disaster. In relation to the Secretary of State's point about tourism, which was well made, we do not want areas to be blighted. He and the Secretary of State for Transport will know that the beach sediments that have been affected by the oil will leach out over a period of 10 years. Will he ensure that, when tourists come to Wales, assistance will be given to the tourism industry to identify those areas so that people do not find that there is a problem of which they are unaware, just as they should be aware of the quality of bathing waters?

Mr. Hague: I shall certainly give attention to that point. These are complex matters and it is quite difficult to predict how things will work out in the future and what the long-term consequences will be. It is important that everybody has the maximum information about the problems at every stage. That is one of the reasons why I announced extra funding for the Countryside Council for Wales to map and survey the consequences of the pollution. We shall continue to give attention to the problem that the hon. Gentleman quite rightly raised.

Mr. Alan W. Williams (Carmarthen) *rose—*

Mr. Hague: I shall give way once more on this matter, but there are other matters that I wish to deal with.

Mr. Williams: On the question of compensation, I understand that £8 million is available from the ship's insurers and that £50 million is available from the IOPCF, but both are being capped. What happens if the total claims in one or two years' time exceed the cap, as is very likely? I understand that claims might be of the order of £100 million. Where will the rest of the money come from?

Mr. Hague: We are not able to say that the claims are likely to exceed the amount available. It is perfectly understandable that people should ask the question, but we should not raise the spectre of claims exceeding that amount. If compensation on the principle of the polluter paying is not adequate, the hon. Gentleman can rest assured that my right hon. Friend the Secretary of State for Transport and I will have strong words to say to the oil industry about the matter, and that we will seek a change in arrangements for the future or for this incident. I am alive to the hon. Gentleman's concern, but we are not currently in a position to say that the amount may exceed, is likely to exceed, or is very likely to exceed, the cap.

Local government has been playing its part in the process. In a month's time, local government in Wales will be administered by 22 all-purpose authorities. The House should be in no doubt that the reorganisation presents Wales with a great opportunity. The fact that single authorities will in future be responsible for all local authority services should ensure that they are managed more effectively. However, I see the reorganisation as another kind of opportunity as well: I want it to mark a turning point in relations between the Welsh Office and local government.

I want to reduce local authorities' dependence on my Department. Unnecessary controls should go. Most of all, I want more of the decisions that affect the well-being and prosperity of communities throughout Wales to be made where they will prove most effective—at local level. I shall shortly publish a consultation paper setting out a series of proposals. We now have the opportunity to mark

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a radical shift in the nature of the Welsh Office's relationship with local government. I shall outline three specific proposals.

First, I have been considering the future shape of my Department's strategic development scheme, the SDS. It supports local authority projects and strategies promoting economic, social and environmental development. In the coming year, it has a budget of around £57 million in support of regeneration projects across Wales.

Local authorities have argued that it should no longer be necessary for Ministers to make decisions on many such projects, which often have only local significance. They would like progressively greater delegation of decision-making, with Ministers involved only in the larger schemes. I agree with that: I believe that the time is now right for a further substantial shift of responsibility to local level. I have already indicated that, in the coming year, £13 million of SDS funding will be available to local authorities so that they can decide how to use it. Over the next three years, I propose to increase that amount substantially—to £38 million—so that unitary authorities have much greater freedom to make their own choices on local priorities.

At the same time, I believe that departmental funding should continue to be available to support an authority's major strategic priorities, which would include projects that go beyond the financing capabilities of an individual authority, or which have a regional significance. For that purpose, I propose to develop the SDS into a new challenge fund, the scope of which would be a matter for discussion.

As now, the emphasis will be on encouraging innovative projects and strong public and private sector partnerships. I also favour extending the challenge principle beyond the economic, social and environmental areas already covered by the SDS. I envisage that such an enhanced challenge fund would be introduced in 1997, with the first bids being invited by early this summer. Its initial budget would be at least £20 million, which would be funded in part from uncommitted SDS resources and in part from other existing local authority capital top-slices. In later years, there would be an opportunity to refine the schemes to take account of the lessons learnt from the parallel schemes being planned for England by my right hon. Friend the Secretary of State for the Environment.

Secondly, I have re-examined our management of the European structural fund in Wales. Current programmes include the objective 2 programme for industrial south Wales, the objective 5b programme for rural Wales and nine special initiatives such as RECHAR. Together, over the life of the programmes, those measures involve more than £360 million of European funding, contributing to total programme expenditure by all the parties of more than £959 million. That funding makes a major contribution to the regeneration process across Wales and is a vital source of project finance for local authorities, agencies and the private and voluntary sectors.

My Department is currently responsible for managing the funds—It provides the secretariat for the relevant monitoring committees. It has been argued that the transparency of the system and of the decision-making process would be improved if my Department's management of the secretariat's functions were devolved to a free-standing executive that was independently staffed and operated under the guidance of local authorities and the wider partnership including local authorities.

From 1 January 1997, I propose to introduce such arrangements in respect of all relevant Welsh programmes and initiatives, and in respect of the successor objective 2 programme for industrial south Wales that is to be launched next year. The new executive body would have responsibility for publicity, for advice and for information supplied to potential beneficiaries of the funds, for the management of the bidding process and for the assessment and ranking of applications. The functions and composition of the monitoring committees would remain unchanged. I would also retain my present responsibilities for public expenditure provision, for payments and for accountability to Parliament for the deployment of funds.

Thirdly, my Department has had responsibility for training policy in Wales since 1993. Responsibility for management of the European social fund has, however, remained with the Department of Employment, and latterly with the Department for Education and Employment. I am glad to report that control over ESF programme management will be transferred to me from 1 January 1997. Responsibility for public expenditure provision and for the associated payments will be considered later. Management of the new responsibilities for the ESF will also be considered in the context of my proposals for a new structural fund executive body, to which I have already referred—a free-standing executive body in which local authorities have a primary role. The change will bring greater cohesion within and between European programmes in Wales, and allow local partnerships far more influence over the allocation of funds.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): We would broadly welcome any system other than the one that has prevailed in the case of RECHAR and other schemes, which have proved extremely frustrating and have led to much anger and bitterness. I hope, however, that the executive body will not involve a large new administration, and that some of the costs will be paid out of the funds to which the Secretary of State referred.

Mr. Hague: I certainly do not intend the system to lead to a large new administration. No more work should be involved. What will change is the number of people who are heavily involved in influencing the process.

I propose a further change. Other, more minor, changes will be proposed in my consultation document. My Department operates the urban investment grant scheme, a facility for assisting the private sector to undertake developments in the more deprived areas of Wales. Those incentives are much valued, and achieve excellent public-private sector leverage, but I believe that they could be more appropriately promoted and applied in the context of local development plans. Because of their nature, it would not be sensible or feasible to disperse the funds generally among unitary authorities. I have therefore decided that responsibility for the scheme should be transferred from the Department to the Welsh Development Agency so that the benefits can be brought to bear within the framework of the local partnerships

now being formed—which involve the WDA. About £6.8 million has been set aside for the scheme next year, when the transfer will take place.

In my discussions with local authorities, I have agreed that they should have a primary role in local economic development. The authorities have proposed that there should be some forum for discussion of economic issues that affect the whole of Wales. I agree with them that the role and membership of the Welsh Economic Council does not provide a suitable vehicle for that purpose. I have therefore decided that it should be discontinued. I shall discuss with the new local authority association what alternative arrangements should be put in place for reviewing the operation of European and domestic economic development and considering the work of local and sub-regional partnerships.

The changes to the strategic development scheme, to the management of European funding and to various agency activities will give local authorities and their partners more influence than ever before over the direction of the regeneration process in Wales. European and domestic funding of more than £400 million will be involved. I am confident that the organisations will respond positively and with imagination, and I assure the House that my Department and the principal agencies will continue to work closely with the authorities to ensure the effective realisation of their plans for the benefit of the communities that they serve.

Mr. Donald Anderson (Swansea, East): The Secretary of State has made a number of welcome announcements about the new body, which will have a co-ordinating function and whose membership will, I understand, be drawn primarily from local authorities. Is he moving, step by step, towards an indirectly elected Welsh Assembly?

Mr. Hague: Not at all. Oddly enough, I was about to say something about a Welsh Assembly. As I said earlier, one of the benefits enjoyed by Wales is the result of being part of the United Kingdom. My predecessor and I have set a clear direction in transferring responsibilities, where appropriate, to local authorities. My proposals take that process a long way. Such devolution of power closer to the people makes far more sense and is much more meaningful than adding an additional tier of government in the form of an assembly.

I should be interested to hear the differing views of hon. Members about that matter. There are differing views among the Opposition about plans for a Welsh Assembly. Conservative Members and the public are entitled to ask many questions—which remain unanswered—about how the assembly proposed by Opposition Members would work. That is why I wrote yesterday to the Leader of the Opposition—to receive clarification and to ask him, on the occasion of his visit to Wales—where he has been joined today by the hon. Member for Caerphilly (Mr. Davies)—to answer questions to which we have not heard the answers. If the Labour party believes that the Scottish Parliament would work, why would Wales get a second-class version? Would the assembly have legislative powers over the Welsh language, local government and non-departmental public bodies? We have had differing interpretations from Labour.

Mr. Alun Michael (Cardiff, South and Penarth) *rose—*

Mr. Hague: I look forward to clarification of those matters.

Mr. Michael: Why does the Secretary of State fail to recognise that we have government in Wales, but that the elected representatives of that Government are not accountable at Welsh level? The Opposition—certainly the Labour party—is united about the need for an elected body to be accountable for those functions. Why does not the Secretary of State for Wales, who is accountable to the House, tell us what he intends to do to provide a level of elected accountability in the governance of Wales?

Mr. Hague: I have just set out one of the biggest transfers of functions to local government that any Secretary of State for Wales has set out in recent times.

Mr. Michael *rose—*

Mr. Hague: I must answer the hon. Gentleman's question before he asks another. I am talking about the Labour party's plans for an assembly. He says that Labour is united about these matters, but when Labour party members were recently asked during "On The Record" what the assembly would do, they were far from united. Mr. Wayne David, a Member of the European Parliament, said that it would have legislative responsibilities. Other leading Labour party members said that it would in no way have any legislative responsibilities. A recent meeting of Welsh Labour Members to discuss that body's electoral system was described as vicious. *[Interruption.]* Labour Members clearly remember it well.

Mr. Michael: Will the right hon. Gentleman give way?

Mr. Hague: I must give the hon. Gentleman the other questions. We need to know from Opposition Members whether Welsh Members would be able to vote on English matters in areas of policy reserved for the assembly, how Welsh Members voting on public spending in England when English and Welsh Members could not vote on public spending in Wales could be justified, why different electoral systems are proposed for a Scottish Parliament and a Welsh Assembly, and how much such an assembly would cost.

The Labour party is in the absurd position of advocating a referendum on proportional representation for the United Kingdom, proportional representation for a Scottish Parliament without a referendum, a first-past-the-post electoral system for a Welsh Assembly without a referendum, referendums in English regions on whether to have assemblies in such regions, but no referendum in Wales on whether to have a Welsh Assembly. And that is called a policy. It is an incredible dog's breakfast. It is hard to understand how any party could blunder into such a position. It is born not of a vision of the UK's future, but of a calculation of how to appease nationalist sentiment in each part of the United Kingdom.

Mr. Michael: Will the right hon. Gentleman give way?

Mr. Hague: In view of the hon. Gentleman's persistence, I shall give way to him one more time on this subject.

Mr. Michael: The Secretary of State referred to the meeting of the Welsh Labour group, of which, as far as I am aware, he is not a member. As chairman of that group,

[Mr. Michael]

I assure him that it is united behind the party's policy. It is notable, however, that he makes many allegations and misrepresentations to avoid his responsibility, as Secretary of State for Wales, to say what he and his party will do to allow elected representation in relation to the government that exists in Wales.

Mr. Hague: If that group is so united, it should be easy to give answers to those fundamental questions. For the best part of an hour, I have been talking about my responsibilities and how I am discharging them. I am entitled to ask Labour Members about one of their principal proposals. I understand that, if they came to power, in their first year in office, they would spend their time setting up this expensive assembly—an additional tier of government and an expensive roomfull of hot air. People need to know the details. It is time Labour Members came clean about that.

Labour's proposals are a recipe for constitutional chaos. They would put at risk all the benefits that Wales derives from the Union: higher public spending per head, representation at Westminster and a voice at the Cabinet table. They would undermine the great economic progress that we have made in recent years. Jobs and businesses would not come to Wales if we were tearing ourselves apart in the UK and distancing Wales from Westminster, or if Wales pursued radically different policies from the rest of the UK.

I hope, therefore, that the Leader of the Opposition will offer some answers to those questions—but the hon. Member for Cardiff, West (Mr. Morgan), who is to speak on behalf of the Opposition, may be able to answer some of them even before I receive the Leader of the Opposition's reply. We look forward to that.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Will my right hon. Friend give way?

Mr. Hague: I shall give way one more time and then I must end my remarks.

Mr. Clifton-Brown: Does my right hon. Friend think that the Opposition spokesman on Wales will be able to answer this question: is there a Welsh equivalent to the West Lothian question?

Mr. Hague: There is a direct Welsh equivalent to that question. If we had an assembly, Welsh Members would be able to vote on English public spending, but neither English nor Welsh Members would be able to vote on Welsh public spending. The Labour party needs to deal with that ludicrous position.

The position that I have set out is that of an expanding economy; of renewed momentum behind inward investment, of which we will see further evidence in coming days; of an improving education system, but where there is still much to do; of people working together to promote trade and a healthy environment; and of an important series of policy changes in local government. My announcements on the environment in Pembrokeshire and on local government will be warmly and deservedly welcomed in Wales and throughout the House. I look forward to hearing in more detail Opposition Members' proposals for Wales's future government, because there are many questions to be answered.

5.47 pm

Mr. Rhodri Morgan (Cardiff, West): The Secretary of State for Wales is obviously far too young to wear spectacles, but I wish that he would not wear his rose-coloured contact lenses during the debate. When he describes the Welsh economy or the environment, those of us who represent constituencies in Wales just do not recognise the country that he is talking about. We examine the facts and the scoreboard rather than what the commentators are saying and we see that the level of prosperity that the Welsh economy continues to produce for our constituents is 16 per cent. below the United Kingdom average.

Those are the Government's statistics, not ours. We have not invented them. They are on the scoreboard. I am being generous to the Government in saying that Wales's prosperity level is 16 per cent. behind. The last fully accredited figures from the Government Central Statistical Office are for 1993-94. They show that Welsh gross domestic product per head—the ultimate measure of a region's prosperity—is 82.7 per cent. of the UK average. Not fully tested, not entirely complete figures estimate that the figure for 1994-95 is 84.7 per cent. I am willing to accept that that may turn out to be true, but even that shows a level more than 15 per cent. below the UK average, which in itself is nothing special compared with that of other European Union countries. That is the actual picture. That is what our constituents live with.

I welcome, in advance, the announcement that is to be made tomorrow—the Secretary of State made great play of it, although obviously he cannot formally say what it is. We hope that it is in the silicon chip sector, that it is vaguely Celtic and that many jobs are involved. However, we also have to remember the ones that got away. We are living in a unique year. We are coming to the last few months of 1995-96, during which—I do not blame the Secretary of State for this because it was his predecessor who started it—the experiment of ending the bipartisan approach to economic development in Wales, which has gone on since the 1930s, has been running.

The Secretary of State's predecessor, the right hon. Member for Wokingham (Mr. Redwood), who had his own agenda about "standing on your own two feet", "getting on your bike" and all the different nostrums of the ideological far right of the Conservative party, set up the budget with which we are still living. He simply broke the mould and decided that it was time for Wales to get away from the begging bowl mentality. That is why I raise the point about the departmental report.

The Secretary of State should look at his departmental report for this time last year. It shows the amount that the Welsh Office has had in its budget for industrial development and gives the figures for 1989 through to 1995. In general, the amount was £150 million-plus; sometimes it was as high as £170 million and sometimes it was £160 million. The figure represents the funds going to the Welsh Development Agency from the Welsh Office and what is in the Secretary of State's kitty for regional selective assistance. The figure was always between £150 million and £173 million.

This year, however, the figure has dropped to half the usual amount; it is just £86 million. That is a dramatic fall. The Secretary of State must admit that the budget

for economic development in Wales has been chopped by almost half. We want to know why that has happened and whether it has anything to do with Wales losing out on the Chunghwa Picture Tube Company factory with its 3,000 jobs—a big development in which we were thought to be in the lead. The factory eventually went to Lanarkshire.

I had better make an apology to the House. My tie says CPT on it, but I assure the House, in case any of Lord Nolan's snoopers are watching the closed-circuit television, that it has nothing to do with Chunghwa Picture Tube. Some other body gave me the tie at a dinner; I think that it was something to do with passenger transport.

Although we in Cardiff especially missed out on the Chunghwa Picture Tube development because we were said to be in the lead, South Wales as a whole suffered from losing a development of that size. I asked the Secretary of State whether the fact that his predecessor had chopped £23 million or £24 million out of the regional selective assistance budget and another £43 million out of his grant in aid to the WDA had anything to do with Chunghwa's decision. He said that the fact that the WDA had only half its usual budget available had nothing to do with our losing the development and that assistance was demand led. He said that if Chunghwa had come to Wales, he would have found the money somewhere.

It is true that the regional selective assistance budget is demand led. Through the Department of Trade and Industry budget, England has overspent its RSA and has taken the money necessary out of contingency reserves. The Scottish Office has overspent its RSA budget and has taken money out of its reserves. We have underspent our RSA budget, so we have given money back to the Treasury, as the previous Secretary of State proudly boasted. It was very nice for him to be able to make that boast when he was running for leadership of the Tory party, but it was not very good for us because we had to live with the consequence—less industry coming into Wales.

It is also true that one can always find a few extra million if one gets industry in, but one cannot get industry in unless the WDA has the money to put the package together. That is the problem. The pincer movement of cutting the regional selective assistance budget and cutting the Welsh Office grant to the WDA means that if the WDA cannot get the firm in by offering the package that it could be offered in Lanarkshire, the Secretary of State does not need to spend his regional selective assistance budget because the firm is not coming to Wales. The massive cut—as a result of last year's experiment carried out by his predecessor for which I do not blame the present Secretary of State—is another reason why the Secretary of State should put away the rose-coloured contact lenses that he was wearing during his speech.

Lord Crickhowell, Lord Walker and the right hon. Member for Wirral, West (Mr. Hunt) all believed in a bipartisan approach, with economic and industrial development being the top priority for the Secretary of State for Wales, so that new jobs could replace jobs in the old industries. I am afraid that the right hon. Member for Wokingham did not believe in that approach. He believed in "on your bike", the cold shower and the need to get away from the begging bowl mentality, so he broke that consensus. We have to live with the consequences, and I would have liked the Secretary of State to have said what he intended to do to establish in the job description of the Secretary of State for Wales an agreement about the primacy of economic development. We might then have been able to work out what next year's budget for industrial development would look like, and that would have given us some assurances.

The Secretary of State mentioned tomorrow's development, which has not yet been announced. However, he did not say that the development was new in the sense that it was a project by a firm that was new to Wales. Much of the industrial development that is announced, re-announced and then announced to the House for a third or fourth time, forming part of the Secretary of State's hype offensive against the people of Wales, involves firms, such as Ford and Sony, which have been in Wales for 20 years or more. Some firms came in during the previous Labour Government's tenure and some came in during the early years of the present Administration. Those firms may reinvest and expand, but they are not new names.

In the past 10 years, Wales has missed out on all the big new investment providing 2,000 jobs and more. Firms such as Siemens, Fujitsu, Toyota, Nissan and Chunghwa have not come to Wales. We would have liked to have won one of those firms and we might then have felt satisfied that Wales remained at the forefront of the Government's regional economic development effort. Of the six big investments providing 2,000 and 3,000 jobs during the past eight or nine years, none has come to Wales.

Chunghwa was probably our best bet because of its natural connection with Ocean Technical Glass in Cardiff, but we missed out on that one. It is an extremely sad story, for which the Secretary of State should apologise on behalf of his predecessor who gave him a budget, set this time last year, which was far too small, in terms both of the departmental budget and the WDA budget.

I understand that Chunghwa made the point that one of the advantages of Lanarkshire was that it had a Eurofreight terminal. In Wales, unfortunately, we do not have a Eurofreight terminal and there has been a battle royal over where the Eurofreight terminal should go. It must be said that the Secretary of State has not been fighting hard for Wales on the issue. I understand that he has been telling people, "Well, I cannot approve the Eurofreight terminal because it may screw up the process of the privatisation of Railfreight. It may involve closing the Pengam rail freight terminal", which belongs to Freightliners Ltd. and is in the constituency of my hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael).

The Secretary of State for Wales is under instructions from the Secretary of State for Transport not to make any decisions on the Eurofreight terminal until Railfreight has been sold. That is not good enough. The Eurofreight terminal is a major generator of new jobs, both directly and indirectly, because it is an attraction to firms such as Chunghwa.

We do not have a Eurofreight terminal and, to be honest, the amount of attention that the Secretary of State has given to the issue is a disgrace to the Welsh Office and to his post. He has an out tray, a pending tray, a mañana tray and, for things that are even less urgent, he has the Eurofreight terminal tray. He has no excuses; the development has planning permission and it has funding.

[Mr. Rhodri Morgan]

All it wants is a go-ahead and a bit of decision making by the Secretary of State. Tolstoy could have written "War and Peace" in the time that it has taken the Secretary of State to make up his mind. I do not know whether he can give us an undertaking about when he will make a decision on the Eurofreight terminal.

We are very pleased by the long-overdue decision, announced by the Secretary of State this afternoon, to take control of European structural funds out of the clammy hands of the Welsh Office and to give it to the infrastructure-providing partners. That decision has been taken about two years after the Scottish Office took a similar decision—not a sign of great dynamism on the part of the Secretary of State. I think that I am right about that; if I am wrong, I shall be interested to hear the Secretary of State's views. That long-overdue change is part of the idea that the Secretary of State should empower people to take more decisions for themselves and that he should remove some of the control over decisions from the Welsh Office.

We notice that, all the time, the Secretary of State makes great play of visiting the four European motor regions with which Wales is connected. I remember that the previous Minister, the right hon. Member for Conwy (Sir W. Roberts), visited Catalonia. I understand that the Secretary of State has been to Catalonia and met its Prime Minister, Mr. Pujol. The Chief Minister of Lombardy was recently over in Cardiff. I do not whether the Secretary of State met him. I see that he is nodding.

The remarkable thing about all those motor regions with their respective headquarters in Milan, Grenoble Stuttgart and Barcelona, is that all their Chief Ministers' are accountable for their actions to the people who live in those regions. They are all directly elected. I often wonder how the conversation goes when Welsh Office Ministers meet those Chief Ministers. I was told that in Catalonia the local journalists were absolutely staggered when they found that this nice young man who had come over as Secretary of State for Wales was not elected by the people of Wales. They were puzzled by that and generally came to the conclusion, "Well, we would not allow that round here".

It is of concern that the Secretary of State's elective status and democratic accountability to the local population is entirely different from that of the local Prime Minister, Premier, Chief Minister, or whatever they are called, whom he meets through Welsh Office connections. He has nice perks and privileges such as going on lovely trips to Catalonia, where he shakes the hands and presses the flesh.

Mr. Walter Sweeney (Vale of Glamorgan): If we were faced with the appalling reality of a Labour Government and if a Welsh Labour Member were good enough to be appointed to a major Cabinet office based in Westminster, would the hon. Gentleman deplore it? Does he accept that promotions in government should be made on merit and not because of where one's constituency happens to lie?

Mr. Morgan: I had to give way to the hon. Gentleman because he is my local Member of Parliament. If it were not for that, I probably would not have done so. His question is meaningless. The Secretary of State for Wales is the hired hand of No. 10 Downing street. He is not accountable to the people of Wales. If there is a fight over a Eurofreight terminal and the Secretary of State for Transport objects because he thinks that it will slow the process of rail privatisation—the big concern for the Government—the hired hand of No. 10 Downing street cannot fight and say, "I don't care whether it messes up that process; I want that Eurofreight terminal decided, determined, approved and up and running soon. I shall put together a grant package for Chunghwa Picture Tube, because if I don't, the people of Wales will vote me out of office at the next election." He cannot do that because he is someone who has his first foothold on the lowest rung of the slippery Cabinet ladder and is wondering when he is going to be promoted to what he would—probably—consider a proper mainstream Cabinet job.

Mr. Hague: I should like to follow the hon. Gentleman's argument to the next stage. If there were a Labour Government, presumably there would be a Secretary of State for Wales, unless the hon. Gentleman is planning to abolish the position. Would the Secretary of State for Wales in a Labour Government be chosen by the Prime Minister or by a popular vote in Wales?

Mr. Morgan: The office of Secretary of State for Wales would obviously be a Cabinet post.

Mr. Hague: Chosen by the Prime Minister?

Mr. Morgan: Yes, of course it would, but—*[Interruption.]* Sorry, that is not relevant. The point is that economic development would be the responsibility of the Welsh Assembly and whoever was the leader of it. If the right hon. Gentleman has not understood that, he has obviously not been reading Labour party policy documents as he claims to have been doing. If he wants to write to the Leader of the Opposition asking for clarification of certain proposals for devolution, he ought to read the documents first. Otherwise, he might be accused of wasting my right hon. Friend's time. Economic development and the funding of a Eurofreight terminal would clearly be matters for the Welsh Assembly, not for the Secretary of State for Wales. Has the right hon. Gentleman got that clear? Will he undertake not to write stupid letters to my right hon. Friend the Leader of the Opposition until he has read Labour's policy documents to at least O-level standard?

Mr. Dafis: I trust that the hon. Gentleman can assure us that any Secretary of State for Wales under a Labour Government would be a Member of Parliament from Wales. Is not the point that it would be absurd for the elected head of a regional Government—the Welsh Office is in effect a regional Government—not to represent a constituency in that region?

Mr. Morgan: It would not be worth while ever going back over the Severn bridge to Wales if we were to choose a Secretary of State for Wales who was not a Member of Parliament in Wales. I can give the hon. Gentleman absolute assurance on that. Although there might be many other things on which he may ask to be assured, we would be spoilt for choice on that front. There is no problem. The problem lies with the Conservatives because, much to our chagrin, they kept ignoring the right

hon. Member for Conwy. They thought, for some strange reason, that he was not proper Cabinet material and instead they have chosen four successive Secretaries of State from English constituencies.

Of course the Government would not treat Scotland in the same way. None the less, they go on about second-class treatment for Wales. We have heard much about it in the debate. The Secretary of State has again written to the Leader of the Opposition asking, "Why are you giving second-class status to your Welsh Assembly?" Should the right hon. Gentleman not be looking for the beam in his own eye, considering that he is the fourth successive English-based Member of Parliament who has become Secretary of State for Wales?

Many commentators have said that even if the Conservative Government were down to only one Scottish Member, however appalling his quality, they would never dare choose an English Member as Secretary of State for Scotland. They are willing to try it on in Wales because it has been a long time since they ever had any expectation of political approval from the Welsh electorate. Indeed, they have not won a majority in Wales since the secret ballot was introduced 130 years ago. Perhaps they are right to give up trying it on with the Welsh.

I should have said earlier that my hon. Friend the Member for Caerphilly (Mr. Davies) apologises for not being able to speak in the debate. He is with my right hon. Friend the Leader of the Opposition, who is on his way down to Wales for 24 hours and will be going to the scene of the Sea Empress tragedy tomorrow. When my right hon. Friend is spending a day in Wales, my hon. Friend must be with him.

We have been very interested in the Secretary of State's letter to my right hon. Friend the Leader of the Opposition because it is remarkably different from the Conservative party press release issued no more than eight months ago by the previous Secretary of State. Both letters carry the same banner of "Conservative Party News" and both purport to be careful, objective costings of Labour's assembly proposals.

In June, just before the right hon. Member for Wokingham took himself off in another direction—to the Back Benches—he said that Labour's assembly proposals were "very modest forecasts". He is a fellow of All Souls, like the Chief Secretary to the Treasury, so he obviously knows what he is talking about. He said that Labour's proposals for an assembly would cost £123 million.

However modest that forecast was, the Government must have been very successful in the fight against inflation in the past eight months because the present Secretary of State says:

"Labour's Assembly would cost £52 million".

The Secretary of State's assistants have been doing some serious work in Conservative party headquarters. If, eight months ago, the assembly was going to cost £123 million but, one day ago, £52 million, one wonders how seriously the Government expect be taken. How can two successive eminences, who are both Ministers and who both have the ability to call on assistance—not civil service assistance of course, although it is probably taxpayer-funded one way or another and done by the political advisers, and so on—estimate costs of a Welsh Assembly that vary in eight months by more than 60 per cent?

Nevertheless, the Secretary of State wants to be taken seriously. Indeed, he made that part of his speech. He said that he wanted answers to the questions that he has asked the Leader of the Opposition. The first thing that the right hon. Gentleman should have done is to say why he thinks that the previous Secretary of State's estimate was so wildly wrong. Then he should have said, "Okay, the previous Secretary of State was an absolute idiot. I am very sorry about that. I am going to have another go. Then we might get taken a quarter seriously."

The right hon. Gentleman should also have referred to the BBC estimate, which came out fairly recently. That does not come from a party political source—although I know that there are figures on the Conservative side who think that the BBC is a political party, or an adjunct to one. The BBC estimate was £25 million.

Then the Secretary of State should have asked the Prime Minister, "In all those interesting meetings you had with the Northern Ireland Members on Monday night when you were trying to get them into the Division Lobby with you, what was the estimate for the cost of the Downing street declaration Northern Ireland Assembly, by which you proposed to introduce a measure of democratic devolution in Northern Ireland, however the peace process eventually turns out in that Province?"

If one believes in provincial autonomy for Northern Ireland, presumably once accepts that it will cost money. Presumably, there will be big rows and differences of view about what sort of electoral system there should be. Although the Secretary of State seems to think that it is only in Wales that there is any possibility of a variation in views between political parties about the system for electing the parties involved in provincial devolution and autonomy, the same applies to Northern Ireland.

We are interested in knowing whether the Secretary of State has come across any estimates of the costs there. Will he answer that question, because we would like to know what costs are being worked on? I do not know whether the right hon. Gentleman will be able to answer, because before he asked us about costs, he should first have gone to the Library to find out how much Stormont cost in its last year of operation, 1972. He should then have asked the Library to uprate that figure by the increase in the retail prices index since then. What were Stormont's running costs in 1972, uprated to the 1996 equivalent? The Secretary of State would have found that the figure would be about £2.5 million.

From there, the right hon. Gentleman could work out how our assembly proposals would relate to the Stormont figures. Stormont is the only devolved assembly that the United Kingdom has ever had, so those figures are all that we have to go on. Obviously, there must be huge differences, but those figures should be the starting point, and we must try to relate our figures to them.

The hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown), who represents yet another constituency east of the Severn bridge, asked, "What about the West Lothian question?" That was effectively answered by the Leader of the Opposition in his speech over the road in the Queen Elizabeth II conference centre a couple of weeks ago. Before answering the West Lothian question, the priority is to ask, "What about the Duke of Lothian question?"

Why is it considered logical for the Government to commit themselves to retaining the hereditary principle, which means that people who are not elected by anybody can vote in the House of Lords on Welsh business, Scottish business and English business? If this is all a big

[Mr. Morgan]

issue, that has to be sorted out first—and that is what Labour proposes to do. There is a package of constitutional reform, of which the Welsh proposals are only a part, and the Secretary of State must respond to it if he expects to be taken seriously.

The Opposition are open about the fact that we have different proposals for Scotland and for Wales. The right hon. Member for Wokingham, when he was Secretary of State, said that ours was a third-class proposal, but the present Secretary of State has uprated it to a second-class proposal. He probably does not understand the fact that the United Kingdom has an asymmetric pattern—a flexible and asymmetric constitution. That is what we are building on.

The Secretary of State certainly should not attempt to frighten the horses by saying that investment will not come to Wales if we have a Welsh Assembly. I do not know what that tells the people of Northern Ireland about what they will face if they have an elected autonomous provincial assembly there, as the Government propose. Will that frighten investment away from Northern Ireland, or is it only in Wales that that would happen if there were a measure of local democratic autonomy?

We keep being told that everyone in Wales will start squabbling, and that tribal conflicts will break out between north and south. "The assembly will be based in Cardiff," we hear. "Isn't that a terrible thing?" The idea of a Cardiff-based assembly is used as a sort of insult; I do not know what that says about the Under-Secretary, the hon. Member for Cardiff, North (Mr. Jones), and his influence on his ministerial colleagues.

We have heard such statements before, although the Secretary of State will not have heard them. He is not old enough to remember Africa before Macmillan's "winds of change" speech, although he might have read about it. The language that he uses about Wales is exactly the sort of language that was spoken by white colonialists trying to discourage Nigeria, the Gold Coast or wherever from introducing any measure of freedom from the British colonialists. The right hon. Gentleman must realise that to us in Wales, such language spoken by him sounds deeply colonial.

There is a lesson there that applies to the Sea Empress disaster too, and we must learn it when we consider the environment. We welcome much of what the Secretary of State said about setting up extra response units in the Welsh Office, but we must tell him about the burning resentment that has been caused throughout south Wales, above all in Pembrokeshire, by the way in which the Sea Empress tragedy unfolded over several days, and changed from a minor incident to a major tragedy.

I know that the Secretary of State has been down to Milford Haven, and I am sure that anybody who goes there will detect the almost palpable sense of burning resentment about the fact that local expertise was ignored while "sea vultures" from the salvage companies, and perhaps jobsworths from the headquarters of the Secretary of State for Transport, made a muck-up of the whole thing by ignoring local expertise.

Until the result of the inquiry is known, we shall not know the truth for sure. I re-emphasise the strong support from those on the Labour Front Bench, not only from shadow Welsh Office Ministers but from everyone else too, for making the inquiry initiated by the Secretary of State for Transport a fully independent one, like the inquiry into the Braer disaster. Otherwise we shall never know whether further improvements are needed in our ways of trying to reconcile conservation of the environment with saving a ship and its oil cargo.

In Milford Haven, our methods do not seem to have worked. The chilling words of the pilot on board the Sea Empress—not the original pilot, but the one who went on board over the weekend—are recorded on tape. They were in all the newspapers, so I am not giving away any secret that should be revealed only to the inquiry. The pilot said something like, "I can see my way to take her clear out to sea now," and the harbourmaster called him back to tell him, "Yes, I agree with you, but I am in a room full of men telling me no."

Those are chilling words, and we want to know who those men in the room were. Most of them were probably acting with the authority of the Secretary of State for Transport. From that moment, things went horribly wrong. The Government cannot hide behind the salvage experts. The conversation between the pilot and the harbourmaster is public knowledge. The Government's handling of the whole affair has not covered them in glory.

The presence in Pembrokeshire of the Minister for Aviation and Shipping, Viscount Goschen, was not much help to the Government. His unofficial family motto, which he told journalists about when he was first appointed—

"Mr. Goschen has no notion of the ocean"—

has now come back to haunt him. Following the heroism of the man from the Chinese take-away, the people of Pembrokeshire now have a lot more faith in the Chinese waiter than in the chinless wonder.

That weekend, people in Wales felt that we had joined the third world. We were being treated as a colony. The authorities were going completely wrong, without listening to local experts, who were treated as people who knew nothing about Milford Haven and its workings. That was one of the major reasons why the affair became such a huge disaster, with environmental and economic consequences that may continue for decades.

Such treatment is common in many areas of Welsh life. This afternoon my local paper, the *South Wales Echo*—

Mr. Ainger: I am grateful for what my hon. Friend is saying. Does he accept that, irrespective of who was involved and where the blame lies—we hope that those facts will come out in full in an independent inquiry—my constituents and the many other people in Wales who have been directly affected, whether they are fishermen, involved in the tourist industry or whatever, will believe that they are being told the truth only if the inquiry is seen to be independent from the Department of Transport?

There is no question about the fact that officials and agencies of the Department of Transport were heavily involved in the salvage operation, or about the fact that Ministers did not implement the recommendations that Lord Donaldson made following the Braer inquiry. Does my hon. Friend agree that, if the Government want a credible report that is well received, as the Donaldson

report was—everyone, all political parties and both sides of industry, accepted it—they will achieve their aim only if the inquiry is independent?

Mr. Morgan: I could not agree more. It is absolutely essential that the inquiry should be independent so that the palpable, burning resentment of the people of Pembrokeshire, and, increasingly, those of Carmarthenshire and North Gower, about the consequences of the ill-fated tanker and the way in which its accident was mishandled can be assuaged and their faith restored. At the moment, those people have no faith whatsoever in the Government.

I know that my hon. Friend the Member for Pembroke (Mr. Ainger) will hate me for this, but I must take this opportunity to pay tribute to him for his remarkable work in trying to bring into the open the reasons why a minor incident turned into a massive tragedy. Given his experience at Milford Haven before he came to the House he is, in a way, a silver lining to this oil-based tragedy. We could not have a more qualified person as the Member of Parliament for Pembroke in these tragic circumstances.

I referred to the fear that we are, in some ways, becoming a third-world country. The headline in today's *South Wales Echo*—a local evening paper—refers to six elderly patients being moved from the Cardiff Royal infirmary to the Heath hospital—the University hospital of Wales—at 12.15 am because of the lack of beds at the infirmary. We thought that the crisis was temporary, occurring as it did after Christmas, and that the Under-Secretary, the hon. Member for Clwyd, North-West (Mr. Richards), who is to wind up the debate, had a plan to solve the emergency admissions crisis. In the early hours of this morning, however, six patients were asked whether they would agree to be moved to the University hospital of Wales because the infirmary had run out of beds in the accident and emergency unit.

That is an example of the reasons why I ask the Secretary of State to park his rose-coloured contact lenses at the Welsh Office. He can use them when he is on sales missions but not on the St. David's day debate, as this is the only opportunity that we have to discuss Welsh affairs objectively, frankly and honestly in the House so that our debate can be heard by the people of Wales. This is the day that we discuss the facts without the salesman's hype or the statistician's sleight of hand.

We, as Members of Parliament, are accountable to the people of Wales. That is why, should the Secretary of State have the opportunity to make this speech again, I beg him to do so without his rose-coloured contact lenses, and instead to tell the story as it really is, not as he thinks that it should be, according to the Conservative propaganda machine.

6.21 pm

Sir Wyn Roberts (Conwy): I always enjoy the speeches of the hon. Member for Cardiff, West (Mr. Morgan), especially when he is on form, as he was today. His speech made compulsive listening. I shall refer to many of the points he made, but my speech will not follow directly from his.

I thought that my right hon. Friend the Secretary of State's speech was very rich in content. Indeed, I am not sure that I have been able to digest it all. We all welcome the radical reformist drive that he is clearly putting into a raft of policies—economic, educational and organisational. We also welcome the positive signs of his success in attracting inward investment, and in reducing the level of unemployment in Wales to that of the United Kingdom as a whole and keeping it there for some 18 months.

I appreciate that the tragedy of the Sea Empress is controversial. That is understandable, and I sympathise with the hon. Member for Pembroke (Mr. Ainger), who has had the responsibility of dealing with the brunt of the problems faced by his constituents. Nevertheless, my right hon. Friend announced a comprehensive list of measures in connection with the Sea Empress, and I am sure that they will be greatly welcomed by those affected.

I shall need to study my right hon. Friend's proposals with regard to the structural development scheme and local authorities, but clearly there is to be a devolution of responsibility to local authorities, which is a welcome move. The moves in connection with the European structural programme and the European social fund are also right, and very much in accordance with the evidence heard by the Select Committee when we were preparing our report on Wales and Europe.

This could be one of my last debates on Welsh affairs, unless such debates are held in other places—I do not mean the other place. I think of colleagues who sat on these Benches but who have passed on. If I mention some of them, I am sure that some hon. Members will be pleased to hear their names—I know that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) will be glad to hear the name of Alec Jones. When I think of my late colleague Michael Roberts, of Brynmor John, John Stradling Thomas and a small host of others, I cannot but believe that there is a very grand debating chamber somewhere in the hereafter where Wales is eternally dissected, examined, discussed and put together again.

Traditionally on this day, which is so close to St. David's day, we always make much of Wales's problems. I once heard the late Huw T. Edwards ask, "Where would Wales be without its problems?" He was a socialist, but a friend of mine, who, at the end of his life, joined Plaid Cymru. Most of us knew that the answer was implicit in the question—without its problems, Wales would be nowhere. Our problems are real enough, especially on occasions such as this, when state of the nation, or state of the constituency, speeches are the order of the day.

I have been thinking about the nation of Wales. We are, of course, very much a nation, but we are not a nation state. That is sometimes forgotten. As Members of Parliament, we rightly feel responsible for ensuring that the British state, which looks after the Welsh people's heritage from yesterday, their interests today and their hopes for tomorrow, looks after those interests properly.

Some of us hope that the British state, which covers all our nations—the Scots, the Northern Irish and the English, too—will be able to look after itself and will not lose so much sovereignty in the years ahead that it does not have the powers necessary to safeguard our diverse interests.

There is no doubt that developments in the European Union in recent years have been causing some concern. We joined the Common Market, but find ourselves on the path to economic and monetary union. Political union cannot be

[Sir Wyn Roberts]

far behind. Some people regard that as a desirable goal; others do not. I must say that I am among the latter, and am extremely sceptical about the wisdom of concentrating so much European governmental power in so few hands, however benevolent their stated intentions.

Mr. Ainger *rose—*

Sir Wyn Roberts: I should like to continue for a moment.

The debate about the future of the European Union has had a powerful effect on our internal debate about the future of the United Kingdom. Proposals to devolve power to Scotland, Wales and Northern Ireland have undoubtedly been given a fillip by the prospect of greater European union. The nationalists regard devolution optimistically as a chance to achieve greater independence within the United Kingdom and the European Union, while others may regard it as the ultimate defence against the overwhelming centralised power of the European Commission in Brussels, or wherever it may reside.

Mr. Llew Smith: I am pleased that the right hon. Gentleman has raised the question of European union and its possible effects on Wales. Only a couple of weeks ago, he and I participated in a radio phone-in programme, when one of the questions related to that very point. I mentioned that the European Union treaties state that budget deficits must not exceed 3 per cent. of GDP, and that that would have a devastating effect on public expenditure. He denied that there was anything in the treaties to that effect. Has he had time to go through the treaties to find which of our interpretations was correct? If I am correct, could he tell the House what percentage cuts to public services in Wales would result?

Sir Wyn Roberts: I have not had an opportunity to chase up that point. I was relying on the hon. Gentleman to write to me to amplify it. It sounds like a reference to the convergence criteria and to what would happen if they were met.

There is a sense of inevitability about European developments, prompted by the fact that there is no alternative on offer except outright opposition. However, there is widespread popular scepticism not only in the United Kingdom but in the countries of the European Union, where people feel that they have been led into a shotgun wedding under the canopy of the convergence criteria. It may be that those developments will not come about, and I for one would not regret that.

The European argument has had a strong bearing on devolution. To judge by the latest opinion polls, there is a fair wind—that is all one can say, and they are only opinion polls—blowing behind the Opposition's proposals. However, as we have learnt again this afternoon, those proposals are shrouded in doubts, defects and disadvantages. The Conservative party must resist those proposals with all the strength it can muster, for the simple reason that they weaken the British nation state, which is still the best and most convincing embodiment of our nations' unity.

Our British nation state has served Wales well and fairly under successive Governments of different party political complexions. We tamper with its constitution at our peril. It seems that Opposition Members have not grasped that they are changing the direct line of responsibility in putting forward their devolution proposals. We know that the direct line of responsibility runs from this House, through Government and the people, but they propose an entirely different line of responsibility.

It has been said, and it was said again this afternoon, that the Government have conceded the principle of devolution in the recent consultative document that offered an assembly to Northern Ireland. The situation there is so different that most of us would be prepared to make almost any sacrifice, even one of principle, to secure peace and stability in the Province. But it is as well to remember that

"devolution was a necessary evil"

in the case of Northern Ireland. That quote is from a reputable historian, R. J. Lawrence, and his book "The Government of Northern Ireland". Stormont, after all, was only accepted by the Unionists in the 1920s as a guarantee that they would not be joined with the Republic without their consent. Stormont, which we abolished, has to take some of the blame for the present discontents.

Ulster had to endure one-party rule without an Opposition for a long time. That is precisely what the Labour party is prescribing for Wales under its devolution regime. I know that the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), other Plaid Cymru Members and the leader of the Liberal Democrats, if he were here, would be crying out that the Labour party should change its proposals and allow proportional representation. As my right hon. Friend the Secretary of State for Wales pointed out, the Opposition are at variance in their attitude towards the election of assemblies in Scotland, Wales and elsewhere.

Mr. Jon Owen Jones: While the right hon. Gentleman is talking about the history of these islands, their constitution and the role that his party has played in opposing constitutional reform over the years, will he take his mind to the history books and think about the situation 100 years ago, when his party was opposed to constitutional reform and devolution for Ireland as a whole? The Liberal party was then the major Opposition to the Conservative Government, and was proposing devolution for Ireland. Does he believe that devolution for Ireland was an obstacle to the unity of the United Kingdom, or would it have helped to maintain the unity of these islands as they were then constituted?

Sir Wyn Roberts: We would need an entire day's debate to tackle that issue. It has already been said that many of those arguments have been heard before. We have been through a great many of the devolution arguments. People went through all the arguments about federalism and anti-federalism in the United States before it was formed into a union. Pretty well all the arguments were covered then. They were covered again in various parts of Europe. History has not proved that devolution of any sort for Ireland has been a success; otherwise, we would not be in the position that we are in today.

Opposition Members have talked a great deal about the democratic deficit in Wales under the present Government. By the same token, if they were elected to government, we would have not only a democratic surplus

but what I would call a demagogic surplus. We would have rule by party caucus.—we are already beginning to get a taste of that—and, of course, their commissar leaders.

Mr. Cynog Dafis: It is important to distinguish between the Northern Ireland and Welsh situations. Whereas, in Northern Ireland, domination by one party was underpinned by the sectarian nature of Irish politics, which made that sort of continual distinction between two parties and domination by one inevitable over a long period, there is no reason to believe that the same situation would exist in Wales.

I entirely agree that the Labour party's proposals are seriously flawed and their insistence on first past the post is a disgrace, but it would be a mistake for the Labour party in Wales to imagine that, even under that system, their total domination of politics in Wales would continue ad infinitum. They would be seriously misled if they believed that to be the case.

Sir Wyn Roberts: The hon. Gentleman is absolutely right. There was one-party rule in Northern Ireland for so long because the Opposition stayed away, in spite of the fact that there was proportional representation. I agree that Wales is different in that respect, and it is most unlikely that hon. Members elected to represent minor parties would keep away from an assembly.

Of course the people of Wales want to feel the proximity of Government, and the Government want them to feel that they are close to them. That is the way in which I regard my right hon. Friend's proposals to enhance the role of the Welsh Grand Committee. Some hon. Members are for ever talking about the "powers" of that Committee. It is not meant to have powers under our system. [*Laughter.*] The hon. Member for Cardiff, Central (Mr. Jones) laughs, which shows the extent to which he fails to understand the parliamentary system. The power rests with the Executive. The power of Parliament, as expressed through its various Committees, is to keep a check on the Executive.

The Welsh Grand Committee should certainly be the voice of Wales to the Government. The Government always listen, but their response must be their own, in the light of circumstances, resources available and so forth. That will always be the position, whatever form of government we have.

Listening, as I occasionally do, to the hon. Member for Caerphilly (Mr. Davies)—I am sorry that he is not in his place, but we know where he is—one would think that all decision-making in the assembly would be a smooth continuum, rather like a fudge-making factory. We all know that easy decisions can be made that way, but tough decisions have to be made by an accountable individual—in our case, the Secretary of State.

We all know that the quality of government in Wales and the drive behind policies and initiatives depend on the Secretary of State. He has shown that in his speech this afternoon—just as the thrust of government in the United Kingdom depends on my right hon. Friend the Prime Minister. There is no escaping that responsibility—not that either of my right hon. Friends would want to do so.

I am intrigued by what we have heard about the relationship between the assembly and the new local authorities. Will they really be under the thumb of the assembly in the allocation of resources? If so, it is a recipe for further conflict. We know that we will have a conflict between the assembly and this place over its allocation of funds, but to have a further major conflict between the directly elected local authorities and an assembly is total nonsense, as I implied in the debate on local government finance.

My strongest objection to the devolutionary proposals is that they will be a time and effort-wasting distraction from the main task facing the Welsh people, which is to raise their standard of living and quality of life. We really must lessen our dependence on the rest of the United Kingdom. That means galvanising ourselves to secure the maximum inward investment and indigenous growth. We have come a long way—I do not think that anyone here would deny that—but we still have a great distance to go: we are all agreed on that. We are all agreed on the importance of inward investment.

Of course, we cannot win them all. We shall lose some projects because there are greater attractions elsewhere. I will not pursue the Chunghwa case, but there is not much doubt that there was a fine site in Lanarkshire, which is, after all, proximate to Ravenscraig. I am sure that the Scots did everything possible, and put everything they had into getting Chunghwa, as we would have done had Llanwern been closed instead of Ravenscraig.

I read the economic case put by the hon. Member for Caerphilly for a Welsh assembly. It is well written, but it has to be, because the case is so weak. He sets great store by the familiar themes that we have been hammering on about for a long time—partnership and a consensus. The implication is that those will be the natural by-products of the assembly. I am far from convinced that they will be. Certainly there is no guarantee that they will. I fear that the outcome will be increased divisiveness, with one area pitched against another, and we will all lose in the long run.

The document refers to the four motor regions—all with far greater populations than Wales, and with a curious lack of respect for their national capitals and national Governments, amounting on some occasions to real distrust. The Welsh view of Whitehall is different from the views of Rome that one will find in Milan. I played some small part in linking Wales with those leading regions of Europe, and I did so with the full-hearted support of the British Government. Without that support, our partnerships could never have developed as successfully as they have done, and Wales would never have had its unique foothold in Europe.

I returned this morning from Baden-Württemberg, where the unemployment rate is the same as ours. They face a relatively difficult time and are concentrating their minds on getting through it. That is what Wales ought to be doing—concentrating on our economic future and prosperity. Our economic circumstances are propitious and our prospects excellent while the Government remain in office. We have low inflation and falling interest rates and unemployment, and our businesses are improving their competitiveness. That is a position much envied by our European partners.

So this is not the time, and I do not see the time arriving in the next few years, when we should be diverted into costly, internal, constitutional wrangling. On the other hand, it must be the time to try to eliminate that disparity of incomes to which the hon. Member for Cardiff, West

[Sir Wyn Roberts]

referred, which grieves me as much as it does him. We want to eliminate that disparity of incomes between Wales and other parts of the United Kingdom, and the best way to do so is by getting more and better jobs in the Principality. I hope that the Government will nail their colours firmly to the mast of further economic development and better education and training in Wales. We shall then see the Opposition disappear into the limbo where they belong.

6.49 pm

Mr. Ray Powell (Ogmore): It is a privilege to be one of the first Opposition Members to be called, especially after 12 years in the Whip's Office. At one time, the occupant of the Chair would place severe restrictions on Whips. No Whip—junior or senior—would be called to speak and Whips would be frowned on if they attempted to intervene. That has changed and Whips are now allowed to speak from the Front Bench and stand at the Dispatch Box. They can ask questions and intervene. The years that some of us served in the Whips office undoubtedly restricted our opportunities to speak in the Chamber. I hope that you, Mr. Deputy Speaker—and Madam Speaker—will bear that in mind in future when I seek to catch your eye.

I know that some of my hon. Friends have much to say, particularly my hon. Friend the Member for Pembroke (Mr. Ainger), who would like to discuss the disaster in his constituency, so I shall not detain the House unduly.

It is a privilege for me to follow the right hon. Member for Conwy (Sir W. Roberts). When he was a Minister, he co-operated with Members representing Welsh constituencies and tried to help us solve our problems. I hope that today will not be his last Welsh day debate. If there is not an election before this time next year, I hope to hear him speak again.

When the right hon. Gentleman referred to the other place I thought that someone had been whispering in his ear. Undoubtedly, there is a place down the corridor where we will be able to meet him and talk to him in future years. I am sure that it will be a long time before some of us will meet him in another place high above here—and there are one or two who may not have that opportunity.

I agree with the sentiments of my hon. Friend the Member for Cardiff, West (Mr. Morgan) regarding his appointment as Secretary of State for Wales. I am sure that he would have received overwhelming support from the Opposition had he been afforded that opportunity.

Mr. Paul Murphy (Torfaen): My hon. Friend and the right hon. Member for Conwy (Sir W. Roberts) are both distinguished sons of Wales with a long, proud sense of history. Do they agree that, as 1997 is the 100th anniversary of the birth of Aneurin Bevan, the local district hospital, Neville hall in Abergaveny, should be named after the modern founder of the health service?

Mr. Powell: I agree entirely, as will my hon. Friends and some Conservative Members, who in all probability will have enjoyed what was introduced in 1947. I look forward to seeing the bust that will be placed in the House of Commons, as will all hon. Members who supported Nye Bevan and share his views and opinions. I am one of his converts. He more or less introduced me to the socialist ideals that are shared by a number of my colleagues.

This year, our annual debate on Welsh affairs is on the eve of the celebrations of St. David's day. I have attended almost every year since I was elected and I have participated several times—whenever I have been fortunate enough to catch the eye of the Speaker or the Deputy Speaker. Sometimes that has proved difficult because I am short and most other Members are taller than I am. On one occasion, when another Deputy Speaker, who I shall not name, deliberately did not call me because I was a Whip, I decided to stand on the Bench and wave my Order Paper in the hope that I would catch his eye. By the end of the debate, I had not managed to catch his eye and I did not deliver my speech. When I asked him in the Tea Room why he had not called me he said, "I am very sorry Ray, but I did not see you." I replied, "How could you not see me when I was the only one on the Opposition Benches?". That was the attitude taken towards Whips at the time.

Despite the statement by the Secretary of State for Wales on local authorities, my local authority—which I share with my hon. Friend the Member for Bridgend (Mr. Griffiths)—has expressed grave concern about the difficulties of meeting the responsibilities of both the Ogwr borough authority and Mid Glamorgan county council in Bridgend. I asked the Secretary of State about the revenue support grant for Bridgend and received a reply from the Minister. I have three specific questions for him tonight. If he cannot answer them when he replies to the debate, perhaps he will give me a written answer that I can pass on to the council.

First, does the Secretary of State for Wales realise that, as a result of a settlement that, for the first time, is based on a reorganised local government system in Wales, which was not requested by the Opposition, but introduced by the Government, council tax payers in Bridgend will face an increase in council tax of some 36.8 per cent. and, at the same time, suffer real reductions in services? Meanwhile, council tax payers in the Aberconwy and Colwyn unitary authority will enjoy council tax increases of only 1.1 per cent. How can the Secretary of State justify such differences in council tax bills arising out of a reorganisation that was meant to provide improved services more efficiently?

Secondly, Aberconwy and Colwyn are allowed to increase expenditure by 5.2 per cent. with a resultant increase in council tax of only 1.1 per cent. while Bridgend is allowed to increase expenditure by 4.4 per cent. yet impose a council tax increase of 36.8 per cent. How can the Secretary of State justify those differences to council tax payers in Bridgend?"

Thirdly, the increase in needs assessment for Bridgend at 1.2 per cent. compares with Cardiganshire at 4.8 per cent., Aberconwy and Colwyn at 4 per cent., Denbigh at 4 per cent. and Pembrokeshire at 4 per cent. In setting the increase for Bridgend at 1.2 per cent., the Secretary of State for Wales is showing a complete disregard for the needs of the people who are covered by a new unitary authority in its first year. How can he justify such a wide range of increases in the needs assessment and how is it that the four successor unitary authorities out of the

former Mid Glamorgan county council have fared so badly when the county council was recognised as being the poorest in England and Wales?

I share the concern about the Rhondda Cynon Taff council area, as my constituency covers part of that area as well as Bridgend. I sympathise with both constituencies in relation to revenue support. The newly elected councillors of Bridgend county council have expressed concern because they will not be able to give their electors the facilities that they had under the Ogwr borough due to lack of financial support from the Welsh Office. Is it fair that our constituents are funding the reorganisation of local government that was imposed on them by the Government when all Welsh councils opposed it?

I shall refer to the Secretary of State's comments about devolution before he leaves the Chamber. I have spent most of my life in the Labour movement and we discussed devolution in the early 1970s. I chaired a committee on devolution for the Welsh Labour party and for 10 years we discussed and developed our policies on it. In 1977, I was the chairman of the Labour party conference in Llandudno which adopted a document that was for devolution, which the Labour Government agreed to implement. All that work, discussion and disagreement was no different from what the Secretary of State suggested is at present being discussed in the Welsh group.

I do not know who the Secretary of State's informer is, but the Welsh group does not mind what information is passed to him about our discussions because they are quite open. Frankly, we have disagreed with our colleagues on devolution since we started to discuss it. However, devolution meant success for one of our members: he became a right hon. Member, was elected to the national executive of the Labour party, was elected to leader of the Labour party, lost an election and then was compensated by receiving a position as a commissioner in Europe. We do not mind that—that is politics.

Those of us who have spent our lifetime trying to have devolution for Wales will still argue in the Welsh group and in this Chamber, and in all probability try to reverse the problems and difficulties the Labour Government had in 1977 and onwards when they tried to introduce devolution and were stopped in this House. We might still fail, but I believe that now the people of Wales are prepared to have a change in government. When the policy for devolution is finalised it will be accepted by the electorate and introduced.

Today I received a number of letters from constituents about last Monday's debate on, and the result of, the Scott report. I received a letter regarding the Prime Minister's declaration yesterday that there had been no deals with the Irish Members before the vote on Monday. The letter suggested that it was passing strange, to say the least, that only one of the Irish political parties, the Ulster Democratic Unionist Party, abstained. The letter also said that an inquiry should be set up by the Speaker to ensure that the House was not misled and that the Members of the minority party who abstained were aware of the debate and understood the consequences of essential voting.

Mr. Deputy Speaker (Mr. Michael Morris): Order. The hon. Gentleman has been a Member of the House for many years, and he will remember that this evening's debate is about Welsh affairs. I am having some difficulty relating what he is saying about a minority party from Northern Ireland to Welsh affairs, but perhaps he is about to make his point.

Mr. Powell: I am glad that you interrupted me, Mr. Deputy Speaker, as I was about to say that hon. Members might be asking what this has to do with the debate on Welsh affairs. The issue is the standing of politicians generally. My constituents have expressed alarm that all the sleaze and Ministers misleading Parliament will dissuade a large percentage of people from voting. This concerns me, and the consequences of the disillusionment of the electors should concern all hon. Members—especially as we shall shortly be fighting to retain our seats.

Those of us with majorities to worry about and who are vulnerable to the swings of electors could find ourselves with a new Government, elected by persons misled by the Government, the press, the opinion pollsters and others who might have a vested interest in misleading. I recommend that all hon. Members read *The Daily Telegraph's* editorial on Irish deals today. The people of Wales have consistently trusted Labour councillors; in addition, of the 38 constituencies in Wales, 27 are held by Labour.

I shall comment on the contribution by the Secretary of State for Wales in this week's "The House Magazine"—I am sorry that he has left the Chamber—which had a special feature on Wales. The article set out the main political parties' attitude to the country and asked leading parliamentarians what it means to be Welsh. I will not make a meal of the fact that the Secretary of State is not Welsh—we all realise that this disability is not entirely his fault.

The Secretary of State for Wales is a Tory, he represents an English constituency in Richmond, Yorkshire, and he is not Welsh—that is an absolute disaster for Wales and its people. Some people might promote his attributes—he is a nice guy, very amiable and there is always a smile on his face. However, there are a number of prominent politicians of all political persuasions whose smiles are a lot larger than their hearts.

I shall comment on the right hon. Gentleman's contribution in "The House Magazine", entitled "A New Sense of Confidence". He claims that business leaders have praised our economy and our work force, and have decided to come to Wales—he then rightly lists the number of firms that have come to the Principality. He states:

> "These firms don't come here out of kindness, they come because we offer low taxes, light regulation, and secure access to UK and European markets."

When asked to explain the reasons for success in Wales, the Secretary of State quipped:

> "a question that would never have been asked in the 1970s".

As a member of old Labour, I remind the young man that the rich rewards about which he boasts are the direct result of the Labour Government's efforts in the 1970s when the Ford and Sony plants were established in Bridgend and in my constituency. Many other factories and industrialists came to Bridgend in the 1970s. The Secretary of State may say that those questions were not asked in the 1970s, but they were and that is why those factories are in Wales today. Investors are prepared to come to Wales because they can see the benefits that have accrued to those factories that were established there in the 1970s.

[Mr. Powell]

The Secretary of State boasts that unemployment in Wales is in line with the United Kingdom average. I remind him that, when I was elected to represent the constituency of Ogmore in 1979, unemployment in the Bridgend catchment area was 3 per cent: 1 per cent. of that number were unemployable because they were silicotic and pneumoconiotic miners and ex-miners; 1 per cent. were involved in the building industry and they were chasing and changing jobs; and 1 per cent. were not seeking work. There was virtually full employment in my constituency at that time. However, within five years of the return of a Tory Government, seven collieries—employing 8,500 miners—closed. Between 8,000 and 10,000 workers from the Margam steel works were made redundant. After only five years of Tory Government, 20 per cent. of workers in the Bridgend catchment area were made redundant.

We want to see better pay and job security in Wales. Workers must enjoy more protection under recognised union agreements and they should not be threatened with the sack if they attend hospital appointments, for example. People are working part-time for peanuts in order to repay student loans—those with degrees cannot find real jobs.

The Secretary of State boasts also about improved water quality under the stewardship of Dru Cymru. However, he failed to mention the costs that are borne by Welsh Water users. Anyone who reads the article in "The House Magazine" might assume that the "new sense of confidence" about which the Secretary of State writes was achieved within his first few months at the Welsh Office. Much research has been done into Welsh Water. I have a document entitled "Waterfacts about Welsh Water", which examines its profits, perks and pay. Welsh Water achieved a dividend of £28,100,000 in 1990-91, which escalated to £49,600,000 in 1994-95. That is an increase of £21,500,000 or 77 per cent.

In conclusion, it is not a question of confidence—as the Secretary of State writes in "The House Magazine"—but a lack of confidence on the part of the Welsh people. They have no confidence in retaining their jobs, in economic growth, the health service, the education system, housing, law and order or in the fight against drugs. Above all, they have no confidence in the Government. Labour will fight to win for Wales and for all the people of the United Kingdom. The Secretary of State for Wales should spend some time in his constituency unless he wishes to share the experience that his Government have forced upon thousands: the humiliation of unemployment.

7.14 pm

Mr. Walter Sweeney (Vale of Glamorgan): I am pleased to have the opportunity to celebrate St. David's day a day early by talking about some of the achievements in Wales and about our hopes for the future.

Developments in or near the Vale of Glamorgan in recent years exemplify the exciting enterprise culture that has developed in Wales. I shall give a few examples. The Ford and Sony plants near Bridgend and the Bosch plant in the rural vale near the M4 are examples of the inward investment that has been encouraged by lower rates of corporation and income tax, low inflation, a stable work force and the much lower social costs of labour in Wales compared with many other European countries.

During a visit to Stuttgart a few months ago, I talked to a senior Bosch employee who had managed the plant in Wales. He said that Bosch's success in the Vale of Glamorgan was due mainly to the relative lack of red tape in Wales compared with Germany. With the active assistance of the Welsh Development Agency and local planners, Bosch designed and built its plant in the vale in half the time that it would have taken in Germany. The speed with which the plant reached productive capability helped to provide Bosch with a return on its capital investment significantly sooner than would have been possible in Stuttgart.

The unavoidable social costs of German labour mean that the cost of employing a top quality work force is much greater than in the vale. The Government's steadfast refusal to adopt the social chapter means that we will retain that competitive advantage—while the Conservatives remain in power. The Bosch factory in the vale remains competitive also because it is allowed to move raw materials and manufactured goods seven days a week, instead of being restricted by lorry bans at weekends. As a result of the flexible shifts worked by Bosch personnel in the vale, productivity can be readily adjusted to meet demand—unlike the system in Stuttgart and certainly unlike the bad old days under the last Labour Government, which encouraged restrictive practices and the loss of many working days through strikes.

Mr. Win Griffiths: Will the hon. Gentleman explain why Sony and Ford came to the Bridgend area when Labour Governments were in power?

Mr. Sweeney: I did not suggest that the Welsh environment was totally hostile to investment under a Labour Government. However, I do suggest that the changes that have occurred in the past 17 years have produced a climate that is more conducive to inward investment.

Further exciting investment has come to the vale recently. The British Airways maintenance base, which was opened by the Prince of Wales, is providing high-tech jobs and is making a valuable contribution to the local economy. RAF St. Athan has civilianised many jobs.

Mr. Michael: I am intrigued by the hon. Gentleman's references to Bosch and to British Airways. As he has been in the vale for only a short time, perhaps he is not aware of the leading role played by the local authorities—particularly South Glamorgan county council—in bringing those jobs to the area. Secretaries of State have paid tribute to their work and I think that the hon. Gentleman should follow suit.

Mr. Sweeney: I am certainly happy to pay tribute to local authorities that have taken advantage of the climate provided by the Conservative Government to attract inward investment. Vale of Glamorgan borough council, which for most of my time in south Wales has been under Conservative control, has certainly been helpful. I hope that the new Vale of Glamorgan council will continue to take advantage of the enterprise culture and continue to encourage further investment in the Vale of Glamorgan.

Mr. Llew Smith: I was interested by the hon. Member's earlier comments, which seemed to imply that the number of days lost through strikes under the Labour

Government had a devastating effect on the economy. Would the hon. Gentleman care to compare the number of days lost through strikes under the Labour Government with the number of days lost through unemployment under the Conservative Governments since May 1979? The days lost through unemployment have had a devastating effect on the economy. I believe that 500 million days have been lost in Wales through unemployment.

Mr. Sweeney: The hon. Gentleman is not comparing like with like. There is simply no comparison between the number of days lost through strikes under the Labour Government and the number of days lost through strikes under the Conservative Government. As for the considerable increase in unemployment that has taken place, clearly many people under the Labour Government did not do a fair day's work for a fair day's pay. Much of industry was grossly inefficient and uncompetitive.

Mr. Smith: Will the hon. Gentleman give way?

Mr. Sweeney: I cannot keep on giving way.

The British Airways maintenance base, which was opened by the Prince of Wales, is providing high-tech jobs and making a valuable contribution to the local economy. RAF St. Athan has civilianised many jobs and has maintained the competitive edge necessary to retain valuable contracts against the challenge of competitive tendering.

I regret the recently announced loss of driver training jobs at St. Athan, but I accept the economic arguments of my hon. Friend the Minister of State for the Armed Forces for centralising driver training at Leconfield. I believe that RAF St. Athan will continue to thrive in a competitive environment.

Cardiff international airport is going from strength to strength since it was taken over by TVI plc. Since the takeover, substantial investment in the airport has already been made and much more is in the pipeline. My right hon. Friend the Secretary of State made one of his regular visits to the Vale to open a new visitor reception lounge at the airport, which is the envy of terminal two at Heathrow.

In Barry docks, Associated British Ports, in close co-operation with the Welsh Development Agency, and the Vale council—if the hon. Member for Cardiff, South and Penarth (Mr. Michael) had waited, he would have heard me pay tribute to the local authority—has exciting plans for the regeneration of that important part of Barry.

Of course, the prosperity of Wales depends not only on new development, but on the expansion and success of existing firms. I recently visited Dow Corning to see the progress on expansion there. The new Genesis plant will provide about 200 new jobs, many of them highly skilled. Welsh Water and Dow Corning will co-operate on a new water treatment plant to reduce dramatically pollution into the Cadoxton river. Welsh Water is also building a new sewage treatment works at Cog Moor, which will be very welcome to all my constituents, but especially to those who enjoy water sports. They will benefit from a big improvement in the quality of sea water in the Bristol channel.

Mr. Llew Smith: The hon. Member said that, under Labour, many working people did not do a fair day's work for a fair day's pay. Would he care to mention those Welsh workers who cheated their employers at that time?

Mr. Sweeney: I do not understand the question.

As important as the big firms in Wales are the small firms from which bigger firms grow.

Mr. Smith: Let me have another go.

Mr. Sweeney: I think that the hon. Gentleman has had quite enough goes for one afternoon.

Last week, I enjoyed visiting the Lion laboratories in Barry where sophisticated equipment is manufactured, at very high levels of quality control, for the provision of breath-testing equipment. The flexibility of the 96 Lion employees in Barry, a significant proportion of whom have masters or higher level degrees, is such that they are able to produce different equipment to meet the exacting requirements of various countries, as well as supplying almost all the police forces in Britain with roadside screening devices and evidential devices for use at police stations.

I warmly welcome the commitment by my right hon. Friend the Secretary of State to fund the design stage of the proposed new link road between Culverhouse Cross and Cardiff international airport, a scheme for which I have pressed him and his predecessors for the past four years. I have just had a meeting with TVI plc at which we stressed the fundamental economic importance of the new road for the airport and the surrounding business sites. I emphasise that not only the airport but the whole of Barry—especially the docks and industrial complex nearby—will benefit from better communications. I therefore ask my right hon. Friend to give a commitment to the House that after the design stage has been completed, the Welsh Office will provide funding for the construction stage so that that vital project can come to fruition.

I hope that the few examples that I have had time to give, of successful and exciting business developments in my part of Wales, will help to counter the usual messages of doom and gloom that we have heard from the hon. Member for Cardiff, West (Mr. Morgan). I seriously suggest to him that—instead of running Wales down by constantly harping on about the gross domestic product per head in Wales being lower than that of the United Kingdom or about lost jobs in twilight industries—he should break the habits of a political lifetime and talk up the achievements of the Welsh people instead of talking them down.

Wales has done well relative to the rest of United Kingdom and relative to other parts of Europe in recent years. In this St. David's day debate, let us send out from the House a message of confidence and hope for the future.

7.26 pm

Mr. Alan W. Williams (Carmarthen): I wish to comment, in this annual Welsh debate, on two big problems that worry my constituents. One is the state of the education service and the other is the recent Sea Empress disaster.

[Mr. Alan W. Williams]

I attended the Secretary of State's budget statement on 13 December and I have been present for Welsh questions and the debate on local government. Continually, the Government line is that the settlement is very generous and 3.1 per cent. above last year's rate support grant settlement. Of course, there is a deep difference between the Government and us about their interpretation of the statistics on planned expenditure and outturn expenditure. Outturn expenditure is higher than the current RSG settlement.

The arguments that we have had in the House have been rather academic for people back home. The reality of the settlement, which is increasingly hitting parents and teachers at schools, is that it is severely stringent.

The new Carmarthenshire county council—my local authority—will be faced with a 17 per cent. increase in council tax and, at the same time, a 3.7 per cent. cut across the board in all local authority expenditure. People will not be able to understand why the council tax is going up by about £100 a household and, at the same time, social services, highways and—especially—education are suffering cuts. The cuts come after 17 years of regular stringency in the education budget which has faced many cuts before.

In Carmarthenshire over the decades, we have given a high priority to education and I have been proud of our educational attainment. The league tables—not that we attach complete credibility to those numbers—show that the secondary schools in my constituency compare very well with those in the rest of Wales and are substantially better than the average for England and Wales. There are many good schools in my constituency. Rural schools tend to be good, whether they are English medium, Welsh medium or bilingual. There are excellent schools, but they are working under severe handicaps in terms of class sizes, quality of buildings and additional resources such as laboratory equipment, for example.

I have received about 15 or 20 letters on education matters over the past few weeks. First, I shall refer to a letter from the head teacher of Llandovery comprehensive school. He wrote to tell me that his is a small rural comprehensive school that faces cuts of between 2.4 and 4.0 teachers. In other words, three or four teachers will have to lose their jobs. That is based on a cut of 3.7 per cent. This head teacher sent me a league table of all the comprehensive schools in Carmarthenshire. It reveals that in some areas three, four, five or six teachers may have to lose their jobs. In Amman valley, eight may lose their jobs.

Mr. Gareth Wardell: Does my hon. Friend agree that the Audit Commission set out the position clearly a couple of years ago in its publication entitled "Adding Up the Sums"? School governing bodies are faced with the choice that my hon. Friend has described so clearly. That is the choice of sacking teachers or not paying them the increments that they should receive every year. That is the dilemma that Government expenditure controls are imposing on governing bodies.

Mr. Williams: Absolutely. There is a problem for all schools in finding people who are willing to be governors. If there is a positive pattern of growth, expansion and investment for the future, and at the same time the creation of a better atmosphere and better opportunities for children, everyone will want to be part of it. When there is regular cost cutting and it is necessary to choose areas in which to impose cuts, the role is distressing and governors become pessimistic.

Tregib comprehensive school is near Llandeilo. A governor set out the options that face the school, which are the loss of four teachers, a reduction in the choice of subjects, reduced support for special needs, increased class sizes and a threat to peripatetic teachers.

Llanarthne primary school has 58 pupils. It will have 2.8 teachers instead of 3.0 teachers. It is a three-class, rural primary school and for one teacher there will be only a four-day-a-week salary. The way in which the cuts will have to be met can be described only as incredible.

The cuts that I have described will damage children's futures. Given that they will be imposed in addition to the cuts of previous years, it is clear that education is not safe in Conservative hands. Equally, it is apparent that our children's futures are not safe in the Government's hands.

My hon. Friend the hon. Member for Pembroke (Mr. Ainger) has done enormous work over the past two weeks in response to the Sea Empress disaster. My constituency is the next one up, as it were, and the oil slick is affecting Carmarthen bay and Pendine sands. It will have an effect on the tourism industry in my constituency.

I was brought up in Dyfed. I saw the oil industry develop during my early years in the 1960s and 1970s in Milford Haven. It is a natural deep-water harbour. There was concern about the development in the 1960s because it was taking place in a rich environment. We were reassured, however, that with modern technology there would not be major disasters. We were told that there would be occasional oil spills, but that with booms and recovery equipment the spills would be controllable.

The record of the 1970s and 1980s was relatively good. It is surprising, however, that the international transport of oil has had a worsening safety record over the past 10 years when all other forms of transport have had improving records. Numbers of road transport accidents and deaths fall year by year. The safety record of air transport is improving. There are only a few rail transport incidents. I do not understand why the record of oceanic transportation of oil is becoming worse.

I appreciate, of course, that there are international problems. We have flags of convenience and Russian crews, for example. I do not understand why we cannot formulate better international regulations and arrive at better co-operation so that, for example, when a vessel is in British waters at least one person on board can speak English. That was one of the recommendations of the Donaldson report. Indeed, that seems elementary.

With modern navigation aids, how did the Sea Empress disaster happen? I understand that the latest radar equipment was not functional for the past six months. As the disaster took place at low tide, or as the tide was going out, was it an example of cost cutting on the part of the tanker's captain? Was he trying to get into port rather than wait for the next high tide, which would have been six hours later? Was he in a short-cut manoeuvre in working against the clock? My third question—

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. Williams: I am sorry, but I shall not allow the hon. Gentleman to intervene. Time is against me. I know that Opposition Members want to be disciplined in the use of time.

There were delays between the Thursday evening and the Monday. It is incredible that the tanker was stranded for four days and unable to be refloated. It is especially surprising that it was unable to be refloated on the Saturday, when the weather was calm. Wales played Scotland that afternoon at Cardiff Arms park and my concentration was there. It was a still, wonderful day. The availability of tugs has to be examined.

The Sea Empress is an example of massive vessels carrying enormous cargoes. Going back about 25 years, my reading has told me that a second hull is an obvious safety measure. I understand that the United States will not allow oil tankers into its ports unless they are double hulled. If that is the case in the United States, why not in Pembrokeshire, in Milford Haven and in Europe generally? It should certainly be the position in Pembrokeshire, which is an area of especially high nature conservation value.

Dispersants help to get oil out of sight but their toxicity is a problem. I wonder sometimes, especially given the geographical position of Pembrokeshire, whether it would not be better to let nature take its course. In mid-winter, there are strong winds and rough seas—those are the conditions in March, April and May for example—and given western approaches the oil will be washed into the oceans gradually without the aid of dispersants. I recognise, of course, the argument that is mounted on behalf of oiled sea birds.

The Secretary of State spoke earlier about compensation. I ask that the Government provide every possible mechanism to ensure that 100 per cent. compensation is provided for fishermen, for the clean-up costs and for the effects on the tourist industry that are bound to materialise over the next few months and possibly during the next year. I understand that compensation payments for the Braer incident cost about £70 million. The capped funds available for this incident may not be enough. If they are not, the Government and the oil industry must work on that. If the oil industry wants a good future in Pembrokeshire, as a good neighbour it must from its own resources and on the polluter pays principle find 100 per cent. compensation for the losses. When we look at its turnover—it is a multi-billion dollar industry—£100 million is not an enormous amount.

We must, as my hon. Friend the Member for Pembroke has argued vigorously and consistently since day one of the incident, have a full and open public inquiry. Recall Donaldson. An internal inquiry just will not satisfy the local people. We want to know exactly why the incident on that Thursday evening happened, why it took four days to refloat the tanker and why during that time we turned what was a problem into a catastrophe.

7.40 pm

Mr. Martyn Jones (Clwyd, South-West): I shall speak briefly about the effects of the revenue support grant on services for my constituents and on the local authority areas that are being formed from Clwyd. Unfortunately, I was unable to speak in the revenue support grant debate. Following it, during Welsh Questions on 19 February, I asked a question of the Secretary of State for Wales. I pointed out that, during the past two years, 411 teachers had gone from the Clwyd area but the number of pupils had grown by 710. I asked what he would say to the parents of pupils in my constituency. He did not tell me, but he said that I had not voted against the revenue support grant. I must put on record the fact that I was unable to attend the debate because I was in Brussels, on a day trip, on Select Committee business. I can assure the House that it was quite gruelling. We talked to Franz Fischler, the Agriculture Commissioner, about problems in agriculture which affect my area. There were three Tories with me who also did not vote—in their case for the revenue support grant—so I was on a winner there in terms of numbers.

The Chancellor's Budget last year assumed a freeze on local authority spending in 1996-97. All the signs are that, after the Budget, the situation is worse. His verdict on the settlement was that pay and price increases should be offset—or more than offset—by efficiency savings and other economies. How often have we heard that one? It takes no account of local authority associations' demand for a cash increase of 13 per cent. just to maintain services and cope with the growing demographic and legislative pressures of community care, rising pupil numbers, the new landfill tax and maintaining local roads. It is hard to see how local authorities in Wales will survive within the Government's capping limits.

In my constituency, the county borough council of Wrexham faces an additional burden—the costs and difficulties of coping with the effects of local government reorganisation. It and other councils in Wales face a very difficult year in 1996-97.

We all remember the Tory fiasco at the most recent local government elections. It is upsetting and frustrating to think that the Government's continuing cuts to local authorities may in part be due to their almost total lack of representation at that level of government. When a Government have become so distant from the people that they are prepared continually to slash local funding, in the knowledge that it will badly damage public services, it is dishonourable for them to cling to power. A grant settlement sufficient to prevent damage to our public services is vital.

I mentioned the horrendous cut in the number of teachers, which has resulted in an increase in class sizes in the Clwyd area—now Flintshire, Denbighshire and Wrexham, the new unitary authorities. I point out to hon. Members that, in future, I intend to use the word "Scottism", the dictionary definition of which will be: an example of Government incompetence wrapped up in layers of doublespeak, contradiction and paradox, with an abundant supply of Ministers reinterpreting the meaning of words to suit the occasion. An example of a Scottism is when a Government refuse to acknowledge "sophism" as the dictionary definition of a downright lie.

Examples of Scottisms are, as is to be expected, abundant in the Welsh Office, particularly in education. As I have said, we have 400 fewer teachers in Clwyd and an extra 700 pupils, yet we are supposed to believe that we have been given an increase in education funding.

[Mr. Martyn Jones]

Another concern is the nursery voucher scheme and its specific impact in Wales. There has been plenty of rhetoric from the Welsh Office but little in the way of hard facts and figures. How much will really be taken from each local authority to pay for the scheme? Do not the Government realise that nursery education—thanks to Labour authorities in Wales—is already provided by more than 90 per cent. of local authorities in Wales, and that the changeover to nursery vouchers will disrupt the system? The Welsh already pride themselves on nursery provision. A classic Scottism is the use of the word "nursery" in this case because, as Ministers should know, the word means different things in Wales and England, as Welsh children already enjoy it as part of local authority provision.

It is appropriate to note that the National Farmers Union in Wales reported this week farmers' disgust that the Government are to cut discretionary payments for the use of milk in schools and in school catering. Pupils will no longer benefit every day from receiving just under half a pint of low-cost milk. As hon. Members will know, the EU scheme enables schools to buy subsidised milk and milk products and pass on the benefits to children in the form of cheaper or free milk. Milk is an important nutritional element in the diet of children throughout the United Kingdom, providing them with the essential protein and calcium necessary for healthy development. The National Osteoporosis Society and nutrition experts have stated that drinking milk may help children to guard against osteoporosis in later life.

The growth and popularity of convenience foods, particularly sugary snacks, make the cut particularly worrying. The cut is disgraceful, bearing in mind the fact that it is being made at a time of widespread concern about the poor quality of child nutrition. It is another example of cost cutting at any cost and of the Government scrambling around to slash resources to patch up their own mismanagement.

I come now to the problems in the fire service. I shall quote from a letter that the north Wales fire authority sent me:

"At its Budget meeting on 13th February, 1996, the North Wales Fire Authority expressed concern regarding the extreme pressure under which it would be placed during its first year.

In particular, Members of the Fire Authority were informed that the financial pressure on its revenue budget had been increased by the very disappointing level of Basic Capital Allowance given by Central Government"—

about £296,000—

"compared with the previous combined total for Gwynedd and Clwyd . . . in excess of £1.2m.

Such was Members' concern that they have asked for an urgent meeting with the Home Secretary to highlight the likely consequences of the Authority's problems . . . Also, on a national level, concern was expressed at the current situation regarding pensions liabilities which this Authority and others in England and Wales are faced with as an increasing burden on revenue and the need for a revision of policy by Central Government."

It has written to the Home Secretary requesting him to meet a delegation so that it can raise the above and other issues of concern with him. A copy of that letter has been sent to the Secretary of State for Wales, so I hope that, in his winding-up speech, the Minister will say that the Secretary of State will support the authority's case to the Home Office. I hope that he will support it to the full.

We have heard about the problems of Theatr Clwyd. I believe that writing off the £1.3 million debt—although it sounds a lot of money—is not enough, because it is only a £200,000 revenue equivalent: in other words, the debt repayment is £200,000 a year. That means that the three remaining authorities in Clwyd will have to stump up at least £150,000. Wrexham, certainly, cannot afford that: it can probably afford only about £50,000.

Even paying that amount would force Wrexham to choose between a theatre of national importance and local services such as the provision of teachers and home helps. I do not think that such choices should have to be made. It is particularly objectionable for a council to have to decide whether to finance a theatre that is a wonderful national asset, and, moreover, is patronised by a number of people from across the border who will visit it free of charge, or will make a reduced, subsidised payment. The Secretary of State should not expect local government to continue to provide such funding, and it is disgraceful to expect the council to choose between financing the theatre and financing essential services such as community care and education.

7.50 pm

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): I am delighted to be able to speak in our annual St. David's day debate—and to be the only English contributor apart from my right hon. Friend the Secretary of State, which may enable me to speak objectively about Wales.

I intended to make two points. The first concerned the Sea Empress; the second concerned Labour's proposals for a Welsh assembly. My right hon. Friend's speech, however, was a breath of fresh air: he announced a huge number of new initiatives. I was particularly impressed by the devolution of policy from the Welsh Office to 22 free-standing authorities, which must be one of the largest such devolutions ever announced to the House. I would have expected all hon. Members—especially Opposition Members—to welcome that, as it represents the working of local democracy and gives Wales a greater say over its own affairs.

Mr. Win Griffiths: My hon. Friend the Member for Cardiff, West (Mr. Morgan) specifically welcomed a number of those announcements.

Mr. Clifton-Brown: I am delighted that the bipartisan spirit is returning to our debate. Surely we all want as many businesses and as much inward investment as possible in the province. The Opposition's support for my right hon. Friend's excellent proposal will help to create the confidence that will produce the inward investment and business climate to which I have referred.

Mr. Dafis: Some Opposition Members find the word "province" rather offensive in this context. My main point, however, relates to the devolution of powers to local authorities. A future Secretary of State could reverse the position, and Welsh Members would not be able to do anything about it. That is why we need democratic power at an all-Wales level.

Mr. Clifton-Brown: The hon. Gentleman cannot have it both ways. I understand that his party favours

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independence for Wales, yet he says that he does not like the phrase "Welsh province". Does he want an independent Wales, or does he want Wales to be part of the United Kingdom, as I do?

Mr. Dafis: Both.

Mr. Clifton-Brown: It is understandable for a member of the hon. Gentleman's party to want to have his cake and eat it.

Wales is fortunate to receive the benefits announced by my right hon. Friend, some of which we would do well to mirror in England. For example, every school in Wales is to be given an attainment target. Moreover, if the targets are not high enough, the schools will be asked to reconsider them. There are to be 500 more modern apprenticeship schemes and, subsequently, 3,800 more modern and accelerated apprenticeship schemes. My right hon. Friend announced many more education proposals. I am sure that my constituents would be delighted to be given the £2.2 billion that the Welsh have spent on health, in per capita terms. I note that the number of patients waiting more than six months for treatment has fallen by 75 per cent. I especially welcome the replacement of 16 health authorities by five: I have long believed that we should cut the bureaucracy in the health service, which employs nearly 1 million people. It is the largest organisation apart from the Red Army.

I shall return to my original theme. I welcome devolution to the province of Wales, as I like to call it. My right hon. Friend announced a strategic development scheme, which would provide a large amount of money—£13 million this year, rising to £38 million in three years' time. A total of £360 million in European objective 2a and 5b funds is to be channelled into the province; £959 million is to be spent on regeneration. That amounts to nearly £1 billion, and the 22 stand-alone authorities will at least have more say over its use than they have now.

I particularly welcomed my right hon. Friend's announcement about the environment. The budget of the Countryside Council for Wales is to be increased. Perhaps that announcement is nearest to the hearts of the Welsh people affected; I understood the comments of the hon. Member for Carmarthen (Mr. Williams), and I have no doubt that the hon. Member for Pembroke (Mr. Ainger) will make further comments. As a member of the Select Committee on the Environment, however, I share the concern that is felt about the enviromental effects of the Sea Empress tragedy. We must all try to learn lessons from it. None the less, I hope that we will not over-emphasise its impact—the last thing that we want to do is to kill the tourism business stone dead.

I pay tribute to the heroic efforts made by all who have been involved in the refloating of the Sea Empress, and those still involved in the clean-up. They are doing magnificent work, and I am only too grateful for the fact that the country has been provided with some of the greatest expertise available. Opposition Members have made a number of accusations about the Government's handling of the process. It has been said, for example, that the Donaldson recommendations have not been followed and, in particular, that there was not on station at the time a tug of sufficient capacity to refloat the Sea Empress. That is not true. There was a Chinese tug of suitable capacity on station.

Mr. Nick Ainger (Pembroke): The hon. Gentleman has been misinformed. The Chinese tug was claimed by the salvors to be either the sixth or the ninth most powerful in the world, depending on which press conference one attended. Sadly, however, she was not a salvage tug; she was designed to tow large objects for long distances. When she attached herself to the Sea Empress, it was clear that the crew were not a salvage crew. That is no criticism of them, or of the master. The vessel was not designed to operate in such waters, and to be manoeuvrable. A mistake was made and, within between 12 and 24 hours of coming off station, the tug was put off charter—the reason being that she could not do the job.

Mr. Clifton-Brown: I am grateful to the hon. Gentleman for that information, but a tug of that capacity was available. The Donaldson report said that the Government should make more salvage tugs available on station. The Government acted and put salvage tugs in Dover and on the north-west coast simply because those were adjudged to be the two most vulnerable regions. I understand that the approach to Milford Haven is relatively simple and that, therefore, the risk was not judged to be so great.

It is not surprising that it was extremely difficult to refloat a vessel that is almost 1,000 ft long, was carrying 160,000 tonnes of oil and had a draught of 24 ft—I believe that is the figure. Once it had been grounded, it was an almost Herculean task to refloat it. The hon. Member for Pembroke shakes his head. He obviously does not know much about it.

Mr. Ainger: Will the hon. Gentleman give way?

Mr. Clifton-Brown: No. I have given way to enough Opposition Members. It is clearly extremely difficult to refloat a vessel of that size and weight once it has been grounded. The main thing that we must guard against is a similar incident happening again.

I tried to intervene on the hon. Member for Carmarthen on that point because, as the hon. Member for Pembroke will know, once such a vessel is under the command of the pilot, it is his duty above all others—his takes precedence over the captain's command—to ensure that the ship is safely manoeuvred into port. Any accusations that the captain could not speak English or did not know the waters do not, therefore, hold water.

The investigation that my right hon. Friend the Secretary of State for Transport has set up may delve into those matters. I am delighted, as I hope the hon. Member for Pembroke is, that an independent investigation is to take place. It will have all the expertise. I understand that my right hon. Friend is already taking independent advice on a number of matters. When the investigation is complete, the Government will publish it and consider its recommendations carefully to ensure that such a disaster cannot happen again.

I welcome my right hon. Friend's announcement that the Wales tourist board will do all it can to reassure visitors to Wales so that—as all Opposition Members would want—the number of visitors, especially later in the year, will not diminish as a result of the disaster.

I warmly welcome the insurance provision that has been made. Some £10 million will be available from the oil tanker's insurance and a further £50 million will be available from the oil bond that was set up after the Exxon Valdez disaster. It is worth mentioning that that disaster

[Mr. Clifton-Brown]

cost £2.5 billion, so the hon. Member for Carmarthen is right—there is concern that there may not be sufficient money to meet all the claims that may eventually be made. I hope that my right hon. Friend will speak severely to the oil industry if it does not cover all valid claims. There could be a case against the insurers if that happens.

I am sure, Mr. Deputy Speaker, that you do not want me to go on for too long, so I shall come to the last section of my speech—about the Labour party's serious proposal for a Welsh Assembly. My right hon. Friend the Secretary of State has written to the Leader of the Opposition, who is visiting Wales today on a high-profile visit—no doubt getting ready for the next election and trying to garner votes. He will not be able to give the people of Wales answers to questions about the Labour party's main policy: a Welsh Assembly. The House is entitled to receive tonight from the hon. Member who is to wind up for the Opposition the answers to some of those questions.

For example, why would Wales receive a second-class assembly? Why would it not be the same as the Scottish assembly? Why would the people of Wales not be given the opportunity to have a referendum on the issue before the Labour party got anywhere near the reins of power—if it were ever that fortunate? Why would it not give the people of Wales a referendum? Let the people have a say as to whether they want their own assembly.

I intervened on my right hon. Friend the Secretary of State to ask about the West Lothian question. Why on earth should English and Welsh Members be able to vote on English expenditure, but unable to vote on Welsh expenditure? That would be a wrong that my English constituents would feel sore about. Why should Members from Wales have control over their affairs, while my constituents, through their Member of Parliament, would have no control over Welsh affairs?

How much would the Welsh Assembly cost? The hon. Member for Cardiff, West (Mr. Morgan) was carping over our cost estimates, but, as it is his policy, he should be able to tell us how much it would cost. He cannot even do his sums and tell us. Why can he not tell us what form of voting there would be for the assembly? Why is it proposed that Scotland should have proportional representation for its assembly, but Wales should be relegated to the first-past-the-post system? Why should the two assemblies have different voting systems?

Why cannot Labour Welsh Members tell us? I shall happily give way if they can give us any answers to any of those questions, but they cannot. They have not thought it through. It is preposterous that the Leader of the Opposition should go to Wales to con the Welsh people into giving him their votes when Labour Members cannot even give elementary answers to elementary questions. The Opposition have an enormous amount to answer for.

8.6 pm

Mr. Nick Ainger (Pembroke): The previous speech shows why we should try to restrict speeches in such a debate to Welsh Members.

Mr. Deputy Speaker: Order. Hon. Members called to speak are chosen by the Speaker. That job will remain with the Speaker and not with Back-Bench or Front-Bench Members.

Mr. Ainger *rose—*

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. Ainger: No.

Mr. Clifton-Brown: I gave way to the hon. Gentleman.

Mr. Ainger: Perhaps the hon. Gentleman will want to intervene after I have corrected most of his mistakes, which were of a factual nature.

It will come as no surprise to hon. Members that I will deal purely with the Sea Empress—by any account, the most serious environmental disaster that this country has experienced, including that of the Torrey Canyon. For Wales and the north Devon and north Cornish coasts, the Sea Empress is potentially one of the most serious economic disasters.

I pay tribute to the individuals and organisations who have played such a great part in the salvage operation. On the night of 17 February and throughout the early hours of Sunday 18 February, individual tug crew members, the Sea Empress crew, the pilots and the salvage crew put their lives at risk. For 12 hours, the conditions were horrendous.

I put on record my appreciation of the enormous effort that is still being made in my constituency and in the constituency of my hon. Friend the Member for Carmarthen (Mr. Williams) by the clean-up teams and by the district and county councils. Hundreds of men are mobilised and many resources are being expended in tackling the horrendous problems on our beaches.

I thank all the volunteers from all over the country who have given their services to assist with the clean-up operation, especially in collecting the oil-affected birds that are constantly washed up on the Carmarthenshire and Pembrokeshire coastlines. The work carried out by the Royal Society for the Prevention of Cruelty to Animals and the Royal Society for the Protection of Birds has been invaluable even though, unfortunately, it will not prevent many deaths from oiling.

Surely the issue is how the accident, which occurred on Thursday night, could have turned into disaster on Monday night and over the following two days. The Pembrokeshire coastline and the offshore islands are important to our world environment and not just to our local environment. Lundy and, more importantly, the Skomer marine nature reserve are now affected. The whole of the Pembrokeshire coastline is about to be designated by the European Union as an area of special conservation and offshore, we have some of the most important bird colonies in the world. There are huge colonies of gannets and Manx shearwaters. The scoters that overwinter in Carmarthen bay are being decimated. Heavily oiled puffins and razor bills are being washed ashore as well. Some 30 sites of special scientific interest are under threat as we debate the issue.

Mr. Gareth Wardell: In view of the picture that my hon. Friend has so vividly painted, does he agree that to ensure to the best of our ability that such a disaster never happens again, a full and independent inquiry should be set up by the Government as soon as possible?

Mr. Ainger: Absolutely. That is the point I have made constantly since the vessel ran aground and it became

clear that a number of Lord Donaldson's recommendations had not been implemented. As the accident on Thursday night deteriorated into a tragedy, many individuals—and organisations—who have some contact with the Department of Transport and who are involved in the decision-making process realised that the only way to have a credible inquiry and report was for the inquiry to be independent of the Department of Transport and to be chaired, ideally, by Lord Donaldson, the former Master of the Rolls, who is the world's expert in relation not only to shipping, but to judicial matters. I am grateful for the support my hon. Friend the Member for Gower (Mr. Wardell) and other hon. Friends have given to my call for a truly independent inquiry and I will touch on the reasons why only an independent inquiry can be justified.

According to the RSPCA's most recent count, almost 1,700 dead sea birds have been collected. The organisation estimates that there are probably at least four to 10 times that amount of dead sea birds out at sea. Thousands of birds with either light oiling or heavy oiling have been sighted. The RSPCA has managed to clean 3,000 birds.

It should be remembered that when the Government agreed to set up an independent inquiry, under Lord Donaldson, into the Braer disaster, the environmental impact was far smaller than that already caused by the Sea Empress, and we are nowhere near the end of the problem. It is, therefore, even more surprising that the Government still refuse to agree to an independent inquiry.

An environmental tragedy is happening before us, but there are also economic problems. The fishing industry in west Wales has now come to a stop and, as I pointed out to the Secretary of State, the problem is not confined to my constituency. Fishermen right along the Welsh coastline are suffering in the markets of France, Spain and even Billingsgate. I am told that fish merchants in Billingsgate have notices in their stalls saying, "No Welsh fish sold here." That problem will affect areas as far away from the spill as Holyhead, which we know will never be affected. However, that is the line. If it is Welsh fish, there may be a problem so the fish merchants do not want to handle it. I hope that the Secretary of State will take on board my suggestion that to restore order to the market and to try to get across the message that the majority of the Welsh coastline is not polluted, he should impose an exclusion order and then, following testing which will give confidence to the market, lift it.

I take the point made by the hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) that we must not talk up the disaster because if we do, we shall ruin the tourism industry. However, the media have already done that. Merely by showing the beaches that have been polluted at Tenby, the media have made it clear that we face disaster.

I was contacted by one of the major caravan site operators in west Wales who told me that before the tanker hit the rocks, his caravan site had only 20 per cent. vacancies for August. This is the period when he would expect to fill those vacancies because families are booking their holidays. We had an excellent summer last year and families want to come back to the beauty of Pembrokeshire. In the week after the tanker hit the rocks, instead of having 80 per cent. occupancy, cancellations meant that the operator had only 20 per cent. occupancy and 80 per cent. vacancies. That is the impact of the disaster, which could not have happened at a worse time. This is the time when families decide where to go on their holidays.

Every time I speak to the media, I tell people that by the summer—in fact by May—the beaches will be clean and children will be able to play on them. There may be a problem in certain areas, but the beaches that we now see on our television screens as heavily polluted will be absolutely clean. We have to get that message across and I welcome the action taken by the Secretary of State and the Welsh tourist board. However, we must not start the campaign too early because it has to have credibility. We should not start the campaign when we know that the media will say, "How can they say this? Look at our pictures." We have to time the campaign correctly.

My call for an independent inquiry has been echoed throughout the world. I have had letters from Canada and Australia calling for something to be done and for there to be, first of all, an independent inquiry. The bulk of the letters have come not from my constituency, but from elsewhere in Wales and the United Kingdom. The pictures on television screens throughout the country and throughout the world have moved people, especially those who know Pembrokeshire and its beauty. Those people are very, very angry and they are especially angry now because the Government have refused to implement an inquiry. Every reasonable person to whom I have spoken says, "Why on earth do the Government not have an independent inquiry?" The reasons given by the Secretary of State just do not hold water.

Mr. Hain: He has something to hide.

Mr. Ainger: That is the fear.

It is worth touching on what happened over those days; I have to correct the hon. Member for Cirencester and Tewkesbury who got a number of facts wrong. Let us not forget that whatever the reasons for the disaster—I accept that there may well have been human error and mechanical error—an inquiry will establish the truth. In this field, if possibly no other, I have a great deal of knowledge, having worked as a docker at Milford Haven from 1977 until I was elected to Parliament in 1992. I know how the port operates.

The first question must be why the vessel was coming in only an hour and 20 minutes before low water, when the actual tide was 3 ft lower than the predicted tide. It would have had great difficulty getting to the berth at Texaco before the tide turned. Ships of that size have to come in to an ebbing tide and they cannot be swung in the port when they are laden. In fact, the tanker ran aground. It has since emerged that the super-tanker spilled approximately 250 tonnes of oil, ruptured a couple of cargo tanks, ruptured some ballast tanks and took on a list of 19 deg. With assistance from tugs, the vessel floated free within three hours. An accident occurred, for whatever reason, and resulted in the spillage of 250 tonnes of crude oil, which is not to be welcomed.

By Monday night, the vessel had ridden out a storm and run aground a number of times. In calm weather, at approximately 6.30, under the control of tugs and salvers, the vessel was put on to the rocks again in one of the highest tides of the decade and immediately spilt 50,000 tonnes of crude oil. Over the next two days, it probably

[Mr. Ainger]

shed another 15,000 tonnes. We must ask how an accident that occurred at 8.10 on Thursday night turned into such a disaster on Monday night.

Mr. Clifton-Brown: Although I hesitate to intervene on the hon. Gentleman, especially as he has such great knowledge of these matters, will he answer the point that I put to the hon. Member for Carmarthen (Mr. Williams)? When a ship is on its way to port and the pilot has boarded, the pilot has overriding control of that ship. If the pilot did not feel that it was fit to take that ship in, he could have told the captain to abort the approach. The fact that he did not do so must have meant that he felt that the operation was feasible and quite safe.

Mr. Ainger: Although that is obviously an issue for the inquiry, the hon. Gentleman is incorrect. In those circumstances, the ship's captain never relieves responsibility. The pilot is merely there in an advisory capacity. It worries me that we, the media and the leaks coming out of the marine accident investigation branch inquiry seem to be concentrating on that issue too. Although the accident is regrettable—250 tonnes of oil should not have leaked and she should not have run aground—the main issue is what happened after that. That is why we need an independent inquiry. If the accident were so straightforward, I would have no problem at all with the fact that the marine accident investigation branch was considering it. But, subsequently, serious mistakes were made for which people are responsible. That can only be examined by a truly independent inquiry.

I stress that the tragedy is that the advice of the pilots, the only people with the expertise to handle very large crude carriers—although, strictly speaking, the Sea Empress is not a VLCC but merely a super-tanker—has been ignored throughout the salvage operation. Nobody has greater expertise of the tides and how the river works. On at least two occasions, they made recommendations to the management of the operation that were either ignored or overruled.

My hon. Friend the Member for Cardiff, West (Mr. Morgan) referred to one of those occasions. On Saturday afternoon, the words of a pilot who has more than 20 years' experience, who is used to handling VLCCs and who knows Milford Haven like the back of his hand were recorded. He was speaking on a cellphone—not over a radio, but it happened to be recorded. From certain activities of the royal family, we know that such things happen. He said, "I am in the channel. I have got enough water underneath me to get out. Give me permission and I will take her out to sea."

We all knew that a gale was coming. A force 9 was predicted for that night and it was an ideal opportunity to get the vessel out into the open sea. The ship was being held on—probably—the most dangerous part of coastline in western Europe. I do not exaggerate. There are few places where a super-tanker of that size can be held. That part of the coastline is one of those places, and if one is in trouble, one gets away from it.

The strategy devised by the salvors—and presumably the marine pollution control unit and the coastguard—was based on the fact that due to the ship's great draught, it had to be held in position. That strategy was fatally flawed—the pilots have told me so. It was fatally flawed because the salvors did not have sufficient tug power to hold the vessel given the strong currents, the predicted gale and some of the highest tides of the decade. Everything was predicted, nothing surprised the salvors, yet they decided to hold the vessel in deep water and try to get a tug alongside to lighten it. The strategy was flawed from the word go and if the salvors had listened to the pilots, they would not have embarked on it.

The vessel could have been rescued earlier. Pilots who went on it on Friday morning suggested that it was trimmed further. By then, it was drawing 23 m—approximately 75 ft. The pilots suggested to the harbour authorities and those running the salvage operation that they could trim the vessel by either transferring a little cargo using the tanker's own fire system or by taking ballast off into its port side ballast tanks that were not damaged. The advice was ignored. The pilots predicted that they could reduce the draught to 20 m, and on the high tide on Friday get the vessel into the very birth where it now lies. Only 250 tonnes of oil would have leaked.

No answer at all to that suggestion was given. The only response was, "Hold her in position in the deep water". We must ask why. Who gains most? All I can suggest is that the salvors were blinkered; they adopted one strategy and nothing else would do. No one was prepared to listen to local knowledge and expertise and that led to the ultimate disaster on Monday night. That disaster did not have to happen. That is what has made so many people angry.

Mr. Rowlands: Is my hon. Friend saying that the marine pollution control unit was party to the decisions?

Mr. Ainger: If, like me, my hon. Friend had been at the press conferences throughout the operation, he would have realised that there was quite clearly a joint decision-making process between the salvors, the MPCU, the coastguard and the port authority. That was exemplified by the story about Saturday afternoon, to which my hon. Friend the Member for Cardiff, West referred.

After the pilot had asked permission to take the tanker out to sea and away from danger, the harbour master said that he agreed but that he was in a room full of men saying no. Who were those men? The only person under the Dangerous Vessels Act 1985 who can overrule the decision of a harbour master is the Secretary of State or anybody he appoints in his stead.

I think that it was decided to hold the tanker in deep water, try to get a tanker alongside it to lighten the load and then either bring it into port or take it out. No alternative strategy was to be considered. Some might say that if a strategy has been decided on, it should be stuck to, but we should bear in mind the fact that the local guys were saying that such a strategy was crazy and that the coast is one of the most dangerous. That is why we need to consider how decisions were taken and why the strategy was insisted on, which can only be established by an independent inquiry.

I apologise to my hon. Friends for speaking for a considerable amount of time, but I think that they accept that the issue is very important.

I should explain why I believe that only an independent inquiry will carry credibility. Lord Donaldson compiled a 522-page report following the Braer disaster, which did

not—thankfully for the people of Shetland—create such a huge environmental problem as the one that we are experiencing in west Wales. The report was published in May 1994 and contains more than 100 recommendations. The Government have said that they have already implemented 84, and I welcome that. However, key recommendations have been ignored or not fully implemented. In paragraph 20.87, it says:

"There is not sufficient salvage capacity in UK waters at the moment, nor is it coherently organised. The market will not provide enough capacity. Action needs to be taken to achieve the ends of the action taken by other governments."

Paragraph 20.88 says:

"We believe that the Government should set up a system to ensure that tugs with adequate salvage capacity are available at key points around UK shores . . . Where adequate capacity cannot be provided in any other way, the Government should arrange for the funding of the difference between what is needed and what the private sector can provide".

Paragraph 20.95 says:

"We recommend that the Government should consider with the Governments of neighbouring countries—the Republic of Ireland, France, Belgium and the Netherlands—whether combined salvage capacity in adjacent waters is practicable".

In paragraph 20.124 Lord Donaldson discussed the need for further work and studies to be carried out, but concluded:

"We do not believe that it is sensible to wait for such a study, which could take several years: the tugs need to be in place quickly."

He continued:

"While we would very much like to see the entire system in place before the winter of 1994-95, we appreciate that this may not be practicable."

Lord Donaldson said that there should be five tugs round that part of the coast, but recognised that that might not be practicable. His conclusion, as the hon. Member for Cirencester and Tewkesbury should recognise, is the important point:

"We therefore propose that there should be interim arrangements during the winter months until the new system—"

that is, the system with five tugs—

"is fully operational, and that the UK Government should be prepared to bear the full cost of such interim arrangements."

Lord Donaldson said that those interim arrangements should concentrate on three key areas. The first was north-west Scotland—that is already covered. The second was the Dover straits—that is already covered too. The third area was the western approaches. Where are the arrangements there? That is the key question.

A couple of days after the events, on Wednesday I believe, Lord Donaldson appeared on television. I saw him on BBC and ITV, saying that he accepted that his recommendations had not been fully implemented, and that that must have had some impact on the outcome of the operation.

That is because the strategy of holding the vessel in that most difficult area, with that combination of currents, tides and winds, could have worked only if powerful tugs had been available. Pilots have told me that in certain conditions during the operation, the vessel, without any power, would have exerted a pull of about 800 tonnes or equivalent. The tugs, even at full power, could exert a pull of only 200 tonnes. The vessel was pulling the tugs around rather than vice versa. That is why she kept running aground.

The Secretary of State and his predecessor, the right hon. Member for Wirral, West (Mr. Hunt), who went on to become chairman of the Conservative party, are implicated, because they did not implement the Donaldson recommendations in full.

Let us also examine the involvement of the Department of Transport and its agencies. It is clear from the public statements made by the Coastguard Agency and by the marine pollution control unit that they were part of the decision-making process. They too were tied into the strategy. There is no question about that, because they have admitted it.

As those agencies were part of the flawed strategy, given that they are part of the Department of Transport, how can we allow another branch the same Department, the marine accident investigation branch, to investigate them—never mind the question whether Ministers, such as the Secretary of State for Transport and the Minister for Aviation and Shipping, Viscount Goschen, acted properly. Was Viscount Goschen part of the decision-making process? Did he instruct the harbour master not to allow the vessel out of the area? Those are serious questions, and they can be answered credibly only by an independent inquiry.

I realise that time is pushing on, and I shall do my best to be as brief as possible. On Thursday I asked the Secretary of State for Transport why he would not institute an independent inquiry. He replied by saying that nobody questions the integrity of the air accident investigation branch of the Civil Aviation Authority. However, I think that I have shown that the Department of Transport itself, including the Secretary of State and possibly the Minister for Aviation and Shipping, was heavily involved in the operation.

If there were an air accident in which the Department of Transport had shared the co-pilot's seat and the Secretary of State had been the air traffic controller, would we believe that the air accident investigation branch of the CAA would be able to carry out an independent inquiry? I doubt that very much, yet that is the equivalent of the present position.

Like my constituents who have written to me on the subject, I want wider issues to be touched on. Other hon. Members have mentioned some of them, such as double hulls. It is now recognised that double hulls or their equivalents—such as the mid-deck design—provide greater protection in groundings. Why do we not take the bull by the horns and, as a nation with substantial offshore oil reserves—the United Kingdom continental shelf sends a great deal of shipping into our ports—insist that vessels trading between the UK continental shelf and UK ports must be double-hulled or of an equivalent design?

My hon. Friend the Member for Carmarthen said that double hulls were compulsory off the United States coast. He is not right, and I must correct him. However, because under the Act on oil pollution passed by the United States in 1990, shipowners have unlimited liability, insurers now give them a discount on their premiums if their ships have double hulls. There is a financial incentive to have double rather than single hulls.

We could do that too. We must start to address the issue as quickly as possible. I believe that Lord Donaldson is the only person who could force that through. The marine accident investigation branch would certainly not do it.

Mr. Gareth Wardell: To be fair, must not my hon. Friend accept that Lord Donaldson made it clear that he

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could not give a convincing answer to the question whether all vessels should be double-hulled? More research needs to be done, because in certain cases double-hulled vessels are worse than single-hulled vessels.

Mr. Ainger: My hon. Friend is correct, but Lord Donaldson was not saying that we should carry on with single hulls. He said that more research should be done, and criticised the United States for saying that nothing but double-hulled vessels would be built after the year 2003, and that all others would be phased out by the year 2015.

The International Maritime Organisation has said that it wants far greater protection, so only vessels with double hulls or their equivalent should be constructed after the year 2000. But it also says that it would take 25 to 30 years to phase out single hulls, which would mean an unacceptable delay.

My hon. Friend the Member for Gower is right that Lord Donaldson says to the United States, in effect, "Don't put all your eggs in one basket". He was not arguing in favour of single hulls, by any stretch of the imagination. Lord Donaldson was trying to suggest that perhaps the mid-deck design, with ballast in the space between the cargo and the outer skin, is better. It is sometimes far safer, especially when there is an explosion.

Already two companies have declared that they will use nothing but double-hulled vessels. The first is Conoco, which manufactures Jet petrol, and the second is Bitor, which imports orimulsion all over the world, using only double-hulled vessels.

Salvage law, too, must be examined. The Sea Empress disaster is the first major incident since the passage of the Merchant Shipping (Salvage and Pollution) Act 1994, which was guided through the House by the hon. Member for St. Ives (Mr. Harris). The hon. Gentleman should be congratulated on his work, and so should the Government, on the fact that they picked up the idea and ran with it.

However, sadly, the fact remains that in the present incident the new legislation, which was intended to ensure that the environment was given far greater consideration, obviously did not work. We should review salvage legislation, in the hope that two things may happen. First, the environment must always be put before the safety, or rather the salvage, of the vessel. Secondly, if we had a proper full independent inquiry, the fact would emerge that the Government should step in immediately there is a major threat of pollution, and start managing the salvage operation. The salvors should be the contractors, not, as happens now, virtually become the owners of the vessel and the controllers of the operation. That is a lesson that we should learn. Only someone with the experience, and particularly the judicial background, of Lord Donaldson could address that issue. It certainly could not be addressed by the marine accidents investigation branch.

Milford Haven port authority must be fully investigated. I must declare a retrospective interest—if that is possible—because, from 1977 to 1992, I was, ultimately, an employee of the port authority: the company for which I worked was wholly owned by it. Over the years, I and many others, particularly pilots, have been saying that safety margins are being continually squeezed.

In the 1960s and 1970s, Milford Haven was a model port. People from all over the world visited it to see how a port should be run. They would ask, "How can you run an oil port in the middle of a national park, surrounded by these important environmental areas?" It was possible to do so because the port invested in safety margins and oil pollution techniques. In a number of spheres, it was a world leader. Sullom Voe, which is now the biggest oil port in the UK, based its methods of operation on those of Milford Haven.

Those safety margins have, sadly, disappeared. Instead, we have the farce of a port that annually has more than 3,000 vessel movements in and out of its entrance, which is not covered by radar. For six months, the radar covering the port's entrance has been out of action, which shows that something is seriously wrong with the authority. When the Borga ran aground on 29 October, the radar was not working and it had been out of operation for weeks.

When the radar was first installed in 1984, it was state of the art. It had not an old-style radar sweep screen but television screens that were touch sensitive, and the operator could see what was moving on it. It cost nearly £1 million, but it is no longer operable; only an old sweep screen is operating at the port. The port authority says that the radar is operational, but it is using pre-1984 technology.

In his final meeting with the port's board, the previous harbour master recommended that it should invest £1 million in a new radar system. The board decided to defer the decision until the new harbour master took over in late 1994 or early 1995, and no decision was taken. It was only after the understandable furore when the Borga had run aground that the board announced that it would replace the radar with £100,000 worth of equipment. But that was to cover only the entrance to the port; no full replacement for the rest of the system was proposed.

The number of tugs has been reduced. When I first started berthing super-tankers in the port, it had six fully manned tugs. We are now down—admittedly with two fewer terminals—to only three fully manned tugs, with one on standby. If a fifth tug is required, Swansea, Liverpool or another port must be asked to supply one. Flexibility has been reduced; safety margins have been cut.

I was staggered to learn that, in the week before the Sea Empress ran aground, a ship of similar size, the Star of Westminster, approached the port in bad weather. The pilot went out to the ship, but it was too rough to board. He told the ship to turn round and to try again in a few hours. The vessel ignored his advice. Someone on the ship sent a message that said, "I'm coming in". It carried on through the entrance of the port and was berthed—without a pilot. That vessel was subject to compulsory piloting; it had to have a pilot. I know what will happen: a bill will be sent for the pilotage and it will be paid although the pilot was not on board. That should not be allowed to happen.

The problem that the oil refining sector faces is that everything is cost driven, and I am afraid that safety is falling victim to that. In Milford Haven, we are witnessing the oil company tail wagging the port authority dog. We are also witnessing the loss of port safety and conservation of the environment as priorities. The port's focus has shifted from that—its prime responsibilities under the legislation—to commercial activity. I do not

criticise it for developing derelict areas and trying to improve and create jobs, but it must not be done at the expense of the prime responsibilities of port safety and environmental conservation. I am afraid that that is what has been happening over a number of years.

I return to the point that I was making to the hon. Member for Cirencester and Tewkesbury. The most worrying thing is that a spin is starting to take place over this tragedy, in which the finger is being pointed and the focus is being concentrated on the first accident on Thursday night. We are in the middle of an inquiry—I do not believe that it is sufficiently extensive or, certainly, sufficiently independent—that has been instituted by the Secretary of State and is being conducted by the MAIB.

Yesterday, the port authority attempted to suspend the pilot who was on the bridge when the vessel ran aground on Thursday night. It is outrageous that, in the middle of an inquiry, the port authority has suddenly decided who is guilty and pointed a finger. It is also making statements such as, "It was a pity that we pulled the vessel off the rocks on Thursday night." In other words, the port authority thinks that the fault lies not with the salvors, because they were not there on Thursday night, not with the marine pollution control unit, because it was not there on Thursday night, and not with the coastguard. The fault must lie with the first tug crews who got there, the pilot who was on board and the master who called for help. That is outrageous and extremely worrying, and can be addressed only by a full independent inquiry.

In relation to compensation, I do not want to talk up the disaster or the losses that will be made by the tourist industry, but let us be realistic right from the word go. For a far smaller incident and with a far smaller tourist industry, Braer has already paid out £47 million. There is only £57 million in this pot. There are many tragedies related to this incident. If it had happened in two months' time, under the Merchant Shipping (Salvage and Pollution) Act 1994, the pot would have been £125 million; at present, it will stop at £55 to £57 million, depending on the exchange rate.

Let us be realistic and face the problems as we see them now. We are not talking up the disaster. We are saying that if Braer, in an area with a smaller tourist industry and, arguably, a smaller fishing industry—it is certainly not much bigger than Milford's—has already cost £47 million, what on earth will this one cost?

Mr. Rowlands: Double.

Mr. Ainger: My hon. Friend says double, and I would not disagree with him. We should be putting pressure on the oil industry—on the international oil pollution compensation fund—and saying, "If this had happened in June, you would have had to pay out £125 million. You do not want your reputation sullied any more than it has been." One of the ways in which it will be sullied is if the industry does not pay full compensation to the innocent victims of this disaster. Those words should be coming from the Secretary of State.

I welcome everything that the Secretary of State said tonight. The £2 million bridging fund is an excellent idea, for which I am grateful. I discussed it with one of his Conservative colleagues in the other place at the St. David's day lunch. I am glad that it has been implemented.

On a personal note, I have been accused by the Minister for Aviation and Shipping of trying to make political capital out of this disaster. I understood that one of my jobs as a Back Bencher was to try to make the Executive accountable. I asked whether the Select Committee on Transport would be willing to hold some sort of independent inquiry, but I was told, "There is an inquiry going on and we cannot get involved." So Parliament seems to be negated and cannot go ahead with an independent inquiry. If we cannot get an independent inquiry within Parliament, Lord Donaldson is the only person to conduct one because he is an expert in this sphere. Why cannot we do that? It would give the Government credibility. It would give confidence to the people who have suffered and do not want it to happen again. They want to ensure that there will be no cover-up and no whitewash. The only way to do that is to call in Lord Donaldson.

We must all try to restore confidence in our fishing industry. I know that my suggestion to the Secretary of State may be difficult to implement but I think we should try to get the widest possible exclusion order in areas where the market is saying, "We don't want your fish" even though there is no justification for saying that. The only solution is to have the widest possible exclusion order, which can later be reduced following tests. As for tourism, I shall be saying that, in a few weeks, the beaches will be clean and people do not need to cancel their holidays. Perhaps if my colleague in this, the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), contributes to the debate, he might mention orimulsion.

For any activities to be resumed, and even for the current operations to be undertaken with confidence, we have to tackle some fundamental problems in relation to the way in which Milford Haven has been operated over the past few years. We need to restore confidence. I hope that, even at this late stage, Conservative Members—we on this side are unanimous—will, in the nicest possible way, try to persuade the Secretary of State for Transport to swallow his pride and recognise that, since his statement on Thursday, there has been a fundamental change, especially in relation to environmental damage. Facts have also now emerged about his Department being part of the decision-making process, and we now know Lord Donaldson's views on the implementation of his recommendations. Given all that, is not it about time that it was recognised that the best way forward for all concerned is an independent inquiry?

8.51 pm

Mr. Cynog Dafis (Ceredigion and Pembroke, North): My original intention was to speak about the importance of primary legislative powers for a Welsh Parliament and the insulting inadequacy of Labour's proposals for Wales in comparison with those for Scotland. I would have relished that, and did some homework on the subject so that I could point out the glaring deficiencies in Labour's assembly proposals, especially following the speech of my hon. Friend the Member for Caernarfon (Mr. Wigley) in presenting his ten-minute Bill yesterday. However, there will be ample opportunity to do that another time before the general election.

My original intention has been overtaken by events—those surrounding the Sea Empress disaster. That, together with some of the important and far-reaching lessons that we can learn from it, is what I shall speak about, although

[Mr. Cynog Dafis]

I shall refer later to the question of democratic government in Wales—an appropriate subject for a St. David's day debate.

I should like to emphasise, as my colleagues have done, how profoundly distressed and angry are the people of Pembrokeshire, south-west Wales and indeed, the whole of Wales. I believe that they are as one in demanding an independent public inquiry, based in Milford, into how on earth events could have taken such a chaotic course and how such hideous damage could have been allowed to happen.

Even at this late stage, I beg the Secretary of State for Transport to reconsider. The Government have rejected the public inquiry option and even refused to recall Lord Donaldson. I warn the Government that such a refusal will be condemned. I also warn them that if there is the slightest smell of a cover-up in the investigation and publication of results by the chief inspector of marine accidents, or if there is any failure to explore all the issues exhaustively, the Conservative party can say goodbye to any credibility in Pembrokeshire, which it once represented in Parliament. I have to say that the Conservative party's credibility in Wales is in any case at an all-time low, and this disaster will do nothing to help its recovery.

I do not intend to list all the questions that need to be answered, but I shall do so in my submission to the Department of Transport and the inquiry. The hon. Member for Pembroke (Mr. Ainger) has done so far better than I, but I should like to reiterate some of the questions he asked and ask a few others.

Why was there insufficient tug pulling power? Why was there such an appalling failure to implement the Donaldson recommendations for a heavy tug at the western approach, despite the outstanding ecological value and sensitivity of the area? Even though Milford, with 6,000 tanker movements a year—*[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. I am sorry to interrupt the hon. Gentleman, but there seems to be a private conversation going on. As the last hon. Member to speak was heard with attention, it is only courteous that the same should apply to the hon. Gentleman who is speaking.

Mr. Dafis: Thank you, Madam Deputy Speaker.

I was referring to the 6,000 tanker movements a year in Milford, which is the biggest oil port in the United Kingdom even though seafaring there is an inherently hazardous business. Why were booms not used to prevent oil from entering the haven and coming ashore? Were the salvors in any way culpable? Are there built-in disincentives to effective action in the system of remuneration for salvors? Does not the need to save time in docking, unloading and turning around constitute an incentive to take deadly risks? How can that be prevented in future?

Might the dispersants and detergents used to break up the slicks be more damaging than the oil itself? I have tabled a parliamentary question about this, but it is worth asking now whether they contain the oestrogen-mimicking substances that are now widely suspected of significantly reducing the fertility of many species, including our own. If so, what is the likely effect on biodiversity in the area in the future?

We have to ask whether enough is being done, even now. There has been great praise for the valiant efforts of many people but a local resident, who has been working hard on his own local beach, telephoned me last night to say with deep sadness that, whereas the clean-up of the well-known beaches might be proceeding well, there are a host of others, including small coves, where little is being achieved. He wanted the area to be declared what he described as a "disaster area" and many more resources to be brought in.

I notice in the notes of the technical advisory group, prepared by the Department of the Environment, that the emergency planning manager can in certain circumstances request military resources in a clean-up operation. I ask that consideration at least be given to that suggestion.

I do not think that the person who telephoned me last night would have much time for what the Secretary of State for Transport said last Monday week. The Secretary of State's words now sound highly ironic. He said:

> "Where an incident does occur, we are determined to react swiftly, thus effectively to reduce the pollution or damage caused.
>
> In this instance, despite severe weather, the practised implementation of our national contingency plan should ensure that the situation will be brought under control."—[*Official Report*, 19 February 1996; Vol. 272, c. 34.]

Those words already ring pretty hollow.

I shall deal briefly with the issue of compensation. Who pays? How much is to be paid for the ecological damage? Of course, it cannot be calculated or expressed in monetary terms, but the polluter should be required to make recompense, and in a big way. That is quite separate from economic compensation, but the economic damage to fishing, tourism and a host of related activities is unfortunately bound to be significant.

No complicated stumbling blocks should be placed in the path of genuine applicants. Whom do I mean by "genuine applicants"? They should include the bed-and-breakfast provider in Teifi valley on the borders of Pembrokeshire, who may suffer a negative spin-off from the reduced number of tourists visiting the area. They should include the Tenby baker who works part time in winter, but full out in summer. He should be compensated if his work hours do not reach their normal level in summer. Fishermen in Cardigan are unable to sell any fish, although that may be the result of the negative perception of all Welsh fish by continental buyers.

Anyone who is able to show a loss of livelihood resulting directly or indirectly from the disaster should be fully compensated. That should be the rule. The sums needed to compensate properly for the consequences of the disaster, which will be huge. There is no justification for not making such sums available. The polluters, by which I mean the ship owners and the oil companies, should pay. It would be unacceptable if the main beneficiaries from the compensation process were to be lawyers.

One could say much more about the Sea Empress catastrophe but it would be irresponsible not to consider the wider implications. The hon. Member for Pembroke anticipated correctly that I would refer to orimulsion. The case for a public inquiry about the burning of that fuel at

Pembroke power station has been greatly strengthened by this event. The Department of Trade and Industry should hesitate no further in acceding to that demand.

I am informed on good authority that knowledge of how orimulsion reacts when spilled into sea water is limited. It is an unknown factor that needs to be identified. It is certain that the introduction of orimulsion would significantly increase the number of tanker movements. The size of tankers, double hulling and port management practice, along with the existing concerns about the burning process and the pollution arising from it, are among the topics that need to be considered by an inquiry into the application of orimulsion. There is also the question whether the international oil pollution compensation fund would cover orimulsion, which, strictly speaking, is not oil.

A wider and ultimately even more important issue is the exploration for, and possible exploitation of, oil and gas reserves in Cardigan bay. Plaid Cymru opposes all oil and gas exploration in Welsh seas this side of the establishment of a Welsh Parliament. That is not to say that we would approve of it even afterwards, except under very particular circumstances and conditions.

It is important to recognise how priceless an asset—first, ecologically, and secondly, economically—is Cardigan bay. In Cardigan bay, I include the coast right down to the outskirts of Milford Haven and the parts that are being damaged. I do not need to rehearse the litany of specially designated areas along the coast or the fact that part of the bay will probably become a marine special area of conservation under the EU habitats directive. I shall mention the variety of cetaceans—porpoises and dolphins of more than one sort—that live in the bay. Some are listed in the appendices to the habitats directive. The sea bed, or benthic, diversity of the bay is apparently especially rich. More than 1,000 species of invertebrates, including some new to science, have been identified in a recent survey. Almost certainly, there are many others that have not been identified. The estuaries of the bay have valuable roosting and feeding areas for migratory and wintering birds. The Dyfi estuary is a Ramsar site.

Even in the absence of a major catastrophe, exploration—but especially extraction—could have a damaging effect on the diverse and remarkably abundant marine life. The cumulative effects of spillages—from leakage of oil, including that from pipes, which corrode more rapidly than was originally anticipated; toxic materials in drill cuttings; lubricants, or what are called muds; the chemicals used in association with the drill muds; contaminated water, including heavy metals; and human sewage from the rigs—can be shown to be significant, even many kilometres away from the rigs. All that in a shallow bay, where the water exchange is slow—in effect it is a sort of slow whirlpool—and any pollution caused by drilling or oil spillage will not disperse easily. Cardigan bay is very different from the North sea.

I commend to hon. Members the detailed and excellent document prepared by the Friends of Cardigan Bay—a soundly based organisation with much sound scientific input. I shall make the document available to Ministers and other Members if they so wish.

I have described what happens with ordinary exploration and exploitation. As for the possibility of a Sea Empress-type disaster, which could occur with a rig in the bay or a tanker taking oil from a well—we do not know whether that is likely to happen or whether oil would be brought ashore—I can do no better than to quote a letter from the Friends of Cardigan Bay to the President of the Board of Trade. I support what it says. The letter states:

> "The fiasco over the salvage attempts of the 'Sea Empress' and the consequent oil spill covering large areas of the Welsh and south-west English coastline has shown that the oil spill contingency plans are at best inadequate and at worst completely useless.
>
> If the contingency plans fail to stop the spread of oil from an accident close inshore then we cannot see how the oil companies can be expected to cope with an accident further offshore at a drilling rig. We therefore demand that all oil drilling licences extant around the Welsh coastline are immediately suspended pending a full public enquiry into the events surrounding the 'Sea Empress' accident, and the wider environmental questions this throws up, and until the oil companies show they are able to deal with any situation that may occur."

I agree, and I urge other Members to support that demand for an immediate suspension. I would regard that as the reasonable application of the precautionary principle to which the Government subscribe.

I also declare my support and that of my party for the policy proposals set out recently in a document from the Joint Links Oil Consortium, which comprises countryside and wildlife organisations. As regards exploration and exploitation around Britain, the consortium calls, first, for an environmental assessment of the United Kingdom continental shelf, during which there would be an assessment of all the environmental resources and the sensitivity of various areas. That assessment would be undertaken by a statutory agency—in Wales, the appropriate organisation would be the Countryside Council for Wales, which would be accountable to the appropriate Secretary of State. In Wales, that would be the Secretary of State for Wales, but in England it would be the Secretary of State for the Environment, not the Secretary of State for Trade and Industry.

Secondly, the consortium calls for a strategic impact assessment—not just an environmental assessment—focusing on areas of existing and potential interest for oil and gas exploration. Thirdly, on the basis of that assessment, it suggests the designation of certain areas as sacrosanct, others as moratorium areas on the grounds that information about them is incomplete and the impact is difficult to measure, and others as potential areas. In addition, all applicants for licences should have to submit a full project environmental impact assessment with each application and show the environmental impact of the whole process, from exploration to decommissioning at the end. All installations that come into existence should be required to have a zero-discharge policy—something that the United Kingdom Government do not require, although I understand that the Norwegian Government do.

It is a reflection of the nature of government in Wales that the Welsh Office has no input worth mentioning into the licensing process. That means that there is no such thing as a Welsh policy on an issue of major national—not provincial—importance for Wales.

The Joint Links Consortium document is important and merits serious study. It expresses the sort of rigorous and tough conditions that taking the environment seriously must imply. It is the sort of thing that comes at the beginning of the far-reaching process of transition to the very different model of economic and social organisation that we know as sustainable development—again, a concept to which the Government are signed up.

[Mr. Dafis]

I am glad that the Leader of the Opposition is beginning to wake up to the enormous significance of integrating environmental concerns into all aspects of policy. That was not apparent until the day before yesterday. It is only beginning and has been long delayed, but it is welcome as the right hon. Gentleman is likely to be the next Prime Minister, and the sooner that happens, the better.

Finally, the Sea Empress disaster reminds us that a fundamental precondition of sustainability—I emphasise that word as it concerns the future of the world—is a radical medium-term reduction in our dependency on fossil fuels, the extraction, transportation, processing and burning of which are having such a grave effect on the life support systems of our planet. The Sea Empress disaster is just one small example of the damage that is being caused globally.

As nuclear power is neither acceptable nor feasible, two issues must become crucial to economic and development policy—first, energy efficiency and, secondly, the diverse and decentralised sources that are covered by the term renewables. The Government target of 1500 MW of renewable generation by 2000 is absurdly inadequate. It could easily have been doubled. Pembroke power station has a capacity of 2,000 MW, so the Government's target for renewable generation is equivalent to the output of one major fossil fuel power station.

It is time to stop regarding energy efficiency and renewables as amiable, but marginal and eccentric pursuits. They are essential if mankind and our planet in all its wondrous richness and diversity is to have a sustainable future.

Phil Williams, the Plaid Cymru energy and environment spokesman, who is a renowned physicist, reckons that Wales could halve its use of fossil fuel by the year 2010 through a national programme of energy conservation and the planned development of safe, non-polluting and renewable sources of electricity such as wind turbines, tidal power, wave generators, photo-voltaic panels, small-scale hydro and so on. Another environmental issue that cannot be ducked is the reduction in car transport through the systematic improvement of public transport and the development of a broad-band communication network such as that provided by optic fibres. We have to take an integrated approach aimed at reducing fossil fuel consumption.

Let us hope that the day is not far distant when we have a democratically accountable power in Wales to enable us to carry through such a programme and put our country at the forefront of the global move towards sustainability.

9.12 pm

Mrs. Ann Clwyd (Cynon Valley): I congratulate my hon. Friend the Member for Pembroke (Mr. Ainger) on his informative and frightening account of the Sea Empress disaster. I know how intimately involved he was throughout, and I am surprised that he managed to hold back his anger so successfully when he must have felt absolutely frustrated by not being able to influence events. As I once represented that part of Wales in the European Parliament, I know the extent of the tragedy. We all sympathise and hope that the clean-up will be extremely fast so that the tourist industry is not unduly affected. I support my hon. Friend's call for an independent inquiry, which is absolutely essential. If the Government do not grant such an inquiry, we can only assume that they have something to hide.

I want to talk about the former phurnacite plant in my constituency, which closed in 1990. The site became derelict in 1992. There are some 88 acres of derelict land on which there are around 100,000 tonnes of highly toxic material.

After the plant closed, I thought—as did everyone else who lived in the vicinity—that British Coal, which still had ownership of the land, would properly look after its safety until it was reclaimed. However, during the summer some of my constituents told me about their concerns and I walked over the site with them and saw the skulls of animals and the carcases of birds, hedgehogs and sheep that were stuck in the soft, sticky tar. Children and dogs had played on another part of the site, and the children had fallen ill with sores, ulcers and blisters.

The site was not properly cordoned off, there were no signs saying "danger" and there was no proper fence to keep children and animals away. Some parents are now seeking compensation for the skin difficulties suffered by their children who played on the site. The dumps contain mercury, asbestos, phenols, ammonia, hydrocarbons and gas, which are all mixed up with tar. In summer, it bubbles out of the ground. The site was open for people to walk over. It is incredible that British Coal did not make sure that the site was secure until it was properly reclaimed.

I have had quite a lot of correspondence with the Welsh Office on this issue. One of the first questions I asked was whether there was a register of contaminated land in my constituency. I was told that the only register went up to 1988 and that there was no record of any sites that were in use in 1988 that may be contaminated now. That is a defect on their part. The Welsh Office, which has responsibility for making money available to the Welsh Development Agency for the reclamation of land, should have an up-to-date register of all contaminated land in Wales. It is not good enough for the Welsh Office to say that it is the responsibility of the local authorities—it is its responsibility to have an overall view of the need for the correct amount of money to deal with that contaminated land.

I pay tribute to the Abercwmboi carers, who set up an action committee. In May, the Welsh Development Agency presented a plan to them, which was to encapsulate the waste, not to move it away. The encapsulation would have lasted 30 years at the most. A part solution was being offered, not a long-term solution. The carers, the people who lived in the area, were not content with that.

The phurnacite plant was closed because of pollution—the inspectorate said that it could not continue. It was one of the worst, if not the worst, industrial polluters in Britain. It is ironic that the people who were put out of work because of the closure of the plant—everyone was glad to see the plant close, except for those who were employed by it—were left with toxic waste on their doorsteps. There was no improvement to the environment.

The carers were not happy with the solution from the Welsh Development Agency, so they pushed for an environmental impact assessment. Such an assessment should have taken place as a matter of course. Were it not

for public opposition to the proposals of the WDA, that environmental impact assessment would not have taken place.

The Cynon Valley local authority held a press conference today at which it presented the independent report that was compiled by consultants. We now have two conflicting views. The council commissioned a firm of environmental experts, Richards, Moorhead and Laing, to prepare an independent report. It was asked to assess the current environmental implications of the site and the likely impact of the proposed encapsulation scheme on the surrounding communities, both during the implementation and in the longer term. The consultants' findings show that further on-site investigations are essential before any reclamation can take place. The consultants' report states:

"The amount of investigation carried out to date has not been sufficient to accurately define the volume of contaminated materials on site".

That leads them to believe that the capacity of the proposed depository will be insufficient to contain all the waste present. In addition, the consultants cast doubt on the long-term viability of the cell within which the WDA is hoping to encapsulate the waste.

The WDA and its environmental impact report suggest one course of action and the council's independent consultants propose another. I am sure that I do not need to remind hon. Members that the industrial areas of south Wales have been left with the legacy of an unknown toxic waste cocktail. The council's consultants believe also that a proper assessment has not been made of that toxic waste content.

The Secretary of State said at the outset that the polluter should pay. I wonder how that affects British Coal, as it is the owner of the site, although the WDA wishes to acquire it. If the polluter should pay, British Coal should pay in that instance. At the very least, the proper safety precautions should have been taken when the site was abandoned, and the fact that they were not represents a clear dereliction of duty on the part of a number of authorities. Local people should now receive full information about the site so that the best possible options for them and for the environment can be discussed and decided.

That is why I believe that a full planning inquiry, with an inspector, should take place. It would establish principles which would apply to other areas contaminated by industrial waste in Wales—we should not have to repeat the same process time after time. I hope that the Secretary of State will support my call.

9.22 pm

Mr. Win Griffiths (Bridgend): This has been one of the best St. David's day debates in my nine years in this place. [*Laughter.*] Ministers may laugh, but we should record that fact. Today we have heard some extremely informative and passionate speeches about very important issues.

My hon. Friend the Member for Cardiff, West (Mr. Morgan) and I had a conversation—during one of the quieter periods in the debate, when a Conservative Member was speaking—about the traditions of the St. David's day debate. I am indebted to Geraint Howells, the former Member of Parliament for Ceredigion and Pembroke, North, for providing the information that today is the 50th anniversary of Welsh day debates.

The first occurred in 1946, when I was a babe in nappies in South Africa. The Prime Minister at that time, Clement Attlee, and the then Leader of the House, Herbert Morrison, instituted the Welsh day debate. I imagine that today's debate is one of the best in 50 years. Quite understandably, because of the scale and immediate impact of the disaster, the Sea Empress has dominated much of the proceedings, and I will return to that subject a little later.

I wish to start with the way in which local government has been funded this year, which I believe will have a serious, long-term and possibly damaging impact on Wales. For a number of years now, the pressure on local government spending has caused a reduction in the services that local government is able to provide. At Welsh Questions recently, I was upbraided by the Under-Secretary, who said that I had made assertions that were not accurate. I hope that he will interrupt me this evening if I make an inaccurate assertion.

The rate support grant from the Welsh Office to local government has been falling as a proportion of local government spending. The Secretary of State's figures show that, from 1993 to 1995, the proportion has fallen from 64 per cent. to 58 per cent. of local government budgets. On top of that, the non-domestic rate contribution has fallen. In the early 1990s, it was 19.9 per cent. of the budget, and it is now 17.6 per cent.

Given that this year's rate support grant contribution to local government budgets has taken no account—like last year's—of the teachers' pay award, it is obvious that local government will struggle with the award from the Welsh Office. The Secretary of State recognised that fact in his infamous letter to my right hon. and learned Friend the Member for Aberavon (Mr. Morris), which suggested, as far back as November, that local councils should be considering an increase in council tax of 11 per cent.

We now know that the Secretary of State has relaxed the capping limit from 0.5 per cent. of the notional budget to 3 per cent. That relaxation would allow many authorities in Wales to increase their council tax hugely. Rhondda Cynon Taff could increase its council tax by 40 per cent. and still keep within the limit set by the Secretary of State.

I am indebted to the local authorities that made a trawl for my information, which shows that the council tax this year, in 13 of the 22 authorities, is likely to increase by 20 per cent. or more. In six others, the increase will be between 11 and 19 per cent. Only three will have an increase in council tax that is anything like the rate of inflation. Two of those authorities will have increases of 4.5 per cent. and 3 per cent. I do not have the figure for the other authority, but the increase is not likely to be more than 2 per cent.

What is the consequence for the services provided by local government? We have seen cuts, as I said earlier, for a few years now. The result is that the pupil-teacher ratio in primary and secondary schools is now increasing. The number of classes in which more than 30 children are taught has increased. The latest figures from the Welsh Office show that there are at least 63,710 children in primary schools being taught in classes of more than 30. That is an increase—according to the latest figures available—of more than 7,000 children. That is what the figures for the years 1992-93 and 1993-94—the most recent ones published by the Welsh Office—show.

[Mr. Win Griffiths]

It is no surprise, perhaps, that the number of children with statements of special educational need is increasing. The figures available from the Welsh Office tell us that the number has increased by 14 per cent. Over 16,000 children are the subject of these statements. Within those figures, the number of children with emotional and behavioural difficulties has increased by 20 per cent. There are now 770 such statements. There are probably more now, but I refer to the official figures from the Welsh Office.

I welcome wholeheartedly the £500,000 that the Secretary of State is providing to enable better access to schools for disabled children, but I should like to see a commitment to additional spending to ensure that the code of practice on the assessment and identification of children's special needs is properly funded. I can say with confidence that virtually every authority in Wales in the coming year will have difficulty in meeting its legal obligations under the code of practice. That is certainly the position of at least one authority. I think that we shall see more and more cases going to tribunals.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): If I had had the chance to participate in the debate, I would have drawn attention to the fact that struck me on reading school inspection reports from the Mid Glamorgan area setting out the number of children in receipt of free school meals. In some schools, 50 to 60 per cent. of the children are receiving free school meals. That reflects the problems of low wages and inadequate benefit levels. There are serious issues to be faced in primary schools especially.

Mr. Griffiths: Yes, my hon. Friend is right. The percentage of all children receiving free school meals, according to Welsh Office information, has increased from 17.8 in 1989-90 to 25.1 in 1993-94. In other words, about a quarter of children throughout Wales are now in receipt of free school meals. Problems are mounting in education.

Many problems are related to local government support from the Welsh Office. In addition, however, there are the problems associated with moving from a county structure to a smaller unitary authority structure. Those problems relate to some services such as drama, orchestras and outdoor pursuit centres such as Dol-y-Gaer in Merthyr or Ogmore-by-Sea in my constituency. These services have been threatened. The Gwent theatre in education is being threatened.

We have seen that the Secretary of State has done well in giving Theatr Clwyd a reprieve to enable authorities to come together with a package. I hope that it will be possible to find some solution to the Dyffryn gardens problem. In so many instances, the problem is a combination of the cap on Welsh Office support for local government and transition from eight counties to 22 county boroughs. That is having an impact on services which were maintained in the larger county structure.

The county boroughs will have to make much more of an effort to work together to keep these services alive. Under the pressures that the county boroughs will face, it is what might be described as the icing on the cake—extra experience outside the classroom—that will suffer.

There are signs that learning support staff for children who do not have statements are being cut. That could cause statementing problems later. My hon. Friends the Members for Ogmore (Mr. Powell), for Carmarthen (Mr. Williams) and for Clwyd, South-West (Mr. Jones) all referred to problems associated with the local government settlement.

Even though it is late in the day, it should be recognised that the Secretary of State has through the year provided supplementary sums for various services in Wales. I remember that, a few years ago, Welsh housing benefited from a substantial extra sum. There is a strong case for the right hon. Gentleman examining what is happening in education and providing extra moneys to local authorities through the year.

Before I move from the subject of local authorities, I appeal to him to ensure that the orders that will bring in the new boundaries are laid before the end of March, so that my constituents will not have to suffer being in three different authorities in the space of 18 months. Many of my constituents have telephoned my office enraged about what is happening.

Let us look at the housing scene, which is another important local government service. The value of renovation grants between 1994 and now has decreased by 7.6 per cent. in real terms. In the same period, local government housing capital provision is down by 8 per cent. in real terms.

Is it any wonder that homelessness is on the increase? In 1994, 22,000 people were officially declared homeless—double the number of a decade earlier. Almost half of those are children, and we know from studies in England—no study has been made in Wales—that their education and health suffer as a result. We have the poorest housing in Britain, at 13 per cent.—twice the number in England. Some 300,000 people in Wales live in unacceptable conditions. In the private sector, 10,000 mortgage repossession proceedings were instigated in 1995.

It is a bleak picture, yet the Welsh Office contribution to public housing has gone down in real terms. In 1991-92 and 1992-93, housing starts were down by 34.6 per cent., and completions were down by 33.6 per cent. At the same time, funding for the approved development programme, Tai Cymru, is down 46.1 per cent. in real terms on what it received in 1992-93, which was a slightly exceptional year, because of lots of additional money. When compared with the beginning of the 1990s, it is still a cash cut of 10.6 per cent., let alone what it might have been if we worked it out in real terms.

The fire service is an essential public service. We heard from my hon. Friend the Member for Clwyd, South-West about the problems of the new North Wales fire service. The same problems exist in other areas. The South Wales fire authority, which serves the largest population by far, has learnt that the credit approvals for the three joining authorities to order new fire engines to the value of almost £1.5 million have had to go by the board, because, under the new system, the money is no longer available.

In Cardiff, at Pentwyn, there is a danger that the fire station may not be built, yet Cardiff east has severe problems in meeting the targets for arriving at fires. The fire prevention service is not funded at all under the formula. These are serious problems, which the Welsh Office needs to consider.

I received a letter yesterday from the Under-Secretary of State, asking me to give more details about how Labour would fund local government, and the education service

in particular. That was interesting, I thought, so I looked at the Tory party manifesto for 1979 to see what commitments the Tories made, and what details they gave about what they would do. It said that they would "simplify VAT" and be prepared to switch from taxes on earnings to taxes on spending. They could not simply tell us that they intended virtually to double VAT. At the previous election, the Prime Minister, with all the advantages of being in government, told the population that VAT did not need to be extended anywhere, and that taxes would come down. We know that the reverse is true.

The 1979 Conservative party manifesto stated:

"We need to concentrate more on the creation of conditions in which new, more modern, more secure, better jobs come into existence."

In fact, 98,000 fewer men are employed in Wales than in 1979, and wages are much worse. In 1979, Wales was fifth in the regional league for men's wages; now we are 10th—we are at the bottom. In 1979, we were second in the league for women's wages; now we are sixth. We have not got all those well-paid jobs, except in one or two places. Sony, Ford and Bosch are oases in the desert.

Mr. Sweeney: Is the hon. Gentleman aware that 68 per cent. of the population of working age are in employment in this country—more than in any other major European country? Moreover, 8.6 per cent. of the population of working age are unemployed in the United Kingdom, fewer than in any other major European country.

Mr. Griffiths: I am aware that 98,000 fewer men are in employment in Wales today than when Labour was in office. I am also aware that the hon. Gentleman's figures include part-time jobs. If full-time jobs were included in his calculation, we should see a different picture.

The 1979 manifesto also stated:

"The uplands are an important part of our agriculture. Those who live and work there should enjoy a reasonable standard of life."

Between 1978-79 and 1983-84, on the Government's own published indices, the income of farmers in upland areas in the United Kingdom fell from £128 a week to £92. That is not such a good record.

I have also examined the Welsh Office block grant. In 1994-95, planned expenditure was £6.41 billion, but the outturn is expected to be £6.346 billion. That is a £64 million drift. In the previous year, there was a £66 million drift, but in the opposite direction. If Welsh Office Ministers cannot get the calculations right with all the books in front of them, surely I am under no obligation to give them precise details, other than to say that we are sure that we can do a better job than the Welsh Office currently does in running Wales.

The Tory legacy is higher unemployment and lower wages. The education improvements have been made not because of the Government's policies, but in spite of them. The chief inspector of schools himself said that part of the problem for teachers was all the chopping and changing in the national curriculum.

As was graphically shown by my hon. Friend the Member for Pembroke (Mr. Ainger), the Sea Empress disaster could have been avoided. It was a case of lowering standards to maximise profits. Working practices were affected. When things went wrong, it appeared that the priority was maximising the profit on the load, rather than saving the area from pollution and saving the jobs of all who depend on that beautiful coastline.

This is probably the last St David's day debate that we shall have before the next election. I believe that the verdict of the people of Wales at that election will be a resounding no: there will probably be no Tory from Wales on the Conservative Benches.

9.43 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards): With your permission, Madam Deputy Speaker, I propose a toast to absent friends. I refer, of course, to the three leaders of the Opposition parties. The three gentlemen who would have us believe that they are desperately concerned about Wales and all things Welsh could not turn up for the most important debate in the Welsh calendar.

I understand that the hon. Member for Caerphilly (Mr. Davies) is looking after his party leader in Gwent. I hope that, if the hon. Gentleman travelled to south Wales by train, on the newly privatised Great Western Railways, he will have enjoyed a lunch called cig oen Caerffili, which means Caerphilly lamb. I recommend it to all Opposition Members. I dined on it only recently. Caerphilly lamb would be appropriate for the hon. Gentleman.

We are led to believe that the leader of Plaid Cymru is in Dublin, and that the fact that the Ireland-Wales rugby match is taking place on Saturday is purely a coincidence. I understand that the hon. Member for Montgomery (Mr. Carlile) is in hospital undergoing elective surgery. I am sure that I speak for all hon. Members when I wish him a speedy recovery.

Mr. Morgan: Rather than making snide remarks about the three leaders of the Opposition parties, perhaps the Minister should concentrate his efforts on doing the same as my hon. Friend the Member for Caerphilly (Mr. Davies). If he can persuade the Leader of the Opposition to visit the scene of the Sea Empress tragedy in Pembroke, perhaps the Minister should concentrate his efforts on persuading the Prime Minister to do so.

Mr. Richards: The hon. Gentleman knows that my right hon. Friend the Secretary of State for Wales has visited Pembrokeshire twice, which brings me to the stand-in for the hon. Member for Caerphilly—the verbally incontinent Member for Cardiff, West (Mr. Morgan). May I go through some of his points?

The first thing I noticed was that, yet again, the hon. Gentleman indulged in the practice that Opposition Members enjoy: talking Wales down. He devoted much of his speech to talking it down. He challenged my right hon. Friend not to look through rose-tinted glasses. We do not have to do that to realise that, in the past 17 years, Wales has done well. Perhaps the hon. Gentleman would like to dine on some of the facts that I am about to present to him on the Welsh economy's strengths.

In the past 10 years, manufacturing employment has risen by some 12.5 per cent. From September 1994 to September 1995, manufacturing employment in Wales rose by 1.5 per cent.—over twice the increase rate in the United Kingdom. Since September 1985, manufacturing employment in Wales has grown by more than in any

[Mr. Richards]

other region. The number of unemployed people in Wales has fallen by 29,400. [HON. MEMBERS: "What about since 1979?"] Opposition Members talk about 1979. They were all around then and they know as wel as I that, in 1979, the hidden unemployment level in terms of overmanning was so great that it could not be measured.

The hon. Gentleman spoke about nward investment. Since 1979, Wales has done wel out of inward investment. He may recall that, on occasion, Conservative Members quoted inward investment running at 22 or more per cent. of all inward investment in the United Kingdom.

On the south Wales freight terminal, my right hon. Friend made it clear in the House on 8 November that the provision of a freight facility in south Wales is a matter for the commercial and technical judgment of investors, who do not need Ministers' permission to build a terminal in any location.

Various applications for assistance are still being carefully considered. Decisions will depend on the assessment of further commercial information that has been sought from the applicants. Grants cannot be paid until satisfactory cases have been made.

Mr. Michael: Will the Minister give way?

Mr. Richards: I will not give way to the hon. Gentleman.

The hon. Member for Cardiff, West challenged my right hon. Friend the Secretary of State by saying that he was not accountable to the people of Wales. My right hon. Friend is accountable to Parliament, as previous Secretaries of State, the Prime Minister and previous Prime Ministers have been.

Opposition Members should cast their minds back to the 1970s, the most recent period when Labour was in power. As I recall—I am sure that Opposition Members will attempt to correct me if they think that I am wrong—the Labour party at that time did not have a majority in England. As I recall, the Prime Minister of the day, now Lord Callaghan, represented a Welsh seat. I do not recall Labour Members saying that Lord Callaghan was not accountable to the people of England.

I pose another question to the hon. Member for Cardiff, West and his right hon. and hon. Friends. The Opposition Chief Whip is now in the Chamber, and he will be interested in his hon. Friend's remark. The hon. Member for Cardiff, West asserted that, were there to be a Labour Government after the next general election, the next Secretary of State for Wales would definitely be a Welshman. The hon. Gentleman clearly has influence in high places.

The point I put to him is this. What will happen if a Welshman is not elected to the shadow Cabinet or to— [HON. MEMBERS: "There will be."] What if there is not? Will a Labour Prime Minister then appoint a Welshman who—

Mr. Rowlands: Yes.

Mr. Richards: I am delighted that decisions have already been delegated by the Labour leader.

My right hon. Friend the Secretary of State has carefully costed the Welsh Assembly in its first year and has estimated the figure at £52 million, with a recurring cost of £28 million. As the Labour party has not been in government for such a long time, I should perhaps tell Labour Members what £28 million would buy each year. It would buy a district general hospital every year, if there were no Welsh Assembly.

I have been fascinated to hear that the Labour party is united on the issue of an assembly. Perhaps the hon. Member for Cardiff, West could explain to me why his hon. Friend the Member for Wrexham (Dr. Marek) supported Plaid Cymru's ten-minute Bill on the governance of Wales yesterday, when his right hon. Friend the Member for Swansea, West (Mr. Williams) opposed it.

Mr. Morgan: Perhaps the Minister could tell us whether he agrees with the estimate of the previous Secretary of State for Wales that a Welsh Assembly would cost £124 million, or with the estimate of the present Secretary of State, who is also his boss, who says that it will cost only £52 million. Which of them is right?

Mr. Richards: I recall that Mr. Neil Kinnock, who was opposed to a Welsh Assembly at one time, estimated in the 1970s that the cost would be £20 million.

On the issue of unity, is the hon. Member for Cardiff, West telling us that the views of the hon. Members for Pontypridd (Dr. Howells) and for Blaenau Gwent (Mr. Smith) are shared—or not shared—by him or his right hon. and hon. Friends? *[Interruption.]* The basic calculations by my right hon. Friend the Member for Wokingham (Mr. Redwood) are the same as those of my right hon. Friend the Secretary of State in terms of capital and running costs, except that my right hon. Friend the Member for Wokingham looked at some of the cost implications of Labour's policy. I thought that he was conservative in what he said about the costs.

I now move on to a far more serious issue—the Sea Empress disaster, which was raised by the hon. Members for Cardiff, West and for Pembroke (Mr. Ainger), and by many others. The hon. Member for Pembroke thanked various individuals and groups for their hard work, and we wish to be associated with those remarks.

I understand the concerns of the right hon. Member for Llanelli (Mr. Davies) and the hon. Members for Carmarthen (Mr. Williams), for Ceredigion and Pembroke, North (Mr. Dafis), and for Gower (Mr. Wardell) and their constituents. Obviously, I know that part of the world very well, having been brought up there, and I enjoyed the facilities and beaches. On that issue, there is clearly no disagreement at all.

The hon. Members for Cardiff, West and for Pembroke said that local expertise was neglected in Milford Haven. Any evidence of that will be fully considered in the independent investigation. *[Interruption.]* Opposition Members may shake their heads. Unlike them, I want to wait for the outcome of the inquiry instead of reaching conclusions based on imperfect information. The marine accidents investigation branch was set up by an Act of Parliament. Contrary to what Opposition Members said, that was how the House wanted such incidents to be investigated.

The branch's inspector reports directly to the Secretary of State for Transport, and he is appointed to be independent. That is his job. He can criticise anyone at all

involved in either the accident or the salvage operation. The arrangements are parallel to those for the air accidents investigation branch, which conducts independent inquiries into air accidents and is highly regarded.

Mr. Ainger *rose—*

Mr. Richards: I will not gave way. I do not have much time, and I want to raise many serious points.

The hon. Member for Cardiff, West also raised the issue of accident and emergency beds, and referred to the transfer of six patients from Cardiff Royal infirmary to the Heath hospital in the middle of the night. I was naturally concerned about the hon. Gentleman's remarks. Of course, such decisions are taken by local hospital managers. Since the hon. Gentleman has raised the issue, I will certainly look into it and reply to him. The alleged incidents to which he referred are partly a justification for having one single accident and emergency unit in University hospital Wales.

On accident and emergency beds in general, the key issue is that hospitals—we have obviously had many discussions with trust and health authorities on the matter—should not turn patients away unless all beds other than child and maternity beds are full. That is in line with the action plan agreed by national health service chief executives, to minimise the risk of hospitals closing for short periods due to peak demands for emergency medical admissions.

My right hon. Friend the Member for Conwy (Sir W. Roberts) invited us to glance into the hereafter. Some of us are nearer to the hereafter than others. I certainly do not mean that with regard to my right hon. Friend, since one does not know what might happen. My right hon. Friend warned us, as did my hon. Friend the Member for Vale of Glamorgan (Mr. Sweeney), about the dangers of the European state, which, together with an assembly in Cardiff, would weaken the British state.

My hon. Friend the Member for Vale of Glamorgan went on to enlighten us about why Wales is such a popular place for inward investment. He referred to the Bosch plant near his constituency. One of the reasons why German factories are going to Wales is the flexibility of the work force. When the Labour party was in government 20 years ago, the work force would have been the last reason to go to Wales. The hon. Member for Ogmore (Mr. Powell) reminisced about the 1970s. Clearly his memory on the issue is short and defective.

The hon. Member for Bridgend (Mr. Griffiths) failed to answer my question. In our previous debate on the local government settlement, he said that education was underfunded. If that is what he thinks, he must be able to put a figure on it. Why does he not come clean and tell us what sum should be spent on education? What is it? And how would a Labour Government find it? Would they increase revenue support grant, council tax or—this is what the business men of Wales want to know—the business rate? I suspect that the last of those three is the truth.

The business people of Wales will carefully consider what the hon. Gentleman says about that. I invite him now to tell us quickly by how much education is underfunded, and how the Labour party would—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Landfill Tax

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Knapman.]*

10 pm

Mr. Chris Davies (Littleborough and Saddleworth): Yesterday, in my other capacity as a member of Oldham metropolitan borough council I had to vote for a budget embracing major cuts in public services, including cuts in education and social services that will have a severe effect on the local people whom I represent.

Of those cuts, £360,000 worth are directly due to the introduction of the new landfill tax. That figure is expected almost to double next year. The implications of the new tax were debated when parts of the Finance Bill was considered on the Floor of the House, but only now are the real concerns of local authorities starting to be felt and to be properly expressed.

During the early discussions of the Bill the lobbying of industry was paramount, and most apparent. Local authority treasurers had been led up the garden path and encouraged to believe that the effects would not be as severe as they have proved. So they have not spent the intervening time lobbying their local Members of Parliament. But now the realities are becoming clear, and I am grateful for the opportunity to debate them.

For once the Government had a really good idea—a green tax to benefit the environment, cut household waste and encourage recycling. Rarely, as I am sure the Minister will agree, can an idea have received such a warm welcome from all parties and from such a parade of environmental groups. The proposal was seen as beneficial and sweet, but it has rapidly turned sour.

The tax will cost councils in West Yorkshire, for example, some £3.3 million in the coming year alone. Across the Pennines it will cost councils in Greater Manchester £4 million, and in the country as a whole it will add £77 million to the burden of local authorities.

Instead of that money going to local councils to encourage recycling, it will go straight to the Government for their own purposes. Far from giving a boost to recycling, it will force councils to cut public services to pay for it, and in practice will leave them with even less money for recycling schemes. In summary, the tax is a tragedy—another wasted opportunity for environmental improvement.

I shall take the Minister back to those pleasant days in November 1994 when the Chancellor first announced his plans for a landfill tax. Each year local authorities dispose of about 20 million tonnes of household waste, 85 per cent. of which is tipped into one of Britain's 5,000 landfill sites.

It is widely recognised that that is not a good thing. Everyone who cares about the environment and about maintaining and sustaining the Earth's resources knows that it is not, and knows that we should reduce the amount of waste generated and recycle more of it. At present, I understand that only 5 per cent. of household waste is recycled. I am ashamed to say that in Oldham the figure is just 2.1 per cent., which is appalling.

Society's general throw-away approach results in the increasing use of the earth's finite resources, in the generation of additional road traffic and in heavy lorries taking waste materials to landfill sites which, in turn, causes disturbance and annoyance to local communities. It also results in the major generation of methane, which is one of the main greenhouse gases contributing to the warming of the planet, the results of which are becoming all too apparent as the conclusions of scientific study after scientific study prove.

The Chancellor's proposal for a landfill tax was therefore given a very warm welcome and a sympathetic hearing. It was thought that it would discourage the disposal of waste and encourage recycling and that it would be the Government's first genuine green tax—a really good move. It was assumed that money would be taken from local authorities on the one hand but given back on the other, in such a way as to create a disincentive to throw away our rubbish and put it in holes in the ground, leading to an increase in recycling facilities. It was to be a transfer of resources that would be revenue neutral but environmentally beneficial.

When the details of the tax were announced last November, we learned that landfill deposits of household waste were to be charged at £7 a tonne. That took local authorities by surprise because it was higher than they had originally anticipated. They were reassured, however, by the Government's response to the consultation paper produced last September. The Government said that the concerns of local government were understood and that

"the financial impact of the tax on local authorities"

would be addressed

"in the context of the local government finance settlement."

It was only when the details of the settlement were announced that local authorities realised that they had been led up a dark alley and had, in effect, been stabbed in the back by an assailant who was all too familiar. The truth has now become clear: the Government never had any intention of compensating local authorities for the additional burden of the landfill tax. Not a penny of compensation has been earmarked in the standard spending assessments for the coming financial year. The money from the landfill tax is not being recirculated back to local authorities to encourage recycling but is being put directly into central Government coffers for purposes determined by central Government.

I cite two local examples. In the boroughs of Oldham and Rochdale, householders will be paying some £6 each in council tax specifically attributable to the costs of the new landfill tax. I wonder how the Government can attack other parties' tax policies when they behave in such a way, introducing a direct tax on householders in such a discreet manner.

It is true that the money will be used to reduce employer's national insurance contributions from April 1997—a worthy objective that the Liberal Democrats support. But why should that cost be met out of local authority budgets? If the Government were genuinely interested in protecting the environment and making effective use of green taxes, surely they would consider an alternative, such as increasing through the taxation system the price of electricity charged to business and industrial users by an amount equivalent to the reduction of employer's national insurance contributions. That would be revenue neutral and represent a transfer of costs to business, not an increase in their overall costs. It would encourage energy saving and employment—a classic green tax. But no, environmental considerations are not

the Government's priority. How could they be when the effect of the landfill tax, which was hailed as a measure to encourage recycling, will be to discourage it?

Leaving aside the fact that many local authorities are locked into long-term contracts with landfill operators, the financial equation produces a solution that suggests that landfill is still the most economical option for local authorities. The vast majority of metropolitan and county councils are already budgeting at their capping limits, which means that they cannot even pass on the cost of the new tax to householders. They cannot even apply the principle that the polluter—in this case, the householder who generates household waste—pays. Councils' flexibility in such circumstances is minimal. They cannot increase council taxes. The only way in which they can find the money to pay the new taxes, which will go to central Government, is to cut existing services. I had to vote for a budget of severe cuts in the council chamber in Oldham last night. Cuts in spending, schools and social services across the country are the result of the landfill tax.

Given that councils are struggling to provide the services for which they have statutory responsibilities, how are we to find the money to expand recycling schemes, which are not a statutory requirement? How are they going to find money for what will be conceived of as optional extras such as that? The economics of the way in which the tax was introduced do not add up.

How different it could have been if the Government had insisted that the money raised from the landfill tax should instead be devoted to recycling promotion. That would still have been tough on local government services and on the education and social services budgets that I have highlighted, but it would have given a massive boost to recycling. To take the examples of Oldham and Rochdale again, it would have been sufficient to pay for the introduction throughout the borough, over three years, of kerbside collection of pre-sorted waste ready for recycling. That would have put us well on target to increase the amount of recycling from its present abysmally low level to the 25 per cent. target that was, after all, set by the Government and which is low by European standards. In Germany, householders are expected—and provided with the necessary facilities—to sort their waste into seven different categories so that it is ready to recycle, and the amount of waste thrown into tips or thrown away is kept to a minimum.

For local authorities, the dark clouds of the landfill tax have no such silver lining. I regret that the tax is proving bad in every respect. Not only does it damage local services and not only is it a tragic waste of the opportunity that the Government had to demonstrate their commitment to the environment, but it has been turned into an application of hypothecation that makes local authorities subsidise central Government priorities and expenditure. For heaven's sake, how devious can one get? The Conservative party is still supposed to believe in measures to oppose the centralisation of power. Yet, they are placing a tax burden on local authorities to subsidise a central Government commitment.

The Minister will no doubt tell the House that local authorities are large employers and will benefit from the reductions in employer's national insurance contributions. Frankly, however, the effects will be marginal, quite apart from the fact that the reductions will not come into effect for 12 months—some six months after the landfill tax is introduced.

Even when the reduction in employer's national insurance contributions is taken into account, local authorities will lose out by a factor of four to one, or even worse. Tonight, the Minister must tell us how he intends to help local authorities out of those financial difficulties; how he will properly compensate them in future years, as the tax burden bites ever deeper; how he will restore the Government's tarnished reputation, from proclaiming what was seen as an environmentally beneficial green tax but will, by application, betray those great promises; and what measures he and the Government will announce to encourage waste recycling in future years.

10.15 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I welcome this opportunity to respond to a debate on an important subject and to explain the importance of the landfill tax in terms of our strategy for waste management, as well as dealing with some of the comments of the hon. Member for Littleborough and Saddleworth (Mr. Davies) about the impact of the tax on local government.

The landfill tax is to be introduced in October and will be the first tax to be introduced with essentially environmental objectives—something that the hon. Gentleman was able to bring himself to admit at least at one point in his speech. On reflection, he may want to reconsider his avowed belief that environmental considerations are not a priority as regards the tax. Clearly, that is not correct; it is an environmentally driven tax.

The tax marks an important step in extending the use of economic instruments to protect and enhance environmental objectives. The central purpose of the new tax is to ensure that landfill costs reflect the full costs of the environmental impact of activity. By doing that, business and consumers are encouraged, in a cost-effective and non-regulatory manner, to produce less waste, to recover value from more of the waste that is produced, and to dispose of less waste in landfill sites.

The introduction of the tax will not result in an additional burden on industry and commerce. As part of the Government's policy to shift the burden of taxation from employment to activities that have a detrimental effect on the environment, the Chancellor of the Exchequer has announced that he intends to reduce the main rate of employer's national insurance contributions by 0.2 per cent. from April 1997. The rates of tax, which my right hon. and learned Friend announced in his November Budget statement, take into account the environmental impact of landfilling different types of waste. The standard rate of tax will be £7 per tonne and the lower rate, which will apply to inactive waste, will be £2 per tonne. Those rates take into account research sponsored by my Department into the environmental impacts of landfill disposal operations, which are not at present reflected in the price charged for land filled.

The Government have recently consulted interested parties about the list of wastes that should be subject to the lower rate of tax. We are considering the responses to consultation and will announce our conclusions in due course.

[Mr. James Clappison]

Local authorities are responsible for the collection and disposal of household waste. The cost of the tax in respect of such waste will fall on them. Authorities already have an important part to play in helping to achieve the goals for sustainable waste management set out in our White Paper, "Making Waste Work". The tax will increase the incentive for them to encourage practices that reduce the amount of waste disposed of to landfill, for example by providing more recycling facilities and introducing kerbside collection schemes. The tax will also provide a further incentive for local authorities to bring home to local taxpayers the need to participate in that process.

The local government finance settlement was debated and approved in the House on 31 January. We have allowed a 3.3 per cent. increase in total standard spending—the overall level of provision for local authority spending next year. We accept that it will be a tough settlement for some councils, but within the limited resources we have given priority to education, as we said we would do. We believe that the settlement is fair and that authorities have sufficient resources to carry out their functions.

It is too easy for an authority to draw up a wish list or to add up all the new demands that it faces and ask taxpayers to pick up the tab. The Government have sought to put an end to that approach once and for all. Every council must ask what it can save as well as what else it needs to spend. The more efficient an authority is, the better services it will be able to provide.

During consultation on the settlement, we received many representations about the increased costs of the landfill tax. The net impact of the landfill tax will, of course, depend on individual local authorities' waste disposal policies and on the effect of the offsetting reductions in employer's national insurance contributions that my right hon. and learned Friend the Chancellor is making.

Some authorities have asked that the landfill tax be disregarded for capping purposes. Our capping criteria and capping limits are, of course, still provisional as final decisions are not announced until after local authorities have set their budgets. However, I should point out that we have not adjusted local authorities' base budgets to reflect the fact that they are no longer responsible for waste regulation. That has given authorities an additional £26 million of spending power in 1996-97.

Of course we do not expect local authorities to change their practices overnight. The hon. Gentleman was pitching it a little too high when he said that the announcement of the landfill tax should not have taken councils by surprise, suggesting that it had taken them by surprise this year. My right hon. and learned Friend the Chancellor announced that he intended to introduce a tax on landfill waste disposal in his 1994 Budget.

Mr. Chris Davies: I speak more in sorrow than in anger. Perhaps I am in a minority among Opposition Members in holding these views, but I believe that the current Secretary of State for the Environment is a committed environmentalist whose views are perhaps the most green among Conservative holders of that position. I re-emphasise that the landfill tax, the principle of which is not disputed, is warmly welcome. I welcome the tax, but not what the Government are doing with the money. The tragedy is that they are using the money not to encourage waste recycling, but for other purposes. Can the Minister give the House any indication that in practice the benefits of the tax will be used to the full by some of the money being given back to local authorities to encourage recycling projects?

Mr. Clappison: It would be churlish of me not to thank the hon. Gentleman on behalf of my right hon. Friend the Secretary of State for the Environment for the glowing and well deserved tribute to his environmental credentials. I am afraid that I shall now have to strike an unhappier note by diverging from the analysis that the hon. Gentleman has just made. He suggested that the tax has taken councils by surprise and that not enough thought has been given to recycling.

The announcement of landfill tax was made in 1994. As waste collected by local authorities represents a significant proportion of controlled waste, and as some 90 per cent. of local authority waste goes to landfill, which is above the average for controlled waste as whole, at 70 per cent., it could reasonably be inferred that it would be important for local authorities to respond to the landfill tax. It should have been in their purview to have considered other waste management options such as recycling, re-use and waste minimisation, which is at the top of the waste hierarchy. It was within the purview of my right hon. Friend the Secretary of State for the Environment, who clearly believes in those options and hopes that local authorities would follow such practices. Local authorities must now respond by implementing recycling—they have to respond to the landfill tax in the same way as industry and other generators of waste.

Mr. Chris Davies: How does a waste disposal authority—in Greater Manchester, for example—encourage local authorities to devote more expenditure to recycling when they are locked into five-year or seven-year contracts with landfill sites, and when the money that they could use to encourage recycling schemes is being taken away by central Government for their own purposes through the landfill tax scheme?

Mr. Clappison: The hon. Gentleman knows that central Government carefully considered this issue in taking decisions on the local government settlement. Local authorities must make long-range plans. They have had two years' notice, going back to 1994, of the landfill tax—they should have used that time to change their waste disposal policies. We are aware that the link between the costs of landfill tax and the levels of household waste are not as strong as in the case of business. At present, local taxpayers pay for waste disposal as an undifferentiated sum within their council tax bills.

Many other countries have different arrangements, where household waste collection and disposal is charged for directly, often by weight or by volume. Such arrangements may have practical difficulties, but we are continually reviewing the evidence to see whether such measures have a material impact on the amount of waste generated and on the extent of beneficial use.

Every year we have to set the demands of local authorities in the context of what the country can afford. Local government spending accounts for a quarter of all

public spending and no Government can afford to ignore it. Public spending decisions are made in the context of the medium-term financial strategy to promote sustained economic growth and thus ensure higher living standards. The best way in which we can protect local government services is to ensure that the national economy is strong and that inflation is under control. To this end, we must continue to make better use of existing public spending and to keep control of public sector wage bills. Both local and central government have essential parts to play in bringing about these benefits.

I am aware that local authorities are concerned that fly tipping may increase as a result of the landfill tax. In November, my right hon. Friend the Secretary of State announced further measures to combat fly tipping when the tax is introduced. Although the current waste management licensing system and the duty of care for waste provide a strong regulatory framework to support the tax, it is intended to take further steps to avoid an increase in fly tipping. In particular, the Environment Agency will be asked to give a high priority to the prevention of fly tipping, and the financial gains made by perpetrators will be drawn to the attention of the courts.

I hope very much that local authorities will look on the introduction of the landfill tax as a further incentive to promote the use of more sustainable waste management practices in their areas. There will be considerable incentive for both tiers of local government to work together to reduce the amount of waste going to landfill and to encourage greater use of more sustainable waste management options as part of the waste planning process. As I have said, the tax will ensure that waste disposal to landfill is properly priced. In so doing, it will increase the awareness of local authorities of the advantages to be obtained by reducing the amount of waste generated in their areas by diverting waste from landfill and putting it to productive use through reuse or recycling.

I hope that what I have said will reassure the hon. Gentleman that the Government are fully aware of the impact of the task on local government and have taken account of all new burdens on local authority budgets in taking decisions about the overall level of provision for local authority spending in 1996-97. I draw my speech to a conclusion by going back to the starting point of the hon. Gentleman's speech: this is first and foremost an environmental tax. We have to make this a successful and effective tax, and the framework is in place for it to be successful.

Mr. Chris Davies *rose—*

Mr. Clappison: The hon. Gentleman has intervened twice and I would like to draw my remarks to a conclusion. It is important for local authorities, for industry, for commerce and for householders to play their part in making this important environmental initiative the success that it deserves to be. The Government have laid the framework and it is now for others to rise to the challenge, as I am sure they will do, without becoming obsessed with the sorts of issues raised by the hon. Gentleman.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Friday 1 March 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Scott Report (Civil Servants)

9.34 am

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. May I raise a matter that is germane to the debate about to be initiated by my hon. Friend the Member for Islwyn (Mr. Touhig)? Is it true that the Prime Minister's Press Office, run by Mr. Jonathan Haslam, has made a statement that Ministers have had their trial and been acquitted—presumably that is a reference to the decisive margin of 320 to 319—and civil servants have not?

May we have a statement at 11 am on the Government's warning about disciplinary action against civil servants by Ministers who accept no blame themselves? On 7 February 1983, at column 834, I initiated a debate on the Prime Minister's relations with the media and the role of the Prime Minister's press secretaries. It seems from the reports that Mr. Jonathan Haslam is going further down a political road than Bernard Ingham ever did.

Mr. Derek Foster (Bishop Auckland): Further to that point of order, Madam Speaker. The Minister who will reply to the debate today, the Minister for Competition and Consumer Affairs, is from one of the Departments in which some civil servants are under threat of disciplinary action—indeed, dismissal. He is in the best position to come to the Dispatch Box at 11 am and make a statement about that matter, because he will know that civil servants in that position have a right to make a statement in their own defence only if it has been cleared by the establishments officer and the legal officer, and only if it does not criticise Ministers or Government policy. The House deserves a statement about that matter.

Madam Speaker: I am not aware of the statement referred to by the hon. Member for Linlithgow (Mr. Dalyell) in the first part of his remarks, and I have not heard that the Government are seeking to make a statement on this matter at 11 o'clock today. As the right hon. Member for Bishop Auckland (Mr. Foster) has said from the Opposition Dispatch Box, there are Ministers on the Treasury Bench today who will have heard these exchanges, and who may seek to make some comment on them during the course of the debate.

Orders of the Day

Public Interest Disclosure Bill

Order for Second Reading read.

9.37 am

Mr. Don Touhig (Islwyn): I beg to move, That the Bill be now read a Second time.

People who act in the public interest and make the public aware of a crime, fraud or serious malpractice in an organisation currently have no protection in law against reprisals. The Bill that I and my sponsors place before the House today seeks to change that. I hope that, with the support of right hon. and hon. Members from both sides of the House, we can ensure that legal protection is afforded to those people.

I hope, too, that the House will recognise that we need to change the culture in Britain that seems to ignore the message, while questioning the motives of the messenger. There are plenty of examples of that. The official inquiries into the Zeebrugge disaster, into the Barlow Clowes affair and into the activities of the child abuser Frank Beck all show that alarm bells were clearly sounded by responsible employees, but that those in authority failed to act.

The cost of ignoring those messages has been devastating in terms of human lives, public money and private savings, and of a loss of confidence in business and in Government. That situation will not change unless we take action in two key respects. First, we must ensure that people are not deterred from raising concerns about serious malpractice or misconduct. Secondly, we must ensure that those in charge of an organisation recognise that they may have to account for their response to any warning that is given.

The Bill is not a nitpicker's charter; it will not provide a field day for whingers. It will protect only those individuals who, having discovered some crime, fraud or wrongdoing within their organisations, raise their concerns internally. Only then will they be protected from any reprisals. The individual must be seen to have acted responsibly.

If the serious malpractice continues in spite of the initial warning, individuals may feel that they must blow the whistle in order to safeguard the public interest. In that situation, the Bill ensures that they will be protected against reprisals. However, protection for whistleblowing is available only if the courts are satisfied that the disclosure to a regulator or to the press was in the public interest.

In addition, the individual must have satisfied four key conditions: first, he must have raised the matter internally; secondly, he must have had good reason to believe that the information was accurate; thirdly, he must not have acted in bad faith; and, fourthly, he must not have sold the story for profit. The Bill allows responsible individuals to go to court and take out an injunction to prevent dismissal or other reprisals.

Mr. Andrew Robathan (Blaby): The hon. Gentleman said that individuals must not sell their story for profit. However, the Bill states that an individual must not make a disclosure

"principally for the purpose of obtaining payment or personal gain."

[Mr. Andrew Robathan]

Therefore, could not someone blow the whistle and sell his story later on the grounds that he did not do so principally for personal gain?

Mr. Touhig: We cannot wholly discount that possibility, but the Bill certainly does not encourage that sort of action. It states clearly that people will not be protected if they seek to sell their stories for profit.

The Bill also allows for compensation claims. However, any award can be adjusted to take account of bad conduct on the part either of the individual or of the organisation concerned. Whether the individual raises the matter internally or outside the organisation, he will not be protected under the Bill if he acts in bad faith.

That provision will deter people with grudges and those who are motivated by a wish to damage an organisation rather than by a desire to stop malpractice. It will also deny protection to those who blackmail their organisations by saying that they will keep silent if they are paid off or promoted. It will also bar people who are dishonest. Employees may bring claims before an industrial tribunal. In that case, the £11,300 ceiling on damages will not apply, and the rule barring employees who have not worked for two years will be waived.

The Bill imposes no direct costs on organisations. It does not require organisations to appoint new staff or introduce special procedures for investigating concerns. By requiring individuals to raise concerns internally before taking any other steps, the Bill allows responsible organisations to remedy malpractice without the damaging consequences of an external disclosure. The only organisations which would incur significant costs under the Bill would be those which break the law or otherwise threaten the public interest, and which do not deal with a serious malpractice, but seek to victimise the person who draws it to their attention.

There are many examples of that. Harry Templeton, a Scottish printer and a trustee of the Mirror Group pension fund, was such a victim. He was suspicious of Robert Maxwell, and questioned him repeatedly about the handling of the fund. For his pains, he was sacked, thrown from the pension fund board and effectively blacklisted from the printing industry. Maxwell was able to ride roughshod not only over Mr. Templeton but over pensioners, professional advisers and the public interest, because the law does not protect people who raise genuine concerns.

The consequences of an organisation's ignoring warnings about serious breaches of safety procedures, for example, are almost too awful to recount. Joy Cawthorne, an instructor at an Outward Bound centre in Lyme Regis, was so shocked by the lax standards she observed that she resigned. Before doing so, she wrote to the managing director, warning him that, unless something was done, he would end up

"having to explain why someone's son or daughter will not be coming home".

Tragically, she was proved right. Her warning was ignored, and four children died in a canoeing accident.

Many organisations today recognise the valuable role played by the whistleblower. Unless employees raise their concerns, those in charge may not realise that anything is wrong. In principle, Ministers are accountable to the House, company directors are accountable for the actions of their organisations, and trustees are accountable for what their charities do. Yet, if those who are accountable in law do not know what is happening, it is very difficult to correct or prevent something that is seriously wrong and is done in their name.

Recognising that, the House and the law take a more lenient view when those in charge did not know about the misconduct. As the main thrust of my Bill is to ensure that serious concerns are raised internally, it strengthens the weakest link in the chain of accountability.

I refer, for example, to the case of Beth Lawson. Beth worked at the delicatessen counter of a major supermarket selling dairy produce, cheese and patés—that sort of thing. She discovered that her boss was changing the dates on food that had passed its sell-by date. Beth's colleagues were reluctant to take up the matter with their employer in case it jeopardised their jobs: they believed that it was more than their jobs were worth.

Beth knew that she would be leaving the company to start a new career, so she alerted her employers, who investigated and stopped the practice immediately. We can only imagine the possible consequences if Beth had walked away without blowing the whistle: people being taken ill from eating contaminated food, damaging headlines plastered across the newspapers, and a supermarket chain's reputation in tatters and jobs at risk. What was that action worth?

Unlike many laws, the Bill would impose no costs on responsible organisations, and would affect only those who knowingly engage in serious malpractice. As such, it would impose no red tape, and it would underpin competition, as it avoids any risk of cross-subsidisation of bad businesses by good ones. My fellow sponsors and I have sought to assure all who have bothered to ask, including Ministers, that we are not seeking to place unacceptable regulatory burdens on business and industry.

Last year, my hon. Friend the Member for Cannock and Burntwood (Dr. Wright) introduced a ten-minute Bill which paved the way for today's measure. I am grateful for the work that he has done. He pointed out that many companies have become aware of whistleblowing, and that they now believe in protecting the rights of the whistleblower and opening routes within companies to discover fraud and corruption.

British Telecom, Esso, Lucas and NatWest are only a handful of the major companies which have established a hotline to deal with employee concerns. That is clearly a sensible development for large organisations. Rather than imposing a regulatory burden, the Bill underpins effective self-regulation. It is essential. It recognises the role of a regulatory body only as an option of last resort.

How can self-regulation work effectively if employees are deterred from raising serious concerns about malpractice? When he was director general of the CBI, Sir John Banham wrote of

"management's responsibility to give support to employees who report wrongdoing which is damaging the company. These whistleblowers should be regarded as a safety net where other forms of regulation fail, and meritorious whistleblowers should be protected."

The Government have welcomed the work of whistleblowers. During the passage of the Pensions Act 1995, the Government tabled a "blowing the whistle"

clause to ensure that misconduct and malpractice were reported. It provides that auditors and actuaries who have reasonable cause to believe—the same test as in the Bill—that there is a material failure in a pension scheme or a breach of the rules or of the law must report it to the pensions authorities immediately.

In a letter to my hon. Friend the Member for Cannock and Burntwood in August, the Chancellor of the Duchy of Lancaster—commenting on my hon. Friend's Whistleblowers Bill—said that, with regard civil to the service, he was

"committed to ensuring that there were arrangements that both resolve genuine concerns and sustain the mutual confidence and confidentiality that should exist between all employers and employed."

In 1993, the then Secretary of State for Health—the present Secretary of State for National Heritage—published whistleblowing guidance for the NHS to ensure that concerns about patient care were addressed and not swept under the carpet. Last August, in the wake of the misdiagnosis of bone tumours in Birmingham, the present Secretary of State for Health published proposals that doctors should be under a contractual requirement to report to their employer malpractice or misconduct by a doctor.

The Prime Minister says that he is keen to improve the scrutiny of the public sector after the Scott report. The Bill will underpin the recent changes—in particular, the code of practice for open government and the new whistleblowing procedures in the civil service that the Government have introduced in Whitehall and pledged to extend across the public sector.

The core of the Bill is set out in clauses 1, 2 and 3. Central to the measure is the definition of public interest disclosure. Clause 1 states that this is a disclosure that, in an action for a breach of confidence, a court is likely to find was justified in the public interest; a disclosure that an individual disclosing it has acquired subject to an obligation or claim of confidentiality; a disclosure that tends to show significant misconduct or malpractice of a kind including—but not limited to—those set out in the schedule.

The Bill is not intended to blow a hole in the duty of confidentiality, and it rests on the assumption that that duty is important and must be respected. That is why the Bill requires serious concerns to be raised internally. Where the matter is not addressed internally, however, and where the law recognises that it is lawful and justified for an employee to take the matter outside, the Bill protects people who are acting in the public interest. The Bill does not weaken by one iota the importance of the duty of confidentiality.

Clause 2 defines disclosures that are protected in the Bill. A "protected disclosure" is a public interest disclosure where the individual making it is not acting in bad faith; believes on reasonable grounds that the information is accurate; has not made it for the purpose of obtaining payment for personal gain; and has taken reasonable steps to raise the misconduct or malpractice internally first. Clause 3 provides that an individual may not be penalised or be guilty of an offence for making or proposing to make a protected disclosure.

Finally, I return to the idea of changing the culture of Britain. A single Bill cannot change the culture of a country, but it can engender an atmosphere in which the culture can be changed gradually. The creation of that atmosphere is possibly the most important thing that the Bill could achieve. Our entire culture, from cradle to grave, is secretive and silent. Look how, in early years, children become aware of the culture of silence—in the playground, they learn not to snitch. If we tell teacher, we are for ever dubbed "teacher's pet", and are ostracised and victimised. We should "keep mum" and not be "tell-tales".

Unfortunately, that frame of mind continues into adult life, where our language and culture are riddled with phrases and concepts of secretiveness—"keep it under your hat", "keep a lid on things." If we speak out, we have "let the cat out of the bag", or "spilled the beans". "Ignorance is bliss." "Silence is golden." But we all know that ignorance is not bliss, and that silence is not golden, when they lead to tragedies such as Zeebrugge, Piper Alpha and Clapham junction. We cannot continue to support the culture of silence where it affects the public interest.

The shop and factory floor and the offices and computer screens of business are a world away from the school playground. These places require professionalism and commitment, but organisations have become so large that it is impossible for one person—or even one department—to keep track of everything. The Bill seeks to encourage companies and institutions to open up channels of communication.

We do not seek to promote a grudge-bearers charter, or a charter for those acting with malicious intent. We are not trying to foster a world of Orwellian informants. We want to encourage people to speak out responsibly if it is in the public interest. It is easy to understand in the current climate of job insecurity and high unemployment why people are scared to speak out. Many feel that it is more than their job is worth to speak out. But we must encourage them to speak out responsibly. The price of their silence is too high. One should think about the lives lost in the Herald of Free Enterprise or Piper Alpha oil platform tragedies.

Mr. Robathan: I have been listening to great interest to the hon. Gentleman, who has made some good points. But I do not quite understand what he has just said. Is he claiming that the Herald of Free Enterprise would not have gone down had his Bill been enacted before the accident?

Mr. Touhig: Before the Herald of Free Enterprise tragedy, there were five reports of ferries sailing with their bow doors open, and the inquiry made it clear that that information never got beyond a certain level of management—as in the case of Piper Alpha—because people were afraid to report the matters in case their jobs were affected. I cannot say, in all truth and honesty, that the enactment of the Bill would have prevented that tragedy, but people who discover that something is wrong and speak out should be protected in law—that is our duty.

The damage done to business confidence by the Barings collapse, and by the BCCI and Maxwell scandals, is enormous, and too horrendous to contemplate. It only takes serious malpractice in one department to bring down an entire company, and we have had plenty of evidence of that in recent years. The loss of that company may in

[Mr. Touhig]

turn damage a whole community that depends upon it. For their own sake, Britain, British business and the British Government must foster a culture of communication instead of a culture of silence. The Bill seeks to protect those who wish to participate in such a culture of communication in the public interest, and I commend it to the House.

9.58 am

Mr. Iain Duncan Smith (Chingford): I rise as a sponsor of the Bill, and I hope that my right hon. and hon. Friends will understand from my speech that I am the last person who would rise to support a Bill that imposed greater regulation or any form of scrutiny that allowed people to obtain control over a company without reasonable intent.

I thought long and hard about sponsoring this Bill before I decided to do so, and I had long discussions with the hon. Member for Islwyn (Mr. Touhig), who promoted it—on which I congratulate him. He accepted many of my criticisms in those discussions, particularly on the issue that I was most concerned about and which he has raised today: that the Bill should not be a charter for people in companies who are disgruntled, have an axe to grind or have some grudge against the management. It should not be a charter for them to take up whatever issue they wish, to run outside the company, to create tremendously bad publicity and to cause difficulties for their company.

I was on a company's board, as a business man, before I was elected as a Member of Parliament. I have thought carefully about how we operated then. As in every company, there were always disgruntled employees—the barrack-room lawyers, as they are called in the army; the person who always has an axe to grind. Once most of those people's comments were discounted, I found that much of the time in board meetings was taken up by discussions on what was being said around the company: the rumours, the concerns, and who was saying what about what might be happening.

It was quite often in the course of what seemed to be general discussions that an issue arose and someone would then be tasked with resolving it. If the issue did not reach the board through the normal channels, it somehow still reached the board. That company had a system that allowed people to talk and to have problems and concerns brought to the board's attention.

In many ways, this Bill is about enshrining the best practice that already exists in good companies. The Bill will not change that best practice, but simply says that, if those companies are doing it, so should others, and they should be encouraged to do so. This legislation does not say that they will follow best practice, but that, if they do not, they obviously stand to lose considerably in the long run should problems arise.

I decided to sponsor the Bill after having read it and changed a number of things—particularly in clause 2—because I felt that it would enshrine best practice and not essentially damage good management-worker relations. The key to the Bill lies in the fact that the matters raised by individuals in companies will be in the public interest and not as a matter of public interest: there is a clear divide between the two.

People who are opposed to the Bill might say, "It provides an excuse for someone to say that the disclosure is about public interest, and that it should be in the public domain." That will be no excuse in the courts. If it is clearly proved that the individual raised the matter simply as a matter of public interest, he will have no protection in law against subsequent prosecution by the company.

Mr. Michael Stern (Bristol, North-West): Does my hon. Friend agree that the great danger in relation to this aspect of the Bill is that the decision whether the employee has acted in the public interest will be made only when the matter reaches court? The damage to the company, the organisation or the civil service may already have been done—because the person concerned was mistaken.

Mr. Duncan Smith: I accept that point, and it was one of my major concerns when discussing the possibility of sponsoring the Bill. I asked myself, "What does the Bill change in the relationship?" It does not change anything. The individual will still have seriously to go through the company's internal procedure. He or she will have to accept in their own mind that they have demonstrated good faith, and they will not suddenly be able to depart from that practice.

If it is obvious, or even marginally clear, that the individual has, from the beginning, sought to raise the matter for other reasons, that will become known. The point is that it will be made clear, in public, that they have no protection. Protection does not exist now, and it will not exist after the Bill's passage.

People are currently doing what my hon. Friend the Member for Bristol, North-West (Mr. Stern) described, because there is a genuine sense that there is no protection. There will be no protection after the Bill, either. People will be in the same position, and they will not be able to use the Bill to draw any excuses for the type of actions he described.

There is nothing to stop the press proceeding like that now, and the Bill will not change that. It simply tells individuals who have concerns—there are two issues that I shall raise shortly—that, ultimately, if they genuinely believe they are right, they will receive the protection they deserve, but not otherwise. People who act because they are disgruntled will not be protected at all.

Mr. Anthony Coombs (Wyre Forest): I know that this is a slightly paternalistic argument, but if the Bill creates a significant change in culture, as the hon. Member for Islwyn mentioned, some people—who may be totally misguided—may feel that they are entitled, in the public interest, to breach confidentiality with their employers, for example. Because they are so misguided and cannot differentiate, they may find that they not only unnecessarily damage their company but that they unnecessarily damage themselves.

When they come to court and discover the rigorous conditions that the Bill lays down, they may find that they are not protected by it. Therefore, there may be a dual effect: a greater breach of confidentiality, which will damage companies, and possible damage to relatively innocent but nevertheless misguided people.

Mr. Duncan Smith: I understand that. I can only say that what should, and will, be made clear when the Bill is passed is that it does not give people those protections. In other words, people will not be able to believe that, somehow, in the course of this process, they will receive

protection simply on the basis of their having raised an issue and breached confidentiality. The Bill clearly states not only that the disclosure will have to be in good faith, but that an employee has a link with the company and its management on the basis of confidentiality in relation to activities that are not in the public interest.

I said earlier that the stress is not only the disclosure being a matter of public interest: it must be in the public interest. Most of the examples that my hon. Friend the Member for Wyre Forest (Mr. Coombs) described will not fall into that category. I am simply saying that the company's internal processes will not change. Its employees have a duty of confidentiality, and that has not been breached. I do not think that someone who currently wishes to pursue matters that he thinks are in the public interest, for example, will not have covered that matter. I am simply saying that the Bill makes that clear.

I do not claim, as does the hon. Member for Islwyn, that the Bill will dramatically change this country's culture. Ultimately, it will simply allow clear protection for people who genuinely seek to resolve a matter that they have been unable to resolve internally. I have two examples that are worth listening to, because they deal with that very issue.

As we examine the Bill, the real question is whether there is a need for it—if there is not, of course it is unnecessary. As the hon. Member for Islwyn said, there are plenty of examples in which, had a company or organisation's internally available information been properly used internally, some disasters or problems would not have occurred.

I recognise, having come out of a business culture, that no good company wants to destroy its management-employee relationship. It certainly does not want to destroy that relationship or its reputation because a matter was raised somewhere else by someone who was not in management. The problem often lies at the middle management levels—often not much higher—with people who are defensive because they did not deal with the issue first, which may make them look rather foolish or reflect badly on their judgment. The problem is getting rid of those blockages at the middle levels of an organisation or company, which are all too common.

I should like to mention two cases as examples of why I believe that legislation is needed. Many hon. Members will have heard of the case of Jenny Watson, the deputy head of Sidney Smith school, in Hull. The school is not in my constituency, but the Minister of State, my hon. Friend the Member for Boothferry (Mr. Davis) asked me to mention this case, because he has been pursuing it on her behalf. Jenny Watson fits exactly into the category of person that we are talking about. The case centred around her investigations, as a deputy head, into the abuse of claims for overtime and extra money from caretakers in the school and in the area. She was ultimately proved to be correct about a string of Spanish practices that were costing the school vast amounts of money and had been going on for years. The special overtime payments that Mrs. Watson studied in the timesheets stretched back over a long period, but the practices were considered acceptable, because no one wanted to challenge the caretakers or their union.

At first, the governors and the headmaster were supportive, but after much pressure brought by the council and the union, they started to back off—particularly the headmaster—although the original chairman of governors remained supportive. An important aspect of the case was that, when the chairman of governors returned to the school one day, he saw a caretaker, who was claiming overtime for that period, sunbathing outside his house. That was the sort of practice that was occurring.

The deputy head was given the responsibility of looking after the budget and sorting out problems, but she found herself unable to raise the problem; she was told that people did not want to hear about it, because there were bigger issues at stake, and she was simply impinging on people's ability to sort them out. Many times, the head said to her, "You have no idea how extreme the pressure is from inside and outside the school to have you removed from anything to do with the caretakers or their budgets".

That set of claims was not addressed—instead, the deputy head was ultimately suspended. An inquiry was held by a tribunal, which immediately recommended that she should be sacked. When my hon. Friend the Member for Boothferry (Mr. Davis) inquired into the composition of the tribunal, he discovered that it consisted of three people, two of whom had close associations with the caretakers. When he complained, another two people were added to the tribunal, but one, if not two, of them were linked with the trade union involved. Such issues are at the heart of the Bill.

Even after the district auditor supported the lady's case and said that great abuse had been occurring, she was not reinstated. Those involved tried to deal with her rather than with the complaint. Eventually, the lady was offered the opportunity to return to the school as deputy head, but her terms of reference were completely changed—all mention of budgets or caretakers was cut out.

When she refused to accept those terms, she was offered other terms of reference that also cut away some of her original responsibilities. She refused those terms of reference, and it was simply announced that she had, in effect, dismissed herself. The woman has to go through the courts to challenge that action. Why? Because the local council decided that it would deal with the person raising the issue rather than the issue itself, because that would have caused too many problems.

I am not raising the case as a party matter simply because it refers to unions or a Labour-controlled council. I raise the case because it involves an organisation deciding that it will deal with the person who has raised the problem, so that it can continue with its cosy relationships and comfortable life without that problem. As a result, an individual was penalised—she is the sort of individual who would be protected by the Bill. If the authority had recognised that the individual was likely to win her case, it might well have tried to deal with the issue—which would not have taken as long—rather than the individual.

Mr. Robathan: My hon. Friend has used a good example, but I am not clear how the Bill would improve the situation. My hon. Friend is talking of a clear case of maladministration, of the system not working, of officials, elected officials and people in the education department, being in cahoots and refusing to take action. The case had to be resolved in court action—or an industrial tribunal. I am not sure how the Bill would make the situation any better for the person involved.

Mr. Duncan Smith: That is the point. My hon. Friend said that the case had to be resolved through court

[Mr. Duncan Smith]

action—why? I am talking of an individual who raises an issue internally. What would any good organisation want to do about that responsible individual? It would want to answer the charge; it would have a structure to deal with the issue. I have just highlighted a case in which the organisation refused to deal with the issue because that would have created bigger problems.

My point does not involve resolving the matter in court—the lady should not have to go to court. She has already spent £21,000 trying to defend her name, and will now, I suspect, have to spend even more money—under clause 3 of the Bill, that could not happen. The lady is being penalised simply as a result of raising the issue—that is an important point.

If the clause was enacted, the organisation would not have been able to take the action it did, because the lady would have been able to claim that it was contravening the new legislation. I am not talking about massive Government expenditure or a new set of regulators, but simply a clause that allows the person involved to say, "Stop: I am an individual with rights and you are abusing them." I do not see how any hon. Member could reject that responsible and reasonable measure in any circumstances.

Mr. Denis MacShane (Rotherham): The hon. Gentleman has moved from companies to the public sector very quickly. Is not the core of the Bill the fact that the public sector is where whistleblowing is most necessary? Is that why the Government are to oppose the Bill tooth and nail a little later this morning?

Mr. Duncan Smith: I always enjoy interventions from the hon. Gentleman. I have moved into the public sector with this case; I do not know what my hon. Friends on the Front Bench will do—that is clearly for them to decide. I hope that they will allow the Bill to progress into Committee, because I believe that, as long the core argument is retained, much of the Bill can, if necessary, be changed. The Bill is designed to stop great abuses in the public sector and to resolve problems where individuals who could improve organisations have their claims rejected because various people have particular reasons for doing so.

Mr. Robathan: My hon. Friend is extremely generous—this is an important point. We would all support the woman involved in the case that he has mentioned. It is an incontrovertible fact that she has been hard done by—I suspect, illegally—and I am sure that an industrial tribunal will give her due compensation. I think that we all condemn those who, according to my hon. Friend, have behaved unjustly. Clause 3 may give legal backing to the woman. However, were the Bill enacted, she would still have to go to court to obtain recompense, just as she does now. It seems that another regulation is to be piled on top of laws that already exist.

Mr. Duncan Smith: With all respect to my hon. Friend, the Bill is not about piling another regulation on top of existing laws. My hon. Friend says that the woman would have to go to court anyway; I am saying that, at present, there is a process of expenditure whereby, in order to prove his or her case, the person involved has to go to court, which means that lawyers obtain money and nobody else succeeds in obtaining anything.

Clause 3 would mean that the person involved did not have to go to court, as the organisation would not have been able to dismiss her. The issue at stake in the Bill is that it will not be possible to proceed against an individual who blows the whistle. The Bill is not about regulation; it does not impose greater regulations on any company. The Bill simply ensures that it is in an organisation's interests to deal with the matter internally—a point illustrated by the case that I mentioned.

My second case involves one of my constituents, Mr. Bill Sutherland, who used to be a policeman. In July 1988, he had cause to complain about his then chief superintendent, Archie Newlands, who is now deceased. Due to a variety of issues that boiled up at the time, Mr. Sutherland was concerned about his chief superintendent's close association with a wealthy local business man, Mr. Morris, and their close links with the local authority. It is a complex case, and I shall not go into the details.

Having raised the issue, far from being applauded for having taken what he thought was a matter of concern to the appropriate authority, he found that everyone turned on him, and he was gradually forced to back away from his original job. He was transferred away, shunned, and treated as a pariah. He was given menial tasks, such as checking subscriptions to the orphans fund. It was almost as though people felt that he was a specimen with whom they did not want to deal too often, because he had raised a concern about a senior officer, and that simply was not done.

At the end of the day, the case was examined and the individuals concerned were exonerated, but we never found out what happened during the investigation, why they were exonerated and why none of the concerns seemed to have been dealt with.

After a series of problems, the individual who had raised the matter was invalided out of the police force, and in many respects his life is in tatters. He asked only for a proper review of the evidence that he had placed before the investigation, and an open examination in which he could have some faith without necessarily having to suffer. To this day, he continues to attempt to get the police to investigate his original charges reasonably and properly, and believes that the evidence that they turned up in the course of their inquiry showed that he was quite right, but that the real problem was not investigated, and he was punished for raising it.

I support the Bill, although I recognise that it will need some work in Committee.

Mr. Peter Viggers (Gosport): Will my hon. Friend give way?

Mr. Duncan-Smith: No. I have given way several times, and I wish to conclude, as other Members wish to speak.

If my hon. Friends on the Front Bench take a positive view of the Bill, they will realise that it is not about regulation, and that, in effect, by giving people some protection, we shall be deregulating. The Bill will encourage people to look at their own companies, exercise best practice, follow the best procedures, and not cut corners. That will reduce the necessity for the overbearing regulators we always hear about, and could even do away

with many of them. I speak in a constructive spirit, in the hope that my hon. Friends will accept the Bill and allow it to reach Committee.

10.21 am

Mr. Mark Fisher (Stoke-on-Trent, Central): I am grateful for the opportunity to support the Bill. It is an excellent measure, and I congratulate my hon. Friend the Member for Islwyn (Mr. Touhig) on picking up a Bill of such importance so early in his parliamentary career and presenting it with enormous clarity and conviction. I hope that Ministers were as impressed as the rest of the House by the responsible and measured way in which my hon. Friend introduced it.

As my hon. Friend acknowledged, the House is also in the debt of my hon. Friend the Member for Cannock and Burntwood (Dr. Wright), who set the framework for the Bill, and, as we are on the subject of congratulations, of one or two people outside the House. The measure would not be possible but for the work of Mr. Maurice Frankel and the Campaign for Freedom of Information, who has campaigned tirelessly for the past 10 or 15 years, and, more recently, the work of Lord Borrie and Public Concern at Work.

There is a tide of opinion in the House and outside that we have to open up society, not only for reasons of principle but for good pragmatic reasons. It is inefficient, and often worse, to continue to be a secretive society, as too many institutions and companies are, in the public and private sectors. Secrecy and non-disclosure are in the bones of our society, and it is about time we got rid of them once and for all.

As my hon. Friend the Member for Islwyn acknowledged, the reasons are not simple, and not all of them can be addressed by legislation. He was very clear about the tradition of non-disclosure that runs through our culture. Institutionally, there is a tradition of deference in organisations, where the employer, the boss or the person who is better qualified or more in control of information is assumed to know best and inquiries or fears are often set aside because people are told, "It is more complicated than you understand—don't worry, we shall sort it out".

There is a patronising, paternal element in too many of our public and private institutions, which suppresses the tendency for people to be worried and to speak up. That institutional culture is difficult to address.

As my hon. Friend also acknowledged, there is a long-running personal culture in Britain. People often have too much loyalty to the team; they want to be liked, and do not want to be difficult. People are inhibited if they know that they may put the jobs, reputations or salaries of colleagues at risk by speaking out.

Those cultural and personal reasons tend to reinforce the desire not to speak up. Legislation cannot address those factors, but it can—as the Bill does very well—provide a framework, so that, when people are driven to raise an issue as matter of last resort because they recognise its seriousness and its implications, they can at least feel that they have some protection in law.

The seriousness and the scale of those problems has been illustrated by my hon. Friend, and I suspect that other hon. Members will do so throughout the debate. Financial fraud, such as that in Barings bank and Mr. Leeson's 88888 account, and the laundering of money, particularly in drug trafficking, are enormous problems that are difficult to bring to light. Unless people feel that they have some protection, we shall never find out what happens. Members on both sides of House are concerned about the laundering of money in drug trafficking. There is no way in which it can be addressed without such protection.

No doubt my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson) will speak movingly about the Lyme Regis problem, and my hon. Friend the Member for Leeds, Central (Mr. Fatchett) will deal with the problems in the health service. As the hon. Member for Chingford (Mr. Duncan Smith) is interested in European matters, we should also consider the European perspective.

Hon. Members on both sides recognise that the scale of fraud in the European Union is enormous. It has been estimated at 1 billion ecu, which is more than 1 per cent. of the total European Union budget. It occurs particularly in agricultural subsidies, where it is extremely difficult to bring to light and wastes huge sums of money throughout the European Community.

Unless people have some protection in calling its perpetrators to account, we shall never get to the bottom of the scale of European fraud. Of course, as Mr. Leeson's work showed, new technologies will create the potential for fraud and malpractice that we have never before encountered, so it is important to provide a protective legal framework.

My hon. Friend has responsibly and sensibly drawn the Bill very tightly. There must be an absolute requirement to raise matters internally, and it is crucial that the public interest element is brought to the attention of the appropriate regulatory authority.

Mr. Robathan: The hon. Gentleman is making some sensible points. I am not trying to undermine them, but he has raised as an example of how useful the Bill will be the case of Nick Leeson's hidden account 88888 and Barings' downfall. In what way would the Bill have protected Barings? His second example, in which I am particularly interested, was European fraud. Would the Bill have protected Mr. Connolly, who was sacked for the European Commission for speaking out in a way that he believed was honest and true?

Mr. Fisher: It is impossible to say with any certainty that the Bill would have resolved those cases, but in those two cases and countless others, people who knew what was happening thought, "I ought to say something about this, but I am frightened to do so, because I might not keep my job and could put other people at risk."

Uncertainty, fear and the lack of legal protection is inhibiting. Whether it is Barclays or the abuse of European Union agricultural subsidies, there are people who know what is going on. Some of them will never blow the whistle on malpractices, but there must be good people out there who would like to blow the whistle but are frightened to do so. My hon. Friend's Bill will address and attack that element of fear.

My hon. Friend has drawn his Bill well, and he is almost certainly right about the question of profit. Similar legislation and practice in other countries, and some practices in this country—particularly in respect of crime—allow for reward. The question whether people should be allowed to benefit is difficult to answer.

[Mr. Fisher]

In the United States, substantial rewards are offered for whistleblowing in customs and excise matters. The USA authorities feel that they would be unable to tackle the scale of customs and excise fraud without being able to offer fiscal incentives. My hon. Friend has correctly erred on the side of caution and has taken a simple, no-profit approach. He understands also that whistleblowing is a last resort, which is most proper.

The European Union and other countries are moving in the direction of my hon. Friend's proposed measure. Spain and Portugal recently introduced similar legislation, and in the Republic of Ireland the Dail is considering doing the same. The Netherlands and Denmark are considering similar legislation. Recent important court decisions in Germany, Belgium and the Netherlands recognised for the first time that it is in the public interest to protect whistleblowers. Two relevant European Union directives issued recently, on drug trafficking and health and safety, place a duty on people to report malpractice. There is recognition throughout the western world that the issue must be addressed now.

My hon. Friend's Bill is not a panacea. It cannot solve the cultural problems, but it will provide a framework. I hope that my hon. Friend the Member for Makerfield (Mr. McCartney) will support the Bill when he speaks from the Front Bench and will give an undertaking that the freedom of information Act that my right hon. Friend the Leader of the Opposition has time and again said a Labour Government will introduce—which I hope and expect will be based on the right-to-know Bill that I introduced some years ago—will incorporate the Bill's important provisions, because they are an essential element of a comprehensive freedom of information Act.

Open government laws are not enough in themselves—what matters is how they are implemented. Those of us who have studied the operation of freedom of information legislation in Australia, Canada, New Zealand and elsewhere know that the framework in law that my hon. Friend seeks to introduce is only a starter for 10. Of great importance is the way in which the Government promote that law and encourage the public, courts and institutions to use it. The spirit in which such a law is operated, rather than the legal framework, is of central importance.

Progress is bound to be slow, but the tide is running with my hon. Friend. His Bill is the first important step to greater openness and sense. I congratulate my hon. Friend, and wish him well.

10.34 am

Mr. Peter Viggers (Gosport): Anyone hearing the hon. Member for Islwyn (Mr. Touhig) move the Second Reading of his Bill would have found it difficult to disagree with anything he said. The Bill as presented by the hon. Gentleman would rectify serious problems. He highlighted the capsizing of the Herald of Free Enterprise off Zeebrugge, and the Piper Alpha disaster. One thinks also of the Clapham rail crash, the Ashworth hospital scandle, and cancer misdiagnosis. In those and other cases, it can be argued that it would have been possible for whistleblowers to have prevented those incidents.

The word "whistleblowing" sounds like a healthy, hearty, outdoor thing to do, but whistleblowing offers scope for abuse so great that it gives me cause to worry about the Bill. The Library's indispensable research paper, which is well up to the Library's normal standard, refers to the "autocratic environment" in BCCI

"in which no one dared to speak up."

Many companies, and many Governments, are like that. BCCI happened because of the failure of international banking supervisors to co-ordinate, rather than of an individual.

It is generally accepted that, where a cost is to fall on the Government, no one really cares; where it is to fall on a big company, no one cares outside the company; and where it is to fall on a smaller company, that will be of intense concern to the proprietors of the company or organisation.

My hon. Friend the Member for Chingford (Mr. Duncan Smith) gave the example of a school as one type of organisation that could be helped by the Bill. I am the chairman of a sixth form college in my constituency that is quite a sizeable organisation, as these things go. It has a budget of £4.5 million a year, 250 staff and 1,182 full-time pupils. Well over 75 per cent. of all the college's costs are accounted for by the salaries of teachers and other employees. A comparatively small amount of money is left for administration.

It would be devastating if a member of the staff or someone associated with the college sought to take action under the Bill, by reporting an incident of maladministration that the individual believed had taken place. The legal expense and the cost in staff time would be devastating, even though that organisation is of reasonable size.

As to the kind of person who might be a whistleblower, to take one view—or a sneak, to take another—I am worried about members of the awkward squad. I refer to the person who does not get on well with his fellow employees or with the boss, and who wants to expose something that he thinks is important. Having done so internally, then he might claim that he is being discriminated against if he seeks to pursue the matter further. I am concerned most about the smaller company.

Mr. Richard Shepherd (Aldridge-Brownhills): I intervene with great diffidence, because my hon. Friend and I had a relationship with Lloyd's of London. In fact, my hon. Friend served on the council of Lloyd's. Does my hon. Friend agree that, if some of the malpractices in that organisation had been revealed earlier by employees in the Lloyd's market, the cost to investors, the reputation of Lloyd's and the possible survival of Lloyd's might have been assisted? There is sometimes a positive gain. The burden of cost, on the simple side of the account, is not the final determinant. There are wider considerations of public interest.

Mr. Viggers: I declare an interest as an ex-member of the council of Lloyd's, and I retain a connection with that organisation as chairman of its pension fund trustees. I am also a member of the Lloyd's investigations committee—the committee that is tasked with investigating matters that are reported through the regulatory board. There is what is informally called at Lloyd's a sneak's charter, whereby people are encouraged to report matters—if necessary, anonymously—so that they may be pursued.

The problem is that less is reported than should be. Lloyd's has much broader provisions than those in the Bill, but they do not work, because those at Lloyd's do not participate fully and do not make reports that would expose the problems.

Mr. Shepherd: People may be fearful for their jobs.

Mr. Viggers: It is possible at Lloyd's for someone to report a matter anonymously, so that need not affect his job at all. The provisions at Lloyd's are broader than those in the Bill.

Mr. MacShane: I am concerned by the number of anonymous letters that I, as a Member of Parliament, get about malpractice. I had one recently about a public agency in Rotherham, containing serious allegations, but signed simply "The Mole". What do I do? It is extremely difficult to pursue the matter. Were the Bill to be law, and were the mole really to believe he had some cause of complaint in the public interest, he would feel protected as a citizen.

It would still be a big decision for him, but the Bill would at least move us away from the world of sneaks, anonymity and people who were fearful of revealing problems because they were frightened of losing their jobs or some other pressure. The Bill would enhance the individual freedom of the citizen.

Mr. Viggers: The hon. Gentleman makes a fair point. I shall deal in a moment with those who genuinely believe that they have exposed a genuine wrong. The hon. Gentleman puts one point of view, and I will explain the opposite point of view.

I am concerned about the effect on morale in larger organisations. I am especially concerned about those who have become obsessed with an issue. We all know such people, and they are well known to clergymen, doctors, solicitors and Members of Parliament. Such people turn up in constituency surgeries, absolutely convinced that they have had access to some facts that they think need to be in the public domain.

Their obsession can leave them near to the norm in personality or it can take them well away from the personality norm. Someone who has become obsessed with an issue and who may genuinely believe in it, as my hon. Friend the Member for Chingford said, would be able to pursue that obsession more easily.

Such people may have obsessions about major organisations such as the armed forces, the police, airlines and the railways, in which any exposure of potential risk would hit the headlines in a big way. The risk of exposure for such large organisations would be enhanced if individuals knew that they would be protected if they made a complaint.

All that an individual employee, who perhaps does not get on with his immediate superior or his workmates and may even have had a warning about his standard of work, would have to do is say that he proposed to make a protected disclosure. Immediately, he would trigger a mechanism that would prevent him from being dismissed or disciplined.

Mr. Touhig *indicated dissent.*

Mr. Viggers: The hon. Member shakes his head. I submit that the Bill would enable an individual who felt threatened to claim that he would make a protected disclosure, and he would immediately become bullet-proof. Clark Kent would become Superman.

Mr. Touhig: The hon. Gentleman has misunderstood the point. An individual would not be able to go to his organisation and say that he intended to make a protected disclosure. The individual would have to raise a concern about some serious wrongdoing or malpractice with the organisation first, and give the organisation a chance to respond or correct it. Only then would the protection follow, if he or she made the concern public. The Bill contains no provision for someone to threaten to make a protected disclosure.

I ran a small company before I came to this place, and I know the difficulties that people who run companies face from employees who have all sorts of complaints, grumbles and grouses. We must ensure that procedures are in place so that people who run organisations can discover what is happening. With respect, the hon. Gentleman has quite misunderstood the main thrust of that part of the Bill.

Mr. Viggers: I accept that I have foreshortened the procedure that the Bill envisages, but, if a disgruntled individual felt threatened in some way, he could explain to his employer the point that concerned him. When the employer, perhaps justifiably, told him that he would have no cause to expose the matter because there had been no malpractice or abuse of authority and none of the points in the schedule applied, at that point the individual would say that he proposed to make a protected disclosure.

That individual would then be protected, and he would be able to say, like a child playing in the playground, "Fainites, you can't touch me." Like the television advertisement, he would have the ring of confidence. He would be invulnerable, because he would have protected himself under the procedures in the Bill.

Mr. Touhig: The individual would have to show that he or she was not acting in bad faith; that is clear in the Bill. The hon. Gentleman's example is clearly a question of bad faith, and, with respect, he has misunderstood the point.

Mr. Viggers: The hon. Gentleman claims that individuals would have to prove that they were acting in good faith, but so much of the Bill is based on subjective judgments. As my hon. Friend the Member for Bristol, North-West (Mr. Stern) has pointed out, claims would remain open until they were settled by the court. An individual who felt he had been victimised could claim the protection of the Bill, and a court would have to decide whether he was justified.

Mr. Stern: I underline my hon. Friend's point. He is right in his analysis of the Bill. If an individual, at the earliest stage, indicated that he foresaw a protected disclosure resulting from his attempt to raise the matter internally, effectively he would totally change the nature of the discussions with the company or organisation that employed him. The company would know that, if it did not accept his view of events, a protected disclosure would inevitably follow.

Mr. Viggers: Following my hon. Friend's point, an individual could complain—I select at random from the

[Mr. Viggers]

schedule—about an abuse of authority. What is an abuse of authority? Who is to decide what is an abuse of authority? No one would know until the question reached the court. An individual could claim the protection of the Bill, and a final decision would have to be made by the court.

Individuals could complain about maladministration. What is maladministration? I might administer brilliantly, someone else maladministers—that is a subjective judgment, and the answer would have to be decided by the courts.

Mr. Duncan Smith: I wish to turn my hon. Friend's point round, because it already happens. If somebody wishes to raise an issue about malpractice, ultimately the courts decide the point. If that individual has been dismissed or internal proceedings have been taken against him, the courts will decide whether that was right. The Bill would warn companies to ensure that they sorted such matters out internally. If a company was certain that it had no case to answer, once the employee made the matter public, the company could be confident that there was no problem. The Bill would remind companies to be certain internally, which does not happen at the moment.

Mr. Viggers: My hon. Friend has business experience. I have never discussed with him what type of business experience he has, but it may have been in larger companies. I am seriously concerned about the burden of the Bill on smaller companies and organisations. Companies or organisation would need to take legal advice on all the issues in the Bill, and that would be a heavy burden. I do not accept my hon. Friend's proposition that such matters are effectively covered by existing legislation. Were that the case, the Bill would not be required.

Dr. Tony Wright (Cannock and Burntwood): A number of us are trying to assist the hon. Member to understand the Bill a little better. He fundamentally misunderstands it when he says that an individual would announce that he was making a protected disclosure. Nobody would be able to announce that he was making a protected disclosure. All that person would know was that, at some point, a court—after applying the stiffest tests—would decide whether somebody had behaved properly or improperly. That is the task of the court. The hon. Gentleman misunderstands the Bill.

Mr. Viggers: The Bill would change the rules that would apply on proof. It would prepare the ground for an individual to make a claim. The individual would be making exactly the claim that I submitted he would make. He would be submitting to the company that he would be making a protected disclosure.

I am worried about the range of people who would be able to take advantage of the Bill's provisions. Most industrial tribunals protect individuals only if they have been employed by a company for two years. I give the House a frivolous example of how briefly employment can sometimes last.

Many years ago, I spent some time with dustmen in my constituency. I was told one morning that it was not unusual, because of the vigorous nature of the work of emptying dustbins, for an individual to turn up for work for the first time at 6 am on a Monday morning and to have vanished by 7 am. An individual may have had only a very short period of employment. Perhaps a difficult or awkward individual has joined a company with a view to causing difficulty within it. He will be protected even though he has not worked for the company for two years.

I am worried also that interim relief would be available to individuals who have put themselves in the protected position that I have described. They would be able to obtain compensation through an industrial tribunal. They would be able also to claim protection against victimisation and adverse treatment.

Finally, I am especially concerned that the burden of proof would be reversed for public bodies, which would have to show that it would not be in the public interest to disclose information. It would be easy for an employee—even a new entrant—to put a necklock on a public body, thereby causing immense inconvenience, work and cost.

The Bill would impose enormous burdens on private business and even heavier burdens on the conduct of public affairs. Perhaps the burden would be proportionately heaviest on small business. I believe the Bill to be motivated by the heart rather than the head. My preference would be for it to be rejected at this stage. Failing that, it would need substantial amendment in Committee.

10.51 am

Mr. Derek Fatchett (Leeds, Central): The hon. Member for Gosport (Mr. Viggers) raised certain issues relating to compliance, which I shall take up later. First, I join my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) in congratulating my hon. Friend the Member for Islwyn (Mr. Touhig) on introducing an important Bill. The way in which my hon. Friend introduced it impressed all hon. Members on both sides of the House. I congratulate him also on one further achievement—that of securing sponsors from both sides of the House. That shows the extent to which the Bill is regarded as an important measure.

I speak as a sponsor, and as someone who has been thinking about the issues raised by my hon. Friend essentially through an individual case. I shall not talk at great length about that case, because I have raised it before in the House. It would be an abuse of the House to talk about the matter again in detail.

Individual cases are important, because they stimulate Members to think about general principles. My constituency case forced me to think along those lines. I shall mention only briefly some of the facts about Dr. Chris Chapman, who is a scientist at the Leeds general infirmary.

Before doing so, I wish to emphasise that whistleblowing is hard on the whistleblower. It is an extremely difficult psychological task. It is difficult when one's colleagues are under pressure and members of the management want to impose pressure, doubt the whistleblower's integrity and, in Dr. Chapman's case, doubt his scientific knowledge. A person in those circumstances needs to have tremendous principle and courage in raising issues.

There has been talk of a whingers' charter. As the hon. Member for Chingford (Mr. Duncan Smith) said, there is a cost to the whistleblower. In the end, Dr. Chapman did

not face a financial cost because the management of the hospital trust was persuaded to pay for his re-engagement in the national health service. Something more dear to Dr. Chapman was the loss of his scientific reputation. That was dear to him because it went to his career and to something that he considered to be part of himself—his ability to express himself as a scientist with a contribution to make to the NHS. That was lost to him, and that was a real and significant price.

Why did Dr. Chapman have to pay that price? He acted as a whistleblower. As has been said, that is no outdoor sport. It is a psychological test of strength and integrity. Dr. Chapman exposed a scientific fraud in an important scientific project. It is not easy to expose immediate colleagues and to say to others, "I know that my colleagues are fiddling under the name of science." That was happening, and there were real difficulties in the process in which Dr. Chapman involved himself.

The individual constituency case taught me, that when an individual starts to expose difficulties, he often runs into difficulty with the management structure. That is not because individual managers are evil people, but because they often find the truth embarrassing. They sometimes find it much better to pretend that the bearer of the truth is responsible for the problem rather than to deal with the problem and the truth. The issue is often swept under the carpet, and the messenger is made into the troublemaker. That is what happened at the Leeds general infirmary. The management was not capable of dealing with the issue by going through the management structure.

The long-term solution to Dr. Chapman's problem has been to set up an inquiry. I thank my colleague, Lord Merlyn-Rees, who has been involved in setting up the inquiry. I thank him for the work he is doing in Dr. Chapman's case. I am grateful also for the work that was undertaken by the previous chairman of the United Leeds teaching hospital trust, the late Tony Clegg. Perhaps this takes up the managerial points made by the hon. Member for Gosport.

Tony Clegg and I disagreed on many issues. He was the largest private contributor to the Conservative party. We had substantial political differences. When he saw a real and important issue, however, he had the courage to say that his management was wrong, and that it was necessary to find a procedure to deal with what was at fault. I wish to thank him for what he did. A whistleblowing Bill would have been one way of dealing with the problem that he recognised as a manager.

The general points that emerged from the Chapman affair and from other individual cases are covered by the Bill. I tried to introduce a Bill three or four years ago that was built on the Chapman experience. It had the same underpinning principles that provide the foundation for this Bill. They are the four principles to which my hon. Friend the Member for Islwyn referred. First, the whistleblower, the person at the eye of the storm, must go through internal managerial procedures. That must be right. That requirement deals with all the points that have been made about a whinger's charter.

Secondly, the whistleblower must act in good faith. That overcomes the point made by my hon. Friend the Member for Rotherham (Mr. MacShane) in an intervention. People may feel that they have a grievance—all of us may have that feeling—but they can act in good or bad faith. The issues that the Bill would address must be raised in good faith.

Thirdly, there must be accuracy. We all receive letters about, for example, the social security office, the housing manager and other Members. We know that, very often, the letters are wildly inaccurate. We are saying that accuracy must accompany whistleblowing. There must be accuracy in what is said. My hon. Friend the Member for Islwyn has dealt with that requirement in his Bill.

My hon. Friend has provided a fourth condition, and rightly so—that the individual involved should not be selling his or her story for profit. That is a right and sensible condition to apply.

It has been suggested that whistleblowing will become a habit and a general malaise in society. I would not necessarily see it as a malaise, but general it certainly will not be. There will be only a few cases. There are appropriate circumstances in which whistleblowing can and should take place in the public interest. It is to the betterment of society as a whole that those whistleblowing cases occurred, although it would be much better for society as a whole had they not had to take place, and we had a culture in which people could express their concerns in a much more open way.

In an ideal world, all management will listen to issues that are raised by their subordinates. In practice, that simply does not happen in businesses throughout the country. There are examples of good firms, but there are many examples of senior management, for whatever reason, who will not listen. We need a mechanism whereby individuals who raise issues with conditions attached are protected. The issue is protecting the individual.

I shall finish on two points—first, the compliance cost. Conservative Members tried to make an argument that this is a recipe for—

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Deputy Speaker. Under the rules of the House, points of order must be raised at 11 o'clock. Following the request from my right hon. Friend the Member for Bishop Auckland (Mr. Foster) and myself, have you had any request from the Government to make a statement on what purports to have come from the office of the Prime Minister's press secretary, Mr. Jonathan Haslam, that, whereas Ministers have been acquitted, civil servants have not, and disciplinary consequences are likely to follow?

Madam Deputy Speaker (Dame Janet Fookes): The hon. Gentleman is mistaken in thinking that points of order must be raised at 11 o'clock. I think that he is referring to Government statements, which would be made at 11 o'clock on a Friday morning, so I would have preferred him to allow his hon. Friend the Member for Leeds, Central to complete his speech. However, let me deal with the point that he has raised.

I was present in the Chamber when Madam Speaker made her ruling on this. I can tell the hon. Gentleman that I have not had any subsequent indication, and no indication has been given to Madam Speaker, that the Government wish to make a statement; but, of course, the Minister who is present will have heard the point that the hon. Gentleman has made.

Mr. Derek Foster (Bishop Auckland): Further to that point of order, Madam Deputy Speaker. I apologise to the House and to my hon. Friend the Member for Leeds,

[Mr. Derek Foster]

Central for intervening on his excellent speech, but I see that the Minister is present, and my hon. Friend's point of order referred to the fact that he might make a statement. I think that the House would agree that, if no Minister took responsibility, it would be shameful for the Government to try to offload all the responsibility for the Scott report on civil servants. The House deserves a statement, either now or later.

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): I intend no discourtesy to you, Madam Deputy Speaker, to the House, to the hon. Member for Linlithgow or to the hon. Member for Bishop Auckland. You are right, of course, to say that there has been no ministerial request to make a statement this morning—least of all, if I may say so, by me. I shall certainly report the exchanges this morning to my right hon. Friend the President of the Board of Trade. I give the House my word on that.

Madam Deputy Speaker: That deals with the matter. We may now return to the speech of the hon. Member for Leeds, Central.

Mr. Fatchett: We have almost reached the second half of the game, but in no sense do you, Madam Deputy Speaker, need to protect me from my hon. Friend the Member for Linlithgow. I do not bear a grievance against him, because I know that his intervention would have fallen totally within the remit of the Bill. My hon. Friend's intervention was accurate and in good faith, so I was delighted to have it. It also enabled me to have a few minutes to think before I came to my final comments, so it had another benefit.

I now deal with the compliance cost and the nature of management and secrecy in our society. The hon. Member for Gosport made much about the potential compliance cost to business. My hon. Friend the Member for Islwyn said, correctly, that his Bill will not add to those costs. He also talked about his own experience of running a small business. It will not set up a new regulator, as the hon. Member for Chingford made clear, and I suspect that we would have had great difficulty in persuading him to be a supporter of the Bill if any regulation had been involved.

The Bill directly will not impinge on the overwhelming majority of employment situations—one could almost go as far as to say 99.999 per cent. of them. We are talking about a handful of cases, and for those companies, yes, there will be a small compliance cost if they do not listen to the truth and the whistleblower. The fact is that, if those companies were sensible, there would be not a compliance cost but a compliance gain, because the new practices would enable them to find out what is going on in their organisation much more effectively.

My final point is about what my hon. Friend the Member for Islwyn called the culture of secrecy in our society, in which there is power for those who hold information, and a lack of power for those who do not. We need to change that. Those who have read the Scott report should forget the activities of individual Ministers and civil servants. What comes out of the report is a structure, a web of secrecy, a web of confidentiality, not because, in the vast majority of cases, people have been malicious or difficult to others, but simply because that is the way in which we expect to administer business in our society. We need to change that culture, and good business organisations are already changing that approach. My hon. Friend mentioned some of the companies that have changed their style.

One of the most interesting things about the past few years has been the way in which good private sector organisations have flattened their hierarchies, opened up their communication systems and made it much more possible for the individual to be a team player and to express ideas and provide information.

One thing that desperately worries me is that, while the private sector has adopted good industrial practices in terms of management, the public sector has gone in the other direction. I worry about NHS trusts, for example, which have a new, macho style of management, in which there is an expectation of compliance on the part of the individual. There are real dangers in that. We need to change to a much flatter structure, one that is much more open, and do so in a way that will allow individuals in our society to be creative. My hon. Friend's Bill will open up the valve for those creative abilities, will allow more people to play a real part, and will change the culture of management.

I hope that the Bill gets a Second Reading and becomes law, because it is important for a few individuals, but also because it is important for secrecy, information and management in our society.

11.7 am

Mr. Michael Stern (Bristol, North-West): I join colleagues on both sides of the House in congratulating the hon. Member for Islwyn (Mr. Touhig) on raising what is undoubtedly an important subject for debate.

The diversity of the debate so far has shown the extent to which the arguments need to be refined, and perhaps narrowed, before we draft a Bill to deal with the abuses that the hon. Gentleman has rightly dealt with, while at the same time not catching a great deal that does not need to be dealt with or that could be positively damaged by the Bill as drafted.

I mean no disrespect to the hon. Gentleman when I say that I am unhappy about some aspects of the Bill. The public might gain if the Bill went into Committee, but I do not believe that the arguments have been defined with sufficient clarity to enable the Bill to become law in the next few years. I shall express my doubts about some parts of the Bill, and my absolute abhorrence of one part.

I deal first with commercial confidentiality. It is easy to dismiss the effects that the Bill may have on companies and on the climate within those companies, as the hon. Member for Leeds, Central (Mr. Fatchett) just did, by saying that there will be few cases, that they will improve the climate within the company and that they are likely to have little effect. I accept that there are cases in which the hon. Gentleman's description of the climate that would be created by the Bill is correct. However, I hope that he accepts that there are an equal number of cases where the climate created would not be as he described.

One of the largest employers in my constituency is British Aerospace. British Aerospace, especially in major aviation construction on which it concentrates in Filton, faces extremely difficult, cut-throat competition from aerospace industries throughout the world. What typifies

that competition is the desire of the company's competitors to achieve a competitive advantage, by whatever means, and to obtain or influence a contract that will provide employment for many thousands of people for many years. The fear that would be generated by the Bill in circumstances of such extreme competition is that it would be open to an employee, by making a disclosure under the Bill, to destroy the competitive position of the company that had been built up over many years.

At the moment, there are disadvantages for an employee who may be acting in good faith—or who may not be. Only the courts can decide. Those disadvantages would be lessened under the Bill and the danger to commercial confidentiality would therefore be increased. I have made the next point before and I make it again. No one can tell whether the complaint is justified until it has been accepted or has reached the courts. There is no magic process that sifts a complaint and says, "This is in good faith, this is without bribery and this is a genuine complaint." There is no magic process that separates out, before it can do damage, a complaint that is not made in good faith, that is not made on reasonable grounds or that does not have financial backing.

My first worry about the Bill is that, in attempting to deal honestly with a number of cases where there is a need for an employee to have additional protection against unfair dismissal, it mixes in cases that will open up to an employee, for whatever reason, the opportunity to do damage out of all proportion to the original complaint.

Dr. Wright: I had not intended to intervene, but I do not want the House to be led to misunderstand what is going on. What the hon. Gentleman describes bears no relation to the Bill. He is describing how the law of confidence has operated for the past 100 years. There is nothing different now, because there is a test of public interest in each case. All that the Bill does is to say that, when the public interest has been established, people will be protected from victimisation. All it does is to square that circle.

Mr. Stern: I am afraid that the hon. Gentleman shows in this intervention, as in his previous intervention, that he completely fails to understand my point. He refers to the complaint being in the public interest. I am saying to him and to the promoter of the Bill that there is no way of establishing whether it is in the public interest until, under the Bill, the matter is tested in the courts. The public interest—I will come on to this in more detail later—is not written in the ten commandments and it has not been established for all time and in all circumstances. It can be tested only in the courts or, under our present system, on a question of fact.

Mr. Duncan Smith: I approach the matter from a slightly different angle. The Bill changes nothing in that process. Currently, without the Bill having been enacted, it is the courts that ultimately decide. If people wish to raise a matter in public, they will do so and the courts will decide. The Bill simply takes the matter from the point at which the courts decide and says, "If it is proven, there are clear protections for individuals if they have been penalised by the company in the process of raising an objection." The Bill does not change the final process. It says, "Here is a legitimate protection once the complaint has been proven." It also says to the company, "If you are certain that the matter is not in the public interest, stand on your certainty. That means that you have internal structures to prove it. If you do not have, be warned."

Mr. Stern: I hesitate to argue with my hon. Friend, who I believe has a background as a distinguished lawyer as well as a business man. I learned early in my business career that people who argue with lawyers lose money. Nevertheless, I challenge my hon. Friend on one point. The Bill will bring into the legal test a definition of what is in the public interest. Currently, in disputes about whistleblowing, the courts do not have a duty to do that. I suggest that, if the Bill became law in its present form or anything like it, providing an additional test for the courts of what is or what is not in the public interest would, among other things, provide a great deal of meaty work for lawyers over the next 50 years. That is not necessarily in the public interest.

Clause 2 is the core of the Bill. It defines the disclosures that are protected under the Bill and three cumulative cases are given to explain how a protected disclosure is to be defined as being in the public interest. I fear that I have doubts about all three. They all give rise to argument and not only protect the whistleblower, but give rise to additional grounds for the hard case, as defined by my hon. Friend the Member for Gosport (Mr. Viggers), to take advantage of the additional rights granted by the Bill for his or her own purpose.

Clause 2(1)(a) says that a "protected disclosure" is in the public interest where, among other reasons, the individual

"is not acting in bad faith".

That provision goes to the heart of the objection that I have described. How on earth is anyone to define with pin-point legal accuracy whether a person is acting in good faith or bad faith?

Mr. Touhig: The test appears in the Banking Act 1987, as a precedent, and also in the Arbitration Bill, which is currently before the other place.

Mr. Stern: I fully accept that. The Bill extends what must be a doubtful test over a far wider area. The fact that, for example, capital punishment was found necessary as a penalty for arson in Her Majesty's dockyards does not mean that the House should necessarily extend that penalty or the process of decision that led to it. To ask a court to decide what is in good or bad faith must be a weak process that cannot arrive at a certain conclusion. The House must be reluctant to extend that process, except where necessary.

The second test in clause 2 asks whether

"a 'protected disclosure' is a public interest disclosure where the individual making it . . .

(b) believes on reasonable grounds that the information is accurate".

How on earth can the courts be expected, in extended cases, to rule on an individual's belief when a disclosure was made? Beliefs often change daily. With the best of intentions, the hon. Member for Islwyn is extending the law-making process too far.

The third test in clause 2 is where the individual making a protected disclosure

[Mr. Stern]

"(c) has not made it for the purpose of obtaining payment or personal gain".

I agree that that is a worthy aim, but a National Audit Office report published this morning on auditing the means test for civil legal aid procedures states that it is virtually impossible for such an effective audit to be undertaken and that the means test will inevitably allow a number of people to escape the net. Similarly, to ask the courts to inquire into whether a person has made a disclosure that is affected by the possibility of personal gain inevitably builds in a process where a significant number of people will escape the net by doing exactly what the hon. Gentleman is trying to prevent.

It has been assumed in the debate that public interest will usually be easy to define. I am a proud member of the Public Accounts Committee, which frequently considers difficult cases involving public spending where the public interest has been a factor to take into account. Part of the Committee's rationale is that it considers the extent to which the public are receiving reasonable value for money for public expenditure. It therefore considers the public interest in that respect.

From memory, I shall refer to two cases involving health authorities where the public interest was involved in the Committee's conclusions. The first involved the Committee's investigation, conducted with the help of the National Audit Office, into goings-on—I can think of no better word—at Wessex health authority. A senior health authority employee had been dismissed because, to use the words of the authority's chairman, she was too good at her job. As part of her dismissal, she was subjected to a gagging clause under which she was not allowed either to speak about her work for the health authority or—the clause went further—to seek employment elsewhere in the national health service for a significant period.

The hon. Member for Islwyn might think from that description that the public interest was against the health authority and in favour of the individual, but it was argued strongly before the Committee that it was in the NHS's interests that the lady be gagged and debarred from further employment in the health service. Despite the overall circumstances of the health authority, which has been almost universally condemned, there is still considerable disagreement about where the public interest lies. For an essential part of the Bill to rely on such a diffuse concept as the public interest is merely to create a recipe for litigation.

The second example shows an even clearer divide and involves the Committee's investigation into the affairs of West Midlands regional health authority. We found that South Birmingham health authority had been badly mismanaged over a period. As a result, it had spent considerable sums on providing services for other health authorities without the administrative ability to rebill. That was the explanation of why services had to be seriously cut in south Birmingham.

The Committee asked why the money had not been recovered from the other health authorities. It was explained that South Birmingham had not billed the other health authorities, which, in their wisdom, had chosen not to remind it of that fact. Does the public interest lie in correcting the management problem at South Birmingham and accepting that the money that had not been billed to the other health authorities had been lost, or does it lie, as many Committee members argued, in the other health authorities' duty to volunteer to accept a liability to pay South Birmingham and so get it out of its difficulties?

The public interest is a huge concept and the last thing we should do is place an even greater burden on the courts to define it. The courts are the last place to which we should take the public interest concept. In this morning's press, it was defined by one court as being in the public interest to release a thief and gaol the thief-taker. Our legal system is sufficiently fragile that I would be reluctant to place such further nebulous burdens on it.

Mr. Duncan Smith: I keep saying to the people who oppose the Bill that it does not change any of that, because the courts must already consider public interest. If it is raised as an objection, they must define it. I agree that it is a difficult concept to define, but they are already doing it. The Bill simply hangs on a term that already exists and is before the courts. The Bill tells companies and organisations that they must secure in their minds through internal structures that, when someone goes beyond the internal investigative procedure, they are not acting in the public interest. If they are certain they are not, they rest on sound ground.

Mr. Stern: I can repeat to my hon. Friend only that the fact that the courts are already charged with that duty in certain matters is not an excuse for extending it. The Bill would extend to large new areas an attempt to define the public interest. I have tried to describe to him areas, particularly in the public sector, where it becomes almost impossible to define where that interest lies. The fact that we are charging the courts with that does not make it any more satisfactory.

Clause 8 is the most obnoxious clause in the Bill. I use the word "obnoxious" advisedly. I apologise to the hon. Member for Islwyn, because, owing to a constituency engagement, I shall be unable to remain until the end of the debate, but if he will undertake to remove clause 8 in Committee I shall change all my constituency arrangements and stay to vote to give his Bill a Second Reading. I notice that he does not rise to reply.

Clause 8 is not only obnoxious but is one of the significant reasons why the Bill, as drafted, must not be passed. It seeks to go beyond creating additional rights for whistleblowers by creating additional rights for journalists, but the two do not have the same moral authority. Those of us who have been in the House for some years have seen the extent to which the balance of power in our society has changed against Parliament and in favour of greater powers by the media to influence the direction of society.

The clause would effectively give additional protection not just to the honest but to the dishonest journalist in cases where, as is not unknown, there are financial inducements for a journalist to produce a particular story irrespective of whether it is true. That totally changes the character of the Bill and the hon. Member for Islwyn was most unwise to include in a measure, some of which many of us support, a concept that makes it unsupportable by those who wish to preserve the rights and obligations of the House.

11.30 am

Mr. Tam Dalyell (Linlithgow): Like my hon. Friends the Members for Stoke-on-Trent, Central (Mr. Fisher) and for Islwyn (Mr. Touhig), I pay tribute to that tireless campaigner, Maurice Frankel, with whom I have worked on and off for 15 years. We would not be debating this subject today were it not for his work.

I shall concentrate on one aspect of the matter—the position of those who try to prevent the deception of the House of Commons. It is not only a question of trying to prevent Ministers from being economical with the truth. In cases of deep deception, the function of the whistle-blower is perhaps to prompt questions that ought to be asked, which no politician would know how to ask if there were not some inside information. I defy any of my colleagues to ask the right questions without a basis of information.

The Bill is not a panacea but, as my hon. Friend the Member for Islwyn said, it would create an atmosphere in which it would be clear that corners should not be cut. I say to the Whips that it would be discreditable to politicians in general if the Bill were snuffed out and not allowed to go to Committee. That would bring us all into disrepute.

My parliamentary colleagues will forgive me if I speak with passion and emotion, but succinctly, about public disclosure. In late January and early February 1985, I spent 11 uncomfortable days in the Old Bailey dreading that what I had done, which I believed to be right and still believe to be right, would land in gaol for some years a civil servant who had placed his higher duty to the British Parliament above his obligation to Ministers.

Let us be clear about the circumstances of the case of Clive Ponting. It was not a question whether he held views on the merits or demerits of sinking the Argentine cruiser Belgrano. Actually, he did not dissent—his views were not all that different from those of Ministers—but he knew that questions that had been put legitimately by me in the elected Parliament of our democracy were being given answers that were truncated to the point of distortion or, in some key areas, being untruthfully answered to avoid political embarrassment. It was the deception of Parliament, not disagreement with military action, that motivated Ponting.

The Bill has the potential to make it more possible for a civil servant to ensure that Parliament is not misled by Ministers. Furthermore, the mere existence of the legislation could be a deterrent that might make Ministers think twice before cutting corners in their answers to parliamentary questions.

In the autumn of 1984, I received an anonymous letter in my constituency post. Most anonymous letters go into the waste paper basket, but this one was different. It was concise and precise and from my, at that time, encyclopaedic knowledge of the circumstances surrounding the sinking of the Belgrano, I realised that it could have been formulated only by someone who was at the very heart of the Foreign and Commonwealth Office, the Cabinet Office or the Ministry of Defence. It was no ordinary letter.

I shall deal, first, with what I was told as the receptacle for Ponting's then anonymous information and what I ought to have done as a Member of Parliament; and, secondly, with what Ponting was told in the High Court he ought to have done—because the unrealistic nature of that advice makes the case for allowing the Bill to go to Committee.

First, I was told that I should have handed the letter to the Ministry of Defence, but who would ever again trust an MP who took such action, dropped his sources into the cart, and allowed the fingerprinting of documents and their subjection to modern techniques that can easily lead to identification?

I behaved "responsibly". I did not go to Chris Moncrieff or to any newspaper. I had the nous to keep the information as a proceeding in Parliament, but I naively supposed that the Chairman of the Select Committee on Foreign Affairs, which the Ponting information revealed had been deceived above all others in the course of an investigation, might be interested in making use of the information to expose the deception of his Select Committee.

Not one bit of it. Without consulting the members of his Committee or even its senior members such as the late Ian Mikardo, or my hon. Friend the Member for Newham, South (Mr. Spearing), or his Conservative colleagues, the Chairman handed my letter to his ministerial chums—I use that word on purpose—in the Ministry of Defence. It transpired that the Chairman was far more concerned to find the source of the leak than to bother himself about whether the Select Committee which he had the honour to chair had been lied to.

As soon as the Ministry of Defence got its hands on the letter, Ponting was identified and confessed. I remember shaving on the Saturday morning and hearing on the 7 o'clock news the headline that a civil servant by the name of Ponting had been suspended and charged. That was the first time that I heard the name of Clive Ponting.

The moral of all that is that it is wishful thinking to suppose that Select Committees will perform the task of serious inquiry that is necessary and which may be made more possible by the suggestions in the Bill.

Mr. Robathan: The hon. Gentleman has been pursuing this issue for some years. He says that Select Committees are not able properly to carry out their tasks. Does he believe the corollary, that the press is the right body to pursue justice in the public interest? That is surely what he suggests.

Mr. Dalyell: I am suggesting support for the serious mechanisms that are set out in the Bill. I emphasise that I did not run to Chris Moncrieff. I dwell on that case because, as a cause celebre, it is important in the continuing argument.

To say that Members of Parliament have scope for righting wrongs done to Parliament by the Executive was not real then and is not real now. On crunch issues, Select Committee Chairmen and members inevitably put party before public interest. That is the response to the intervention by the hon. Member for Blaby (Mr. Robathan).

If the Chairman of the Select Committee had been primarily concerned with the public interest, he would have used Ponting's information to formulate the right questions to ask on the basis of the insider information with which he had been provided. That he did nothing of the kind tends to make the case for the Bill.

[Mr. Dalyell]

So much for what a Member of Parliament should have done. What was Ponting to have done? He should have complained through the normal civil service channels. He did complain to his immediate superiors—my hon. Friend the Member for Islwyn said that the Bill would cover that—but to go on and on that route and nag at them would simply have damaged his career, was he would have become known as a troublemaker, making waves of difficulty.

It was suggested to the Old Bailey that he should have gone to the head of the civil service. That makes the imagination boggle. Just imagine a grade 5 civil servant going along, without telling anyone what it is about, and knocking on the door of the then Sir Robert Armstrong, now Lord Armstrong of Ilminster. *[Interruption.]* I see my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) laughing. He has ministerial experience. He can easily imagine the scene.

What was a man in Ponting's position to say? "Please Sir, Ministers are telling porkies to Tam Dalyell MP to protect the position of the Prime Minister, at Mrs. Thatcher's very personal insistence"? What would have happened to a civil servant who had done that? His feet would not have touched the proverbial ground until he was out of the civil service. It is unreal to suggest that anyone below the rank of a grade 1 civil servant can sail into the office of the Cabinet Secretary and the head of the civil service and complain that the Prime Minister is lying to the House of Commons on politically delicate matters. There must be machinery along the lines that my hon. Friend for Islwyn suggests.

It is all very well for the hon. Member for Blaby to ask what happens to a Member of Parliament who pursues such matters. Surely, he implies, the House of Commons should do something. An hon. Member who pursues such matters is thrown out of the House of Commons when he becomes very blunt, as he has to, and, having been thrown out five times, I know what it is about. It is not a pleasant experience. I should like some machinery, such as that proposed by my hon. Friend the Member for Islwyn, which would have prevented my being thrown out of the House five times for making an argument that has subsequently turned out, in the case of the Falkland islands and of Westland, to be accurate.

That, my colleagues may say to me, is history; but the Scott inquiry is not history. I tabled two questions:

"To ask the Secretary of State for Trade and Industry what steps he took to satisfy himself that the die-forging plant to be built by Matrix-Churchill would not be used in producing parts for ballistic missiles or the supergun project Babylon before he issued an export licence."

"To ask the Secretary of State for Trade and Industry what consideration was given to the site at which, and the purposes for which, the lathes produced by 600 Services of Colchester for al-Hillal were to be used before he issued an export licence."—[*Official Report*, 8 May 1990; Vol. 172, c. *64-66*.]

I shall not take up the time of the House with the answers to those questions other than to say what Lord Justice Scott said. In paragraph D4.42 of his report, he said:

"The answers to parliamentary questions, in both Houses of Parliament, failed to inform Parliament of the current state of Government policy on non-lethal sales to Iraq. This failure was deliberate and was an inevitable result of the agreement".

I repeat, he said that that failure was deliberate. In paragraph D4.40, he said:

"In April 1990 Mr Tam Dalyell MP put down two questions for the Secretary of State for Trade and Industry."

The report outlines the precise significance of those questions.

I knew at the time that they were highly significant questions—otherwise, I would not have tabled them. I also knew that the answer was totally unsatisfactory. Why did not I pursue the matter further? Bluntly, I was stretching the patience of the previous right hon. Member for Islwyn, Mr. Kinnock, who had a quiet word with me and said, "If you are thrown out of the House a sixth or seventh time, you will simply bring the Labour party into disrepute." Such peer pressure from colleagues is very strong.

A real problem exists. What is to happen when both those who draft the answers and, in my case, the recipient of the answers, know that, bluntly—I do not want to get into difficulty on parliamentary expressions—they have not been told the truth; I ought to say, have been lied to? The Bill, as I see it, is a mechanism that will reduce the increasing habit of ministerial parliamentary lying.

It is very important that there should be protection for deep throats. It would be very unfortunate if the Bill were not allowed to be pursued further. It is not only a matter of Scott. There are other matters, such as the information concerning Mr. Thurman of the FBI and Dr. Whitehurst about Lockerbie that is coming out. I shall not go into that, but I should be genuinely extremely upset, as a long-standing Member of the House, if the House were denied the opportunity of a Committee stage to consider the significant issues that my hon. Friend the Member for Islwyn has mentioned.

11.47 am

Mr. Andrew Robathan (Blaby): I pay tribute to the hon. Member for Linlithgow (Mr. Dalyell), who has been doggedly pursuing the sinking of the Belgrano for about 14 years. It was a tragic action, which was taken in the public interest of people in this country and the people of Argentina, who, as a direct result of the victory of the British forces in the Falklands, now have democratic government. Many of us would consider that the example that the hon. Gentleman chose of Mr. Ponting might add to the unease we feel about the Bill.

I congratulate the hon. Member for Islwyn (Mr. Touhig) on his speech. He took an extremely measured and sensible approach, and I found it difficult to disagree with the thrust of what he said. I also congratulate him, as a Welshman, on moving the Second reading of the Bill on St. David's day. He may not be aware that many of my ancestors on my grandfather's side came from Risca in his constituency, and if the cold weather had not kept back my daffodils, I should have ripped one out of the garden and worn it this morning.

I rarely attend on Fridays, but this has been an extremely sensible and useful debate—much more interesting than many that one hears in the House, and more useful than many we hold.

Perhaps the hon. Member for Islwyn should have declared a special interest in the debate. I hasten to add that he has no pecuniary interest, but I understand that he has a background in journalism and newspaper

publishing. I do not impugn his motives in any way, but he views the issue from the perspective of a journalist and a newspaper publisher, and I believe that that is germane to the debate.

The Bill before the House is superficially extremely attractive. One can envisage the crusader for justice—the whistleblower—acting in the public interest against the secretive, malicious, bullying and dishonest public servants and companies. The hon. Gentleman referred to a culture that he believes is unduly secretive and protects the incompetent fat cats or bureaucrats. I agree with the hon. Gentleman that illegal or dishonest acts should be brought to the attention of the company concerned, and, if necessary, placed in the public domain.

However, I must strike a contrary note. Although the Bill may have good intentions, it may become a charter for the malicious, those with grudges and the greedy who are looking for rewards from the tabloids. The gentlemen of the press—to whom *Private Eye* correctly refer occasionally as "the reptiles of the press"—care not what they destroy, and will plead public interest and the public's right to know. The public have a right to know many things, but do they need to know about matters that may undermine legitimate commercial behaviour and confidentiality surrounding many decisions and workings of the state?

The Bill's schedule refers to illegal matters and to the misuse of funds—no one would disagree with that. However, I believe that its case for the abuse of authority is fairly subjective. The Bill refers to miscarriage of justice which, except in the courts, is quite subjective also, as is maladministration. It refers also to danger to the health or safety of any individual or the environment. I can plead in good faith that I believe that many things are damaging to the environment, while others do not consider them to be a problem. Those categories are open to interpretation, and I suggest that the courts would have a field day with them.

I turn to the case of the malicious employee who has been sacked and who then takes his story to the press. As a Member of Parliament—I am sure that most hon. Members have had similar experiences—I have been threatened with exposure in the press, and that has occurred. In 1993, before the hon. Member for Islwyn came to the House, that well-known and respected organ of freedom and champion of public good, *The Sun*, established "*The Sun* MPs' Line"—I think that that is what it was called. It invited people to report their Members of Parliament for the mistakes they had made.

The helpline was run by a rather tired and past-it former Army officer. The newspaper was interested in a very sad constituency case involving a woman who had told me that Nigel Lawson and my constituency agent were part of the conspiracy against her. I was named in *The Sun* as not carrying out my duties as a Member of Parliament. When I was contacted by the gentleman concerned, I told him that he should drop the matter, as it would cause hardship to that woman. My point is that many people will go to the press for all sorts of reasons.

Mr. Peter Luff (Worcester): My hon. Friend may be interested to know that my experience of the parliamentary commissioner from *The Sun* was rather different. I was entirely vindicated of a constituent's complaint. He is not all bad.

Mr. Robathan: The former military officer who was responsible for the helpline dropped the matter when I explained the case to him. My point is that many people go to the press for all sorts of reasons, while claiming that their actions are in the public interest.

Not a day goes by without some unknown person trying to make money out of a story in the press. The Bill states that a case will not be heard if disclosure is made principally for private profit. However, if the whistleblower gains any profit at all, that must be an inducement to others to take a case to the press while claiming that it is in the public interest. That is a very worrying aspect of the Bill. One may ask who is worse in that circumstance. It is probably the reptiles of the press who would publish the story, rather than those who go to them with tittle-tattle, rumour, slurs and innuendo, while perhaps bearing a grudge.

Most disclosures of that kind will be printed, because the press always take the line "publish and be damned". That was probably first said in the public interest, but much of what I read in the newspapers today is certainly not in that category. Does the hon. Gentleman believe that the press always adopt a responsible attitude to such matters? I think not.

My hon. Friend the Member for Bristol, North-West (Mr. Stern) described clause 8 as "obnoxious". I believe that the courts should have the right to know who has betrayed a confidence, and the right to force a journalist to reveal his sources. It may be in the public interest to know who has betrayed a confidence, even in good faith. The courts have a right to make that decision. While I do not always agree with the judgments of our courts, I must pay them some credit.

We all agree that illegality should be exposed, and I was impressed by the hon. Gentleman's approach to this and to many other aspects. Let us turn to the Official Secrets Act 1989 as an example. I hope that even some Labour Members will accept that not all decisions should be taken in the public domain in a glare of publicity. The hon. Gentleman may not know it, but I am still covered by the Official Secrets Act. Some 10 years ago, I was working in Chelsea—it was a very pleasant occupation—as a staff officer dealing with North Atlantic Treaty Organisation matters during the cold war, when the Soviet Union posed a real threat to NATO and to the west.

It is well known that certain documents were given the charming classification "Cosmic Top Secret"—I always smiled about the connotations with "Star Wars" or "Star Trek". Another category was "Top Secret: UK Eyes Only". Luckily, I can never remember which documents were classified under those categories, so I cannot betray any secrets.

Many issues involved planning to break the law in the lead-up to a war. No material in those categories was malicious, and my conscience was not pricked, but some of it involved illegal deception in order to assist United Kingdom and European security in the face of a real threat. It would have involved some form of fraud.

It could be claimed that that should have been revealed in the public interest—and I could have done so. However, my abiding memory is of the decency, integrity

[Mr. Robathan]

and honesty behind those plans, and the overriding motivation was the protection of the public interest of all United Kingdom citizens. It was not a matter of a judge saying in court that something was in the public interest. Some of the material would certainly have made a very good feature story in a Sunday supplement. For the record, I must state that there was no actual illegality as far as I can recall.

The Bill could assist people who are covered by the Official Secrets Act and who wish to break their word and the trust that they enjoy, and, for reasons known only to themselves, betray secrets to the press in the public interest. They might tell their superiors that they were unhappy with the situation, and that might be enough to establish that they had acted in good faith.

Mr. Touhig: The hon. Gentleman is missing the essential point. Anyone who feels that he or she ought to raise a matter that is in the public interest must first follow a proper procedure and take the matter to the organisation concerned, which must be given a chance to rebut the allegation. The Bill is not a licence to run to journalists or newspapers.

Mr. Robathan: I do not doubt the hon. Gentleman's intentions. In the armed forces, one takes one's unhappiness to one's superior. What happens, however, if the superior dismisses those worries? Does one then run to the press? That is not answered in the Bill.

Mr. Touhig: The Bill deals with serious wrongdoing, malpractice, fraud and criminal activity—not with someone running to a commanding officer to complain about the colour of the linen in the officers' mess.

Mr. Robathan: I do not doubt the hon. Gentleman's good intentions—my point is what effect will the Bill have. Illegality can presently be revealed to the press if necessary, and can and should be taken to the proper authorities. The intention of the Bill is one thing—the reality might be something else entirely.

Mr. Luff: My hon. Friend has put his finger on an important point. There is no mechanism in the Bill to reconcile a conflict between an employee and an employer when the employee is unhappy with an answer that may be the correct one. The employer and the employee must have some ability to reconcile that, other than by the public disclosure of information.

Mr. Robathan: The intention behind the Bill is excellent. If something untoward is happening in a company or a public body, the matter should be taken up the chain. If it is not dealt with, I would defend the right of an individual to take the matter to the press.

The hon. Member for Linlithgow (Mr. Dalyell) referred to an individual who could not take information to Sir Robert Armstrong, and went to the hon. Gentleman with his complaint. These things currently happen, and we all get letters saying that this or that is wrong.

Mr. Touhig: We all receive odd letters. I constantly receive letters from a gentleman who tells me that he is the king of the world and is having trouble contacting his relative the Tsar of Russia. The hon. Gentleman is clearly missing the point. A proper mechanism is set out in the Bill for raising concerns and grievances within an organisation, and gives the organisation a chance to respond. The Bill is not providing an opportunity for someone to run straight to the media to complain.

Mr. Robathan: I repeat that I do not doubt the hon. Gentleman's intentions, but I see no proper mechanism in the Bill to deal with my worries. I see good intentions, but we all know what the road to hell is paved with. I hope, incidentally, that his constituent finds his relative, the Tsar of Russia, soon.

Dr. Wright: The hon. Gentleman's argument is that all good organisations—public and private—should have good internal mechanisms to deal with these matters, and that the law should not intervene. Does he think it more or less likely that public and private organisations will develop good internal mechanisms if the Bill is enacted?

Mr. Robathan: I am not opposed to all the measures in the Bill becoming law—I am picking up the weaknesses in the Bill. The hon. Member for Cannock and Burntwood (Dr. Wright) proposed the Whistleblower Protection Bill in the previous Session. I understand that the Bill was supported by major public companies. If that is the case, surely it would be better to encourage good practice. The Bill might easily encourage those with a grievance who do not receive satisfaction from the mechanism of a company or a public body to take the matter to the press, and that concerns me.

Dr. Wright: The hon. Gentleman makes an interesting point, to which there is an interesting answer. He is absolutely right to say that we consulted extensively throughout the public and private sectors in dealing with the Whistleblower Protection Bill. Seeboard—a major electricity company—said on the subject:

> "If enacted, this measure would certainly have the effect, in responsible organisations, of promoting internal reporting systems and discouraging managers from taking inappropriate action against whistleblowers."

That company thinks the measure is a good thing—I am surprised that the hon. Gentleman does not.

Mr. Robathan: I do not disagree with everything in the Bill. There are many aspects with which I am unhappy, and I am not alone in that. Far from encouraging good practice, it may encourage those with a grievance or a grudge to take that grudge to the press if they do not receive satisfaction through the proper mechanism.

Another thing that concerns me is that the Bill could be a dream for lawyers, and I can see public interest being used as a defence in many circumstances. Although I do not believe that it is the intention of the Bill, it might easily encourage further litigation, and we are already litigious enough in this country. My hon. Friend the Member for Chingford (Mr. Duncan Smith) said that one should not have to go to court, but I would suggest that the enactment of the Bill might encourage people to go to court with cases which were not justified. That is particularly the case if they claim to be acting in good faith and in the public interest—both of which are subjective.

My hon. Friend the Member for Chingford raised the case of a school in Hull, but I do not believe that the Bill, if enacted, would help that deputy head teacher. In that case, the LEA, the school, the governors and the head teacher were behaving improperly, and I cannot see how the Bill could change that.

Mr. Touhig: The sponsors of the Bill and I have no wish to give any work to lawyers or to the legal profession. If an organisation does not respond when a matter is raised internally by an individual, he has the option to make the matter public. But the hon. Gentleman ought to bear it in mind that an individual might go to court or to an industrial tribunal only if, as a result of raising the matter, he could demonstrate that reprisals were taken against him.

Mr. Robathan: I take that point, and I accept again the good intentions behind the Bill. Supposing, however, that, having raised the matter, an individual was not promoted? The individual might have raised the matter in good faith, and the company or body might not disagree. But if the individual was then not promoted, he might say that he was being penalised for raising the matter.

The hon. Member for Islwyn also said that he wishes to change the culture of Britain, but I fear that it might be a change for the worse. I do not get many letters complaining about our culture, or about secrecy in general. I do not believe that everything is perfect in this country, but I am not labouring under the impression that everything is imperfect. Would he trust the press with our culture? They are the last people that I would trust. He stated that we must encourage people to speak out. I would say it is their duty to speak out where there is illegality and malpractice.

Companies must be made to address illegality, and several examples of that have been raised. The hon. Member for Islwyn referred to the case of Beth Lawson, who reported a supermarket manager for changing sell-by dates. That was her duty, and action was taken by the supermarket chain. That seems to be a good example of a case in which whistleblowing has worked perfectly well, without a change in the law being required.

The Maxwell case was also mentioned. The gentleman involved was sacked, and I am sure that he then went to the press. What more could he do, apart from going to court, which, again, is litigious? He could have gone to an industrial tribunal—I am not sure whether he did.

Those involved in the Zeebrugge and Piper Alpha disasters had a duty to report defects, and should have done so. Safety measures and regulations already exist.

Mr. Touhig: Does the hon. Gentleman accept that the report on the Piper Alpha disaster recorded that people who were working on the oil platform were aware of safety deficiencies, but, because they were afraid that they might lose their jobs, they did not raise the issue? The Bill seeks to remove the culture of fear in which many people believe that, if they go to their boss or employer, they will get into trouble.

Mr. Robathan: The hon. Gentleman makes a fair point. I also wish to see the culture of fear removed, but whether the Bill will remove it is another matter.

Mr. David Jamieson (Plymouth, Devonport): The hon. Gentleman mentioned the Zeebrugge case. Paragraph 57 of the Sheen report states:

"Fictitious entries were made in her official log book."

Does the hon. Gentleman think that we should have a Bill to protect the employee who blew the whistle on that fact?

Mr. Robathan: The hon. Gentleman raises an important point. I am not a lawyer, but I suspect that the person involved was covered by other aspects of law.

Mr. Luff: My understanding is that section 28 and schedule 5 of the Trade Union Reform and Employment Rights Act 1993 already provide considerable protection to individuals in such circumstances.

Mr. Robathan: I am grateful to my hon. Friend.

I know that the hon. Member for Plymouth, Devonport (Mr. Jamieson) intends to speak in the debate, and he might raise the point in his speech. The Bill adds to the law, and we have a duty not to make bad law.

As a result of the Lyme bay disaster, we now have the Activity Centres (Young Persons' Safety) Act 1995. As I understand it, the instructor who complained in the Lyme bay case resigned because she was so unhappy about the situation. What would the Bill have done for her? She had already resigned. The courts worked in the Lyme bay case: the person who ran the centre was sent to prison for two or three years. The hon. Member for Stoke-on-Trent, Central (Mr. Fisher) mentioned the Barings case. It was a sad, disgraceful case, for which Mr. Leeson is now spending six or seven years in gaol in Singapore. The Bill would have changed nothing in that case.

The Bill could assist in many cases, and there is much good in it, but it could help to create an atmosphere of mistrust—the aspect that I find most worrying. If I believed that the Bill would lead to greater internal responsibility and investigation within companies, I would support it, but I fear that it could undermine the trust between people working together in the same enterprise, whether it be public or private. I fear that it may be a charter for those with a grudge; it is certainly a charter for further press abuse.

The Bill would undermine loyalty—a word used by the hon. Member for Stoke-on-Trent, Central. People could be disloyal on the grounds that public interest was involved. I would wish them to be disloyal if public interest were involved, but the Bill would give them an excuse, which they might use. If that is what the hon. Member for Islwyn means by changing the culture of Britain, I do not want trust, loyalty and confidentiality in this country to be undermined in that way.

The actions of the House can have a cumulative effect on our culture. I fear that the Bill is unlikely to have a positive impact on our culture. The House has a responsibility to pass good laws, which have been well thought out, and the consequences of which have been carefully considered. I have yet to be convinced by the Bill.

12.13 pm

Dr. Tony Wright (Cannock and Burntwood): I was interested in the speech of the hon. Member for Blaby (Mr. Robathan). I was delighted to know that my safety had been in his hands for some years before I entered this place. I found it difficult to understand how he could say that people had a duty—his word—to speak out, while not providing them with the protection they need to enable them to fulfil that duty. That is all the Bill seeks to do.

[Dr. Tony Wright]

Members of Parliament are never happier than when they are congratulating each other. I was delighted to be congratulated by my hon. Friend the Member for Islwyn (Mr. Touhig) on being the parent or grandparent of the measure in its original form. I, in turn, congratulate him on his courage in picking up the measure when he secured a place in the ballot.

It would surely be churlish of the House—I put it no higher—to deny a Welsh Member, on St. David's day, the chance to have a fair run with such a Bill. If we are allowed today to flaunt our spurious Welsh credentials, I should say that I married into Welsh-speaking Wales 25 years ago and my children have gone to school today sporting daffodils and leeks—perhaps there is a root from leeks to whistleblowers.

There is always a public interest in secrecy and confidentiality, and there is also a public interest in information. The question for all of us is how to reconcile those two public interests in specific cases and how to decide where the public interest lies when there is a conflict between the two. To those hon. Members who say that they have difficulty in knowing what the public interest is, I say, "So they should—it is a difficult concept." But if hon. Members say that it is too difficult a concept to establish, what on earth are those hon. Members doing here? Is not that precisely our job as Members of Parliament? It is also a job in which we ask the judiciary to assist us in a range of cases—and it has been doing so in relation to the law of confidence for the past century and a half.

If people think that the phrase "a culture of secrecy" is simply a glib slogan in this country, I invite them to fortify themselves and read Sir Richard Scott's report, which contains everything. I also invite them to reflect on the fact that it has now emerged that there was a certain letter from someone whom we might now describe as a whistleblower, who was working at Matrix Churchill in 1988. The person wanted to tell someone in authority about the products being produced and for whom. I think that Lord Howe managed never to respond to that letter.

If that information had been acted on, and if the whistleblower had blown the whistle publicly, we might have been able to dispense with Sir Richard Scott. We might have saved three years and several millions of pounds; we might even have saved the Government some huge embarrassment, and we might have saved civil servants the prospect of the most monstrous disciplinary action.

Mr. Robathan: May I link the hon. Gentleman's point about Sir Richard Scott with what he said about determining the public interest? If the Scott report does nothing else, it reveals the subjective way in which judges inevitably examine a case. For example, half a dozen judges said that my right hon. and learned Friend the Attorney-General had behaved properly, yet Sir Richard Scott said that he had not. That is the difficulty of deciding what is in the public interest. The House should determine such matters, but it would be dangerous to give them to the judiciary, as the Bill proposes.

Dr. Wright: My antennae tell me that this is not the moment to rerun the Scott debate. Sir Richard Scott simply presented the evidence and asked the House of Commons to determine the balance of public interest. The House failed in that task, which damaged the Government and will damage the reputation of the House for a long time to come.

Mr. Llew Smith (Blaenau Gwent): As my hon. Friend is discussing Sir Richard Scott, and having read the report, does he agree that we are all secretive? The day before the report's publication, I received a reply from the President of the Board of Trade, whom I had asked to provide me with information on its printing costs. The right hon. Gentleman refused to give that because it was a state secret, or a matter of commercial confidentiality. One gets the feeling that the Government sometimes go over the top in regard to secrecy.

Dr. Wright: Sir Richard Scott stumbled into a world that was so in the grip of secrecy that it took him three years to unravel it, and he was so shocked by what he discovered that he asked the House to consider what should be done.

In some respects, the Bill is in the spirit of what the Government have already attempted to do. About two years ago, they introduced an open government code in an attempt to insert a public interest test into the balance between the need for proper confidentiality and the need for disclosure. The Government are already ahead of the Bill in that respect, as they have determined what test should apply.

I regret, however, that the promises in the open government White Paper of July 1993 have been honoured only in the breach. We were promised two new information statutes, one on access to personal records and one on health and safety information. We now discover that there has been no progress whatsoever on that proposed legislation. This is not the moment to explore the reason for that, but, particularly in the wake of Scott, it seems odd that there has been no progress on those pledges.

In the White Paper, the Government promised to review some 250 existing statutes that prevented the disclosure of information and, wherever possible, to insert a harm test to establish the correct balance between confidentiality and disclosure. Although they invented a new deregulatory mechanism to get measures through the House speedily, it was not used to insert a single harm test into that vast volume of legislation.

The fact that there has been no publicity whatsoever for the Government's own open government code would make Sir Humphrey smile. The fact that the Government established an open government code and then did their best to tell people that it did not exist is a consummate exercise of the culture of secrecy. Of course, there will be bigger and bolder measures, but the story is the same. The Bill aims to strike the correct balance between the proper duty of confidentiality and the public interest in disclosure.

We have learnt a great deal from inquiries into major disasters by the Audit Commission and the Nolan Committee. I ask the House to consider some of the stronger passages in the Nolan report on how some of the major malpractices in public bodies came to light through whistleblowing. All the cases in which Public Concern at Work has been involved, the fraud PCW unearthed in the

defence procurement industry and elsewhere and other evidence show that the most effective way of uncovering fraud and malpractice is from within organisations. I might even suggest—then quickly erase it from the record—that, if there were to be malpractices in the House by Members of Parliament, hon. Members themselves would know more about them than anybody else.

There is public interest in confidentiality and public interest in disclosure. The Bill addresses the problem that the former is safeguarded whereas the latter is not. Lord Griffiths memorably said in the "Spycatcher" case that wrongdoing may lurk beneath the cloak of confidence. The law of confidence should and must not be used—as it is now—to conceal wrongdoing, or to punish and victimise people who, in the public interest, try to tell us about things that should not be happening. The law of confidence is used by many employers in that way. Gagging clauses are found in public and private organisations alike. Disciplinary procedures are used when people try to tell it like it is.

Last year, a consultant surgeon in Surrey wrote a short letter to *The Times*, not about his own hospital or trust but to express his concern about the lack of intensive care facilities in south-east England. He was hauled up before the trust for which he worked for committing a disciplinary offence and given a formal warning. When hon. Members read about such cases, I hope that they feel deep outrage, because when they occur, public interest is the loser. The public, including Members of Parliament, lose the ability to learn things that we ought to know to enable us to make good policy. The reputations and careers of people who exercise their duty are also damaged.

Many people live in a culture of fear. Many jobs today are insecure, part-time or short-term. Growing insecurity and fear in the labour market makes it much less likely that people will feel able to exercise their duty. The Bill is all about our interest in protecting that duty.

When I introduced a ten-minute rule version of my hon. Friend's Bill some months ago, I was inundated with letters, not from cranks, troublemakers or malcontents but from people who felt that they had done their duty, or had tried to do so, and had suffered the consequences. From that, I knew that the House had to legislate.

I refer to a letter from a man in Staffordshire, who reported that the chief executive of the major organisation for which he worked was engaged in malpractice. The chief executive resigned and took a golden handshake. He says:

"I was suspended from work for five months, during which time a concerted effort was made to discredit me. I finally had my contract terminated . . . I have been unable to find work since that date and believe that I have been blacklisted . . . I do not write to you out of bitterness or malice, but solely to offer my support to your cause. The decision I took to report this man's conduct was something that took a great deal of soul searching and many months of deliberation. I only wish your Bill had been passed several years ago."

I could give the House instance upon instance of people, working in the voluntary sector or in private organisations, describing in their own words how they came to feel that they had a duty to perform. They tried to perform that duty, and the result was the trail of misery, victimisation and persecution that shines out from the letters I have received. We need to square the circle and to get the balance right. When we consulted on the original Bill, we found vast support from the public and private sectors and professional bodies.

In congratulatory mode, I wish to congratulate the hon. Member for Chingford (Mr. Duncan Smith), who made an excellent contribution earlier. One of the reasons why the Bill should be passed is that it does not impose a regulatory burden. No new apparatus would be established by the Bill, and hugely stiff tests would be applied to anyone who claimed that they had made a protected disclosure.

Some people think that the Bill is not muscular enough, and I could wave at the House some of the similar legislation that has been introduced elsewhere. I recently returned from Australia and New Zealand clutching copies of huge measures that run to hundreds of pages and set up a vast machinery to protect whistleblowers. We have a modest little Bill that would build on the existing law of confidence. It may prove not to be effective or powerful enough, but it would be a start. The House and the country would want to know that a start has been made.

The Bill would not even require organisations to set up internal machinery. I wish that it would, but it would not. It would not even impose that tiny, useful regulatory burden. So I am not sure why the Government should have difficulties with the Bill.

We are told that the Deputy Prime Minister would not even meet my hon. Friend the Member for Islwyn to talk about the Bill. I find that extraordinary, and I wonder which of his many hats the right hon. Gentleman was wearing when he felt so disinclined. He cannot have been wearing his competitiveness hat, because we know that ethical business is good business these days. He cannot have been wearing his deregulatory hat, because the Bill would be deregulatory. He certainly cannot have been wearing his presentation hat, because I can assure the Government that to be seen to oppose the Bill would do nothing for their reputation and credibility.

The Bill is absolutely not—as has been said—a charter for troublemakers and malcontents. It would simply give a modest measure of protection to the most responsible and diligent whistleblower.

Good companies and organisations are already introducing such measures. I shall give the example of a good company—British Airways. Its code of conduct tells employees to

"Ask whether you would feel comfortable explaining your decision or behaviour to your boss, your family or the media.

Be prepared to challenge if you believe others are acting in an unethical way. Create the climate and opportunities for people to voice genuinely held concerns about behaviour or decisions that they perceive to be unprofessional or inappropriate.

Do not tolerate any form of retribution against those who do speak up.

Protect individuals' careers and anonymity if necessary. Encourage an environment of learning from mistakes and mutual trust in each other's motives and judgments."

That is excellent.

Mr. Robathan: Will the hon. Gentleman give way?

Dr. Wright: I shall succumb to temptation and not give way.

Mr. Anthony Coombs: This is the longest peroration in history.

Dr. Wright: It is a culminating peroration; we are getting in sight of the end.

[Dr. Wright]

The end is this: there is a movement afoot towards more ethical business; there is also a movement afoot towards more information. These two movements together are capable of changing the corporate world. They are capable also of changing the public world. In this instance, culture and law, as in so many other instances, go hand in hand. If we had a law-abiding culture, we would not require laws. We require laws and cultures to move together.

If we want companies to develop the good internal machinery of the sort that British Airways has adopted, the Bill, if implemented, will produce it. If the Bill is enacted, we can be sure that such systems will come into place. They will grow like daffodils on St. David's day.

12.36 pm

Mr. Anthony Coombs (Wyre Forest): On St. David's day, I congratulate the hon. Member for Islwyn (Mr. Touhig) on introducing a valuable measure that should be considered in Committee. I congratulate him also on doing so with a quality that is not common to many Welshmen—succinctness. I say that as someone who is eligible to play for Wales. My grandfather was born in Bryn-mawr and my great-grandfather in Ebbw Vale. Recently, I found myself supporting the Welsh rather than the English at Twickenhan. The hon. Gentleman's presentation was excellent.

The longer I have listened to the debate, the more I have been convinced, especially by some of my hon. Friends—many of whom have come to the Chamber, rather like Mark Antony, to bury the Bill and not to praise it—that the Bill has merit. It strikes a balance in the need to protect against victimisation those who reveal substantial malpractice, so long as the malpractice can be proved to be against the public interest.

Although I rarely agree with the hon. Member for Leeds, Central (Mr. Fatchett), I think that he put his finger on the key issue—as did the hon. Member for Cannock and Burntwood (Dr. Wright)—when he emphasised the great personal sacrifices that many people make when bringing to the public's attention examples of malpractice that are against the public interest. Those sacrifices can easily be overlooked. The term "whistleblower" has pejorative connotations, which often obscure the value of disclosure.

The Bill would protect confidentiality in both private and public organisations, and that is proper. As the hon. Member for Islwyn said, the Bill is not a nitpicker's charter. I was pleased to hear my hon. Friend the Member for Chingford (Mr. Duncan Smith), for whom I have great respect—there goes his parliamentary career—say that he sees the Bill as a deregulatory measure. Unlike the legal frameworks that have been set up in other countries, especially in Australia and even the United States, the Bill is a spare measure in legislative terms. It would build on the existing law of confidentiality in a way that I would find helpful. That does not mean that I think that it should not be amended in Committee, but I am saying that it should be allowed to get to Committee to be amended.

It is rather a pity that such a measure is necessary, because, as many hon. Members have said, any good organisation, whether in the private or the public sector, listens to its staff, particularly to the people who are closest to the line of fire—to the coal face. Therefore, as has been emphasised in the briefing on the Bill, it is not surprising that a significant number of private sector companies, such as Forte, Cadbury, BT and TSB, support it.

Although I had not heard it before, the story of Beth Lawson, mentioned by the hon. Member for Islwyn, was instructive. By doing what she did, she benefited the company in the longer term and saved it from penalties that would have been grossly against its interests.

Mr. Robathan: This is my biggest concern. All these marvellous examples are given, but I do not see how the Bill would benefit such people one way or the other, because, in the case that my hon. Friend just mentioned, the young lady concerned—Beth Lawson—reported the issue and the company took action.

Mr. Coombs: That is the obvious riposte to such an argument. The point is that the Bill represents certainty. It gives reassurance to those people and therefore makes it more likely that they will act in a way that will, in the longer term, be in the interests of the company for which they work.

It is a pity that such a measure is necessary. I agree—although I do not do so very often—with Christine Hancock of the Royal College of Nursing, who said in a *Health Service Journal* article in 1994 that, if such a measure were followed in practice, in the longer term, all whistleblowing would be made relatively unnecessary. Indeed, the parents of Carol Starkie—the doctor who misdiagnosed some 42 cancer cases at the Birmingham royal orthopaedic hospital before 1993, which no consultant detected and reported through official channels—live in my constituency. I believe and support the Department of Health—there should be a contractual obligation on consultants and doctors in the health service to report on their colleagues' performance, and not just a sign of good practice vis-a-vis the General Medical Council.

In broad terms, I am strongly in favour of the Bill, but I have one or two reservations about it. I do not say that like Mark Antony, because I support the principle of the Bill and would like to see it go to Committee. My first worry relates to clause 2.

My hon. Friend the Member for Blaby (Mr. Robathan) was right when he intervened during the speech of the hon. Member for Islwyn. Clause 2(1)(c) defines a protected disclosure as being one where somebody

"has not made it principally for the purpose of obtaining payment or personal gain".

I cannot see why the word "principally" should be necessary. If somebody is acting in the way that we have described, I do not believe that they should be going for any personal gain whatever.

Mr. Luff: I think that my hon. Friend might be misguided. The word seems to be a useful safeguard, because the individual may obtain fees of some kind from a subsequent television interview, which was not the intention when he or she blew the whistle. That word safeguards against false allegations that might be made subsequently.

Mr. Coombs: I disagree with my hon. Friend. If the subsection read, "has not made it for the purpose of obtaining payment or personal gain", it would cover the situation adequately.

My next point relates to clause 3. Several hon. Members have said that adverse treatment should be monitored, and they have discussed the extent to which, for example, failure to provide promotion could be identified as a reason for using the remedies in the Bill. My worry is that the provision may have a long tail. It could be many years after an event that people decide that they have not got promotion and that, therefore, they have been adversely treated. I suggest that there should be a time limit within which people can take action about adverse treatment and within which they are be protected by the Bill.

Under clause 7, if an agreement is made, confidentiality cannot be a condition of it. I can imagine the following situation. Somebody makes a disclosure on an internal basis and the company agrees to change its procedures to right the wrong. Under the Bill, that change of procedures would not be allowed to remain confidential. In other words, the person making the complaint could make it open, subsequent to the event. I do not see why that should be the case. If someone makes a complaint and has it resolved via the internal procedures, he or she should be required to ensure that the matter remains confidential. If not, the constructive climate about which we have been talking may not be possible.

I strongly agree with clause 6. It deals with the burden of proof for civil servants and changes the law so that the burden of proof is on the Government to show that it is necessary to make evidence confidential. I was extremely concerned when my right hon. Friend—I am sorry, I anticipate—

Mr. Robathan: It is only a matter of time.

Mr. Coombs: I anticipate. My hon. Friend the Member for Blaby talked about his activities in the Army and said that what people did there was all right because they were only planning illegal actions and not actually carrying them out. Bully for them, frankly. The more my hon. Friend talked about that instance, the more he made the case for the protection that clause 6 offers.

Mr. Robathan: My hon. Friend should understand that the plans we were making related to a time when we might have been moving towards general war. I am sure that he supports me in saying that it is better that some minor infringements of the law might have taken place than that we might have been disadvantaged in a general war, as we might once have had with the Soviet Union.

Mr. Coombs: That is a very large question. I believe that overlooking illegalities would be more inclined to undermine parliamentary democracy, even in extremis—

Mr. Robathan: Planning.

Mr. Coombs: Planning illegalities, even in an emergency, is more likely to undermine parliamentary democracy than keeping close to the letter of the law.

It would be helpful if it could be confirmed that public interest, not significant malpractice and misconduct, would allow whistleblowers to get away with semi-political opinions about which many of my hon. Friends have spoken. The schedule tries to define

"Misconduct or malpractice constituting public interest disclosure".

I am slightly concerned about paragraphs (iii) and (v), which deal with "abuse of authority" and "maladministration" respectively. Those terms are subject to a wide interpretation.

That does not mean that I disagree with the Bill, because I understand that the courts already have to take such decisions. However, we all know misguided, but well-meaning, individuals who may have a slightly eccentric turn of mind who come to us and genuinely feel that there has been an example of maladministration or an abuse of authority. They may cause untold damage to organisations—while wrongly relying on the Bill—unless some guidance is given on how far the provisions stretch. It is for that reason that a code of practice with specific examples should be drawn up to supplement the schedule and to give guidance, not only to the courts, but to people who may wish to rely on the Bill if it becomes law.

As I said in my intervention on my hon. Friend the Member for Chingford, unless there is a code of practice, many companies—possibly the public sector—will be damaged by people making disclosures that they think will be protected by the Bill, but are not. Those people will be hurt by their misguided apprehension of what the Bill means, and we will need an enormous amount of case law before the penny finally drops as to the grounds for revealing previously confidential information that the Bill seeks to cover. A code of practice would therefore be extremely useful. That might be discussed if, as I hope, the Bill reaches Committee.

I have similar reservations about clause 8, which I hope will be dropped in Committee. If he has the opportunity to make a winding-up speech, perhaps the hon. Member for Islwyn will give assurances on that matter, which is not integral to the problem that he is trying to solve.

The Government would be unwise to try to block the Bill before it reaches Committee, because it is generally recognised that there is in both the public and private sectors a climate of secrecy that needs puncturing and cannot be justified on the grounds of public interest, the national interest, national security or competitive self-interest in the private sector.

I agree with my hon. Friend the Member for Chingford that passing the Bill will not change the climate of opinion so much that everyone will become a potential damaging whistleblower. As he said, suitably amended, the Bill would give specific protection and reassurance to individuals who, under great stress, reveal substantial malpractice that is against the public interest. The individual would be protected from large enterprises or, in particular, from the state. That is a sound Conservative principle. As such, the Government should adhere to it by accepting the Bill and supporting its passage to Committee.

12.52 pm

Mr. Chris Davies (Littleborough and Saddleworth): I warmly welcome the Bill. I am sure that that sentiment is shared by my Liberal Democrat colleagues in the House and outside. I welcome and endorse the sentiments of the hon. Member for Wyre Forest (Mr. Coombs). They were a pleasant contrast with the speeches of some Conservatives Members, who gave the impression that they seek only to nitpick and damn the Bill with faint praise. I hope that they will allow the Bill to receive its Second Reading, so that some of their more detailed and specific criticisms can be considered in Committee.

[Mr. Chris Davies]

It could be argued that the Bill represents a small step towards sweeping aside some aspects of secrecy that are deeply embedded in this country, but that would, perhaps, be to go far beyond the reality. As its title aptly suggests, the Bill proposes that the public interest matters more than malpractice, more than covering up the fraudulent behaviour of a colleague and more than a company's embarrassment if it is revealed that it is cutting corners with its safety practices. Those principles should be self-evident to Members of Parliament. Surely we are all here because we want to protect and enhance the public interest. That does not seem to me an especially difficult concept to grasp.

Definitions of what represents the public interest will be a matter of subjective judgment, but, as we have heard, the concept of public interest is already included in statute and addressed as a matter of course by the courts.

It is important for hon. Members to recognise that, for reasons which I shall shortly cover, the Bill would not lead to extensive litigation. Rather, the Bill would help to change the attitudes and culture of organisations. It would encourage them to ask, "Are our actions in the public interest? Would we be embarrassed if our actions were exposed to public gaze?" If the answer to the second question is yes, the knowledge that a law of this kind exists will encourage a change in performance and approach.

For too long, the law has given tacit approval to the corporate or bureaucratic culture which smiles and encourages employees to see no evil, to hear no evil and, above all, to speak no evil, even when they know it exists. The Bill would help to break that approach but, as framed, it is also practical and responsible. Employees would not be able to run off to the authorities or to the press for the fun of it or out of malicious intent. As a first step, they must report their concerns to the employer and only if no action is taken and the malpractice continues may they take the matter a step further.

That seems rational and sensible in theory, but how very different the process would be for a person who tried to put it into practice. People who blow the whistle in circumstances that are covered by the Bill are bound to be rare, and what they reveal may be all the more significant, important and crucial to the public interest because of that.

Imagine the emotional turmoil that must affect an employee of a company or a large organisation who plucks up the courage to tell his employer about his concerns. The hon. Member for Linlithgow (Mr. Dalyell) gave a clear illustration of what that might involve and of how difficult it might be for an employee to face a hard taskmaster in so doing.

Once an employee has plucked up the courage and addressed his employer, he will at least feel that he has done his duty and his conscience can rest easy. But what if he realises that the malpractice is continuing and that nothing is being done to curb it? The next step, which is to go to another authority, would inevitably imply criticism of the employer or line manager, and that is serious. That step would be a great leap in the dark for the person concerned. It would mean risking career prospects, facing abuse and being put under a range of discreet pressures which no legislation, however well framed, could ever properly prevent.

The term "whistleblower", pejorative and dramatic as it may sometimes sound, will not be welcomed by conscience-racked individuals who find themselves in such situations. They will take the next step perhaps only after months of angst, of doubt, of worry and of sleepless nights spent tossing with concern as they try to determine the next appropriate best step. In very few cases will a person take the next step with a glad heart.

Public interest must take precedence over any misplaced sense of loyalty to an employer who deserves no credit for his actions, but none of us wants to create a nation of sneaks. I am pleased to say that the Bill will not do that. It encourages responsible behaviour. Loyalty to an employer is good, loyalty to truth and the wider public interest is better—and general recognition of that principle will improve the attitudes and performance of every organisation in the country.

I strongly endorse the Bill. I hope that it receives a Second Reading in the next hour or so.

12.59 pm

Mr. Peter Luff (Worcester): It is often said—perhaps rather unkindly—of my hon. Friends in the Whips Office that they are anxious for colleagues not to listen to arguments that are made during debate for fear that doing so might change their view.

I have a confession to make. When I came here, I was sceptical about the Bill, but I have become a supporter during the debate, although I continue to have reservations, and I believe that it will need careful scrutiny in Committee to ensure that those reservations are fully addressed. My heart has claimed victory over my head, and I pay tribute to all those whose persuasive speeches brought about that change of heart.

It is a curious counterbalance to have on Friday a debate about secrecy, when, arguably, Monday's debate on the Scott report was about another aspect of secrecy.

I became rather worried as I heard the hon. Member for Islwyn (Mr. Touhig), introducing the debate, criticising and mocking tell-tales. I was thinking at the time that loyalty was worth while, and that he was mocking loyalty. That judgment was harsh and wrong, and I apologise even for reaching it privately at that stage.

I was brought up to believe that one of the greatest compliments one might pay someone is to ask them, "Can you keep a secret?" Coming to this place gave me a wonderful way of keeping a secret—making a speech about it in the House of Commons. That is about the best way I know of keeping a secret in Britain, partly due to the deplorable level of reporting of our debates in the national press these days. It will probably be a secret, when we read tomorrow's newspapers, that a thoughtful and civilised debate has taken place in the House today on such an important issue.

There is a real irony about debating secrecy in a House where to make a speech about it is to keep a secret so effectively, but where secrets may be easily spread by one selective leak to a journalist in the Members' Lobby. The amount of whistleblowing that goes on there must warm the heart of the hon. Member for Islwyn. It is a proof of the definition "a secret is something you tell one person at a time," and that is what happens there regularly.

Mr. Duncan Smith: Not always.

Mr. Luff: Indeed.

It is regularly alleged that the country suffers from a culture of secrecy. Many hon. Members feel that sincerely. Some would argue that the Bill is but a tiny part of a wholesale package of reform that is necessary to tackle that culture of secrecy. I know that many hon. Members support the idea of a freedom of information Act.

It is the duty of the House to protect as best it can the rights of every British citizen; that is what we are here to do. That is why, originally, I welcomed the opportunity to debate the Bill, and now I think I must welcome it.

A Bill that sets out to protect the rights of all our nation's workers, wherever they work, would enhance the safety of all the nation's people and directly strengthen business life and confidence in public life. I believe that I have convinced myself of that argument; I need time to be sure.

The Bill is about not only secrecy but trust. Can one do anything to build trust in an organisation simply by offering legal protection to employees? An organisation in which an individual feels that he must blow the whistle is an organisation in which trust is sadly lacking, and cannot work effectively. Our objective must be to build organisations that work on a basis of trust.

Mr. Malcolm Bruce (Gordon): The hon. Gentleman makes a valid point. Does he agree that a marked strength of the Bill is the requirement that an internal route should be available before an external route is used? Is it not in the interests of senior management to ensure that such a route exists, because they carry the can if middle management do not carry out the safety instructions that are supposed to be in place, which are sometimes flouted?

Mr. Luff: I agree entirely with the hon. Gentleman. I was slightly amused to hear the hon. Member for Cannock and Burntwood (Dr. Wright) praising British Airways in that regard. It has a robust record in encouraging its employees to discuss their concerns internally—and rightly so, as safety is crucial to an airline. I would love to know what code it had in place before it was privatised—but perhaps that is a cheap, partisan point. I suspect that the private sector motive is driving British Airways: it knows that it must be seen to be completely safe, and that is a powerful incentive for being accountable and for creating the code of conduct which the hon. Gentleman has praised.

Having listened to the debate, I accept that workers may hesitate before blowing the whistle, for fear of reprisal. However, we must remember that statutory protection exists for individuals in some circumstances, and it is correct to draw attention to it. There is protection for employees in the areas of health and safety, the assertion of statutory employment rights, and discrimination on grounds of race or sex. The Library note helpfully reminds us that section 28 and schedule 5 of the Trade Union Reform and Employment Rights Act 1993 provide a great deal of protection to whistleblowers in the specific spheres of health and safety—which is probably the area that most concerns hon. Members.

The Act gives all employees—regardless of length of service, hours of work or age—the right not to be dismissed, selected for redundancy or subject to any other detriment for a number of reasons, two of which are relevant to today's debate. The first is:

"bringing to their employer's attention, by reasonable means and in the absence of a representative or committee who could do so on their behalf, a reasonable health or safety concern".

The second refers to:

"circumstances of danger which they reasonably believed to be serious and imminent, taking or proposing to take appropriate steps to protect themselves or other persons from the danger".

The latter provision is very useful, although it is probably flawed by the use of the phrase "and imminent". Security would not have been offered to the individuals involved in a number of cases referred to this morning, because the danger could not reasonably be said to be "imminent".

I emphasise that the Act refers to people's taking action to protect themselves or other persons from danger. There is protection on the statute book, and employees who suffer detriment as a result of taking such action have the right to appeal to an industrial tribunal. If the complaint is upheld, the tribunal must award such compensation as it considers just and equitable in the circumstances, having regard to the infringement complained of and to any loss suffered by the employee. There is no limit to the amount of compensation that is payable under that provision. It is important to remind people that there is protection on the statute book for employees in that area.

The Bill seeks to take that protection one step further: if the whistleblower acts in good faith, believes that what he is saying is accurate, and is not acting for personal gain, he will get extra protection. I have come to the conclusion that that is right: clearly, anything that discourages honesty could put public safety at risk. However, some of the Bill's supporters may be exaggerating their claims. I wonder whether the dreadful disasters to which they referred would have been prevented by the legislation. I suspect that the lesser issues will be addressed really effectively.

I do not believe that the Clapham rail disaster, the Piper Alpha explosion, or the sinking of the Herald of Free Enterprise would not have occurred if the legislation had been on the statute book. That is taking the claim too far. I believe that the Bill will be useful in cases such as the earlier example of the woman who noticed that food sell-by dates were being changed in a supermarket. That is a serious issue with potentially serious health and safety consequences, and the legislation would assist in those circumstances.

Although businesses recognise the need to be accountable and to institute the best possible procedures, it is correct to say that the Bill would increase their accountability. They would have to be more careful when examining internal disclosure procedures, thus preventing problems—and perhaps disasters—from occurring. I have a reservation about the conflict that exists in this place, and in any organisation, regarding confidentiality and commercially sensitive information. The sponsors believe that the existing law on confidentiality will not be affected by the Bill, but that is not clear, and we must look at it in Committee.

Some would argue that the important thing is that the Bill would strengthen the reputation of private companies and of government. Employees who fear punishment or sense a lack of concern when raising controversial matters internally are often forced, tragically, to sacrifice their reputations—and possibly the existence of the company—by blowing the whistle externally. The introduction of a discipline on companies to improve their internal procedures is valuable, and is possibly the most attractive aspect of the Bill. The Bill will provide a system of legal and ethical checks and balances to protect the worker and the reputation of the company or public body concerned.

[Mr. Luff]

Who knows—perhaps this is a bad day for the lawyers of the United Kingdom, who will see a rapid diminution in lawsuits as the Bill's provisions for pre-emptive action result in the matters not going to court in the first place. I understand the argument that trust, loyalty and commitment will all be enhanced in the employer and the employee at no cost, and possibly with some saving in cost. The Bill may be a wonderful reflection of our commitment to the rights and safety of our people and to strengthening trust in business—something that matters to Members on both sides of the House and should not be overlooked.

I have three specific reservations that justify the need to take the Bill to Committee, and I shall briefly run through them. First, is there a danger that the Bill might increase the probability of employees making allegations in public that, by virtue of their selectivity, could damage the reputation of a company? Secondly, could the Bill make for worse decision-making in Government? Thirdly, I am worried about the malpractice schedule in the Bill.

On the selective reporting of alleged malpractice, we know that there are rotten apples and troublemakers in companies. It would be unfair to name them, but I have worked in companies that had such individuals. There are also companies with sincere but misguided employees who simply do not understand the issues with which a company is wrestling, either because they choose not to or because they are incapable of understanding. I am slightly worried about the test for bad faith. Perpetual troublemakers and the misguided always argue that they have acted in good faith. Is the test sufficiently robust?

The Bill offers four tests for protected disclosure: bad faith; reasonable grounds to believe the disclosure is accurate; not acting for personal gain; and taking reasonable steps to raise the matters internally. These are sensible provisions, which I support, but we need to be clearer on what the bad faith test would mean in practice, and we can discuss that in Committee.

What happens if an individual who raises a matter internally is not satisfied with the explanation he receives? What if he misunderstands the explanation offered? What if—having fulfilled all of the tests in the Bill—he goes public with an accusation, but deliberately misses out the defence that the organisation offered him?

I was quick to praise *The Sun* in an intervention on my hon. Friend the Member for Blaby (Mr. Robathan), but the press is not always free from blame. It tends to jump to conclusions—particularly pessimistic and negative conclusions. An unkinder person might describe it as mad journalism disease. Damage can quickly be done to an organisation's reputation, and corrective action can be difficult to take.

I can give a practical example, relating to rail safety in my constituency. The turbo trains operated by Thames Trains serving Worcester are having problems with their braking systems. No one has been injured, and the company is taking more than adequate corrective action to deal with the problem. A conductor—as we must call guards nowadays—mentioned the matter to a local journalist who was travelling on one of the trains.

Fortunately, the journalist was a responsible individual who sought an explanation from the company. He was told that the problem is that the trains offer a better ride than the old-fashioned ones, which means that the rails and wheels are less worn. As a result, braking is more of a problem. The improvement in quality has created the braking difficulty. The company explained the circumstances in full, and described the action that it was taking to correct the problem, including driver training and the provision of sanding units to improve the adhesion between rail and wheel. I believe that I have got that technically correct, and the journalist was satisfied with the explanation.

Let us say that the problem had been a bit more complex and serious and that the conductor had not chatted to a reliable journalist on the train about it, but had raised it internally under the terms of the Bill, and met those tests. Let us say that the conductor did not accept or understand the explanation given, acted in good faith and publicly revealed only part of the information to a journalist who was up against press deadlines, which made it very difficult to check the facts, and the journalist wanted to get the story into the public domain quickly, because it was a good story. In that situation, there is a huge potential for damage and a loss of good will. I do not want that to happen, unless there are very good reasons for it.

The Bill must have built into it some protection against whistleblowing that is well meaning and in good faith, but misguided. The individual might consult internally or even say that he is partially satisfied with a company's explanation, but then change his mind and go public, so that the organisation is not prepared for his going public. That person would have met all the Bill's tests, but, in my judgment, he would have behaved irresponsibly, possibly by misunderstanding something that he was told.

We could deal with that problem. The solution I recommend to the hon. Member for Islwyn is to impose on the individual who intends to blow the whistle a duty to inform the organisation of his intention. That requirement is currently not included in the Bill. It should perhaps even go to the extent of requiring him to say when he intends to make the statement, which would enable the company to prepare its case for the defence and to respond rapidly to the allegations. If the allegations are a result of a misunderstanding, the damage would then at least be limited. Perhaps that requirement could be considered in Committee.

I am also slightly nervous about situations in which an organisation is falsely accused by an individual, not out of bad faith but through misunderstanding. The individual would quite likely be able to gain legal aid for a court action, whereas a medium or small-sized company would probably have very heavy legal costs imposed on it.

I am worried about that, and I cannot see a remedy. It may be easier for the individual to pursue his grievance than for the company to defend itself. I notice that many supporters of this measure are large companies, for which it would not be a great problem, but it may be a burden for smaller and medium-sized companies. I sincerely hope that there is a way to solve that problem.

I am aware that I am taking up a good deal of the House's time, so I shall move rapidly on to my second concern: good government. Good government always involves examining all the options, even those that are unthinkable, If we lose the ability to think the unthinkable, we diminish the quality of government, because reductio ad absurdum techniques in debate often illuminate the wisdom of a particular course of action.

I fear that leaks from Government, whether as a result of whistleblowing or for more clandestine reasons, can make the process of government extremely difficult. I have been critical in the House about the way in which one Opposition Member incited civil servants to leak to him on the subject of rail privatisation—it was shameful and wrong—because I do not believe that civil servants should be incited to leak.

It is a slightly partisan point, but I was alarmed by the comment by the hon. Member for Bolsover (Mr. Skinner) on that occasion, in October last year:

"the road to socialism is strewn with photocopies and brown envelopes."—[*Official Report*, 18 October 1995; Vol. 264, c. 360.]

That has a certain—

Mr. Anthony Coombs: Resonance.

Mr. Luff: As my hon. Friend says, it has a certain resonance.

I fear—I want to be proved wrong—that this Bill could turn that anonymous leaking into a torrent of information. This is not a party point. I think that secrecy has a crucial role to play in the process of decision making, and that people in Government, whether Ministers or civil servants, will be more reluctant to express a point of view orally—never mind in writing—if they believe that that point of view will be reported too widely. It may even be a point of view; it may be a point of argument that could be publicly misrepresented as a point of view. So I think secrecy is essential to good government.

We know that there has recently been a great deal of debate about this issue in the civil service, not only as a result of the so-called arms-to-Iraq affair but also as a result of the Nolan committee's work in this sphere. I think that the new civil service code of conduct is right when it says:

"Civil servants should conduct themselves in such a way as to deserve and retain the confidence of Ministers and to be able to establish the same relationship with those whom they may be required to serve in some future Administration. They should comply with restrictions on their political activities. The conduct of civil servants should be such that Ministers and potential future Ministers can be sure that confidence can be freely given, and that the Civil Service will conscientiously fulfil its duties and obligations to, and impartially assist, advise and carry out the policies of the duly constituted Government."

Those are wise words of advice. I should like an assurance from those who support the Bill that nothing contained in it will undermine that important constitutional principle.

Collective responsibility matters in any organisation, not just in government. If doubts about proposals or ideas are revealed before decisions have been reached, the decision-making process can be damaged. Perhaps the Bill should make some distinction between exposing potential problems during a decision-making process—which is difficult—and decisions themselves which, when implemented, become policy. Perhaps a distinction can be drawn—I am not sure, but I hope so.

My hon. Friend the Member for Blaby talked about the schedule, and I am concerned about its omnibus nature. As my hon. Friend rightly said, the schedule contains some grey areas; it mentions abuse of authority, miscarriage of justice and maladministration, which are all matters of subjective judgment for individuals. I accept that the other three issues mentioned in the schedule are not.

I am worried not merely about the subjectivity of the schedule, but about clause 1. It states that a public interest disclosure can be justified using the schedule, but it also states that it is

"not limited to that described in the Schedule to this Act".

Misconduct or malpractice beyond the already nebulous list would be justifiable when claiming public interest disclosure. I think that we should be a little more sure about the implications of the provision.

Secrecy is never good of itself, but it is sometimes a necessary means to an end. Mature democracies such as ours should be better able to deal with openness. I prefer a non-legislative approach. It is for the good of democracy and business to be as open as possible—in that way, both will win the confidence of the individual.

I shall conclude by quoting the remarks of one of my constituents. The then Sir Gordon Borrie, now Lord Borrie of Abbots Morton—writing in a document for Public Concern at Work which was published earlier this year and is entitled "Four Windows on Whistleblowing"—said:

"A cynic might take the view that the phrase 'business ethics' is an oxymoron, i.e. the conjunction of two words of conflicting meaning, like 'deafening silence' or 'jumbo shrimps'. I believe that, at any rate, in a competitive market place, a company's own enlightened self-interest dictates that it should behave in an ethical manner.

If a commercial organisations wants to create a good long-term reputation with customers, employees and other"—

I apologise to my hon. Friends for the next word—

"'stakeholders', it should, as a matter of its own choice, do more than comply with the bare requirements of the law. One of the key ways of competing for market share may well be to demonstrate high ethical standards . . . The adoption of ethical conduct by a business, including the development of transparent and usable mechanisms through which employees can disclose malpractice without fear, may be seen as synonymous with enlightened self-interest. In genuinely competitive markets I am confident that one needs no more than enlightened self-interest to promote and deliver ethical conduct and it cannot be doubted that it is in the interest of the business itself (as well as in the public interest) that its leaders are made aware of any malpractice in its midst."

Whatever happens to the Bill today or during its further progress through the House—whether it succeeds or fails—both the Government and business would do well to heed the wise words of Lord Borrie.

1.23 pm

Mr. Alan Howarth (Stratford-on-Avon): It is reasonable to assume that the disclosure of malpractice is a public benefit. The Bill does not devalue the duty of confidence, but it recognises that there is an overriding benefit in disclosing danger to the public, fraud or other sorts of illegal and improper conduct, and that protection under the law is needed for the public-spirited individual who discloses such matters.

As hon. Members have observed, it is not easy to blow the whistle. The individual who contemplates doing so experiences conflicts of loyalty, and it may not be easy to muster the confidence to act in the public interest. The Bill encourages only the individual who is genuinely and seriously concerned for the public interest. It is not a charter for the mischievous, the sneak, the opportunist or the opinionated individual who thinks that he or she knows better than the policy of the organisation. It is a thoroughly responsible measure that has been carefully

[Mr. Alan Howarth]

drafted to limit the conditions in which whistleblowing is encouraged. It would ensure that the public interest is the test and would encourage no more than the minimum public disclosure consistent with the public interest.

The law as it stands is a mess. The DTI inspector's report on Barlow Clowes usefully reviews the state of the law and its inadequacies. Recent statutes have provided piecemeal exemptions from the law of confidence. Some measures have required disclosure in certain circumstances. They include the Companies Act 1985, the Insolvency Act 1986 and the Criminal Justice Act 1993. Other legislation has authorised but not required disclosure. It includes the Drug Trafficking Offences Act 1986 and the Prevention of Terrorism (Temporary Provisions) Act 1989.

Case law provides justification for those who break confidence in the public interest, but, none the less, there is great risk for an employee who relies on it. The inspector's report on Barlow Clowes states:

"It is clear that a number of employees of Barlow Clowes could have disclosed their suspicions without acting in breach of their terms of employment . . . It has to be recognised, however, that they were under no legal duty to do so and the position of the whistle blower is frequently extremely uncomfortable. The most likely result of such whistle blowing would be an immediate if wrongful termination of employment and the prospect of a protracted dispute.".

Increasingly, businesses recognise that they stand to benefit from satisfactory internal procedures for the exposure of malpractice. Freedom for business must be accompanied by responsibility among all staff. That is one aspect of stakeholding, and Conservative Members are unwise to mock the principle of socially responsible business practice.

Mr. Luff: Will the hon. Gentleman give way?

Mr. Howarth: No. The hon. Gentleman has taken up a great deal of time already.

In their own terms, the Government do not want to impose regulation on businesses, and, as has been argued, the Bill would strengthen self-regulation.

Let us consider the Government themselves and whistleblowing. The damage to democracy through the failure of accountability and the poor quality of decision taking arising from the culture of secrecy has been glaringly exposed in the Scott report.

The report's exposure of one particular episode demonstrates the potential value of whistleblowing. On 22 June 1988, a whistleblower within Matrix Churchill wrote to the Foreign Secretary to warn him that the company was supplying weapons making equipment to Saddam Hussein. The letter is quoted by Scott at paragraph D2.318, which states that the writer of the letter "wrote to Sir Geoffrey Howe and said the company was 'working on a thirty million pound order for CNC lathes to be used for munitions production in Iraq,' and that 'these machines are going to be used to machine shell cases'".

Scott tells us that neither the Foreign Secretary nor any other Minister was shown the letter or informed of it, nor was any action taken on it then. Three years later, as the trial approached in 1991, a DTI official minuted internally in terms of the utmost cynicism, and that document is quoted by Scott at paragraph G10.29:

"The difficulty of course is not simply that the letter exists, but that the writer of the letter no doubt still exists and even if he has not so far been involved in the proceedings by either the prosecution or defence he may well make the existence of his letter public. The chances of his doing so will no doubt be all the greater if he is one of those who has already been made redundant or will be made redundant next month. It is tempting to suggest that we might claim PII"—

public interest immunity—

"for document 4"—

disclosing the receipt of the employee's letter—

"but I fear that doing so in the face of the possibility that the information in it may well appear across the front of the tabloid press during the course of court proceedings, makes me somewhat diffident about suggesting it."

It was the Matrix Churchill whistleblower's letter that caused alarm bells to ring with the then President of the Board of Trade, now the Deputy Prime Minister, when he was told about it. He sidelined five times a sentence advising him:

"Assuming the writer retains his public spirited interest it may well be that as the details of the case get into the public domain he may feel moved to write again, but possibly to the press."

The right hon. Gentleman shrewdly realised the risks of being seen to be party to a cover-up.

That episode demonstrates powerfully the case for systems in the civil service and all organisations to ensure that alerts to malpractice are effectively acted on and that there is protection for whistleblowers. How different and how much happier for the Government the story would have been if that letter had been acted on in 1988. As my hon. Friend the Member for Islwyn (Mr. Touhig) said, the costs of ignoring such messages in human lives, public money, public shame and the reputation of government or business are immense.

While Ministers defiantly snarl that they have been acquitted by Scott, civil servants are deeply worried. Elizabeth Symons, general secretary of the First Division Association of Civil Servants, wrote in *The Guardian* on 8 February:

"It has always been unclear as to the course of action open to a Civil Servant who knows that a Minister has sought to evade ministerial responsibility by, for example, misleading either deliberately or unknowingly the House of Commons. That was the issue raised by the Westland affair, and is one of the major issues of debate in relation to Matrix Churchill."

It does not appear that the Scott report offers help to civil servants in that difficulty.

Paragraph 11 of the new civil service code states that a civil servant who is required to act improperly should report the matter in accordance with procedures laid down in departmental guidance or codes of conduct. A civil servant should also report to the appropriate authorities evidence of criminal or unlawful activity or other breaches of the code. Those provisions are not sufficient. They do not clearly cover activities that, although not criminal or illegal, are unethical or unconstitutional.

The code does not make it clear what duties or rights a civil servant has when a Minister misleads Parliament—one of the crucial issues in the arms to Iraq affair. What is a civil servant entitled to do when he or she is required to draft letters, parliamentary answers or statements to Select Committees that tell half a truth or less than the truth and effectively mislead Members of Parliament? What can a civil servant do when he or she knows or reasonably supposes that official statistics are being abused?

These are growing difficulties for civil servants in fulfilling their duty, as described in paragraph 1 of the code of conduct, to assist the Government with

"integrity, honesty, impartiality and objectivity."

With contracting out, civil servants do not have the same access to information in areas for which their Ministers remain responsible. The "commercial: in confidence" formula is extensively used—far more in this country than in the United States—to prevent officials and politicians from knowing what is going on.

In a context of increased competitiveness—market testing, contracting out and time-limited personal contracts—pressures increasingly drive officials in the direction of expediency and self-serving survival. In an increasingly marketised public service, the ethic of public service for which the British civil service has been justly famed, and which has been the envy of Governments and peoples in many other countries, is harder to retain and to transmit to new generations of public officials.

Mr. Gladstone famously said in 1879 that the British Constitution

"presumes more boldly than any other the good sense and good faith of those who work it."

Even after Scott, the Government appear to be unrepentant. Grimly, the new code of practice's final paragraph states:

"Where a matter cannot be resolved by the procedures set out in paragraphs 11 and 12 above, on a basis which the Civil Servant concerned is able to accept, he or she should either carry out his or her instructions or resign from the Civil Service."

It adds:

"Civil Servants should continue to observe their duties of confidentiality after they have left Crown employment."

We need to support the good sense and good faith on which Mr. Gladstone wanted to rely. That means providing legal protection for whistleblowers, so that, if they cannot achieve their purpose in the public interest through internal channels, they may make public their criticisms—always provided that they are properly founded and are made in good faith.

Alongside protection for whistleblowers, we should have freedom of information legislation to limit the scope for unnecessary secrecy and the abuses that it allows, and to limit the occasions on which whistleblowing may be necessary.

The position of the whistleblower would seem, in some ways, less unfavourable in local government than in Whitehall. The Audit Commission has done much to encourage responsible whistleblowing. The 1995 update of the Audit Commission's publication, "Protecting the Public Purse: Ensuring Probity in Local Government", stresses the principle that

"employees should be encouraged to come forward if dishonest acts are identified or suspected."

The document reproduces and endorses 16 recommendations to local authorities put forward by Public Concern at Work.

Yet the experience of Mr. Bernard Crofton provides a disturbing cautionary tale. Mr. Crofton has been reinstated as director of housing in Hackney, but when he set out, energetically and courageously, to deal with fraud within the authority, he was sacked on the grounds of racial harassment and gross misconduct. In the immensely valuable evidence that he recently submitted to the Social Security Select Committee, he threw much light on the circumstances in which fraud thrives unchallenged in organisations and the reasons why people keep their heads down.

In the national health service, the situation is also confused and creates enormous difficulties for conscientious staff who have become aware of malpractice. I applaud the Secretary of State for Health for encouraging doctors to blow the whistle, but I am not clear that he has similarly encouraged, let alone protected, other staff. Ms Sue Machin, a social worker, exposed maltreatment at Ashworth special hospital in 1993 and was sacked. In 1995, after two years of injustice, an industrial tribunal ruled that she had been unfairly dismissed.

The journal *Adviser*, in 1994, commented on the Royal College of Nursing's whistleblower scheme. It stated:

"Many nurses are using the scheme in order to vent their frustrations at their inability to speak out, and the scheme has revealed just to what extent nurses are frightened and unhappy about the conditions in which they have to work."

There is a tension between contracts of employment that insist on strict confidentiality and the nurses' code of professional conduct. The code calls on

"Each registered nurse, midwife and health visitor . . . above all to safeguard the interests of individual patients and clients".

If nurses do not speak out, their patients may suffer. If they do, they themselves are liable to suffer.

Some trusts, such as the King's Healthcare trust are admirably enlightened about whistleblowing. But Christine Hancock, general secretary of the Royal College of Nursing, writing in the *Health Service Journal* last September, felt obliged to say:

"In recent years, nurses have found it increasingly difficult to discuss standards of care openly because of a prevailing culture of secrecy compounded by confidentiality clauses in employment contracts."

She continued, pertinently:

"If the Government's proposals are to work without inspiring a climate of fear, health services must encourage openness about professional concerns. Over the long term, this would make almost all whistle blowing unnecessary."

Who is to decide where the public interest lies? That is a question that the Government posed on page 31 of the White Paper on open government and conspicuously failed to answer. It is a question that Ministers and high officials, even if they are not complacent, find it painful to consider. It needs humility to accept that the low-ranking member of staff or the mere public-spirited citizen may point out the defects of their judgments and systems. The emperor resents the little boy who observes that he has no clothes.

Ministers and their advisers find it equally unendurable that the courts should be set over them. Governments are jealous of power and they resent the judges who now so frequently find themselves obliged to strike down Government decisions.

The Matrix Churchill affair is only the latest and most notorious in a series of instances that have shown that the responsibility for determining the public interest cannot safely be left in the hands of the Government alone. We shall find a greater safety through a wider diffusion of information and a plurality of responsibility. The legal protection for responsible whistleblowers that the Bill would provide would be a valuable additional protection to our liberties and to public safety.

1.39 pm

Mr. David Jamieson (Plymouth, Devonport): I congratulate my hon. Friend the Member for Islwyn (Mr. Touhig) on securing a high place in the ballot and

[Mr. David Jamieson]

on the way in which he presented the Bill. My hon. Friend has provided us with an example of the careful and measured approach that can be taken in introducing a private Member's Bill. I hope that on that basis it will command the support of right hon. and hon. Members on both sides of the House.

I am aware of the difficulties in presenting a Bill, because I was successful in having a private Member's Bill enacted last year. I can assure my hon. Friend the Member for Islwyn that, once he has been through the entire process, he may participate in the ballot next year while silently praying that he does not secure a high place in it.

I wish only to clarify one or two matters that are related to the Herald of Free Enterprise tragedy in 1987 and to raise one other case.

The Bill seeks to lift the burden on employees and other people in similar circumstances when there is a conflict between the narrow interests of an employer and the wider public interest. I am pleased that the Bill would rule out any malicious claims. Any claims would have to be made in good faith. The Bill would assist greatly people such as Joy Cawthorne, who had to search her conscience as she encountered a huge moral dilemma. In the face of wrongdoing, was she to break the loyalty that she felt to her employer? Was she to be silent and put other people at risk by turning a blind eye to what was clear wrongdoing?

I learned during the passage of the Bill which I introduced last year that the whistleblower needs the ability to draw attention to the wrongdoing—I am talking of an allegation made in good faith—without fear of reprisal and, secondly, needs someone who can take action following the claim. If there is no one in the organisation who can take action and the necessary systems are not in place, there is a need for the whistleblower to have protection when making a statement outside the area of employment.

There was the appalling tragedy of the Herald of Free Enterprise on 6 March at Zeebrugge harbour. We know that 188 lives were lost—150 passengers and 38 crew. It was well known following Mr. Justice Sheen's inquiry that the ship capsized because it put out with the bow doors open. The then Secretary of State stated clearly that it was the failure of the company to take note of safety measures that caused the ship to go down. But on 24 July, he said:

"The report draws attention to the failures on behalf of the management of the company to give attention to warnings from the masters of the vessels in their fleet or suggestions of ways of improving safety."—[*Official Report*, 24 July 1987; Vol. 120, c.678 .]

Effectively, the company ignored warnings from the masters and from the joint committees that existed on each ship, which had a remit to consider safety matters. Crew members were predicting that a disaster would take place because of shortcomings in safety measures.

Last Wednesday week, the hon. Member for Dover (Mr. Shaw), who represented Dover when the Sheen report was made public, sadly tried to rewrite the history of the Zeebrugge disaster. I gave the hon. Gentleman notice that I would raise the matter. Regrettably, on 21 February, he said that there was one simple, basic reason why the ship went down. He referred to alcoholism among certain members of the crew. He said:

"In reality, the officers were not in control—extreme left-wing trade unionists were in control of the ship."—[*Official Report*, 21 February 1996; Vol. 272, c.291.]

His allegations, unlike many of those made by whistleblowers, were made under the privilege of the House.

It is sad that his statements were entirely untrue and without foundation. Nowhere in the Sheen report and nowhere in the Secretary of State's statement was there any reference to alcohol or unions having caused the ship to go down. The hon. Gentleman's comments were cruel, bearing in mind that some of his constituents were crew members. They were the people who warned that the disaster could happen. The hon. Gentleman has accused them of being alcoholics. He was talking about people who either fought bravely and lost their lives or who suffered long-term psychological damage by being involved in an appalling tragedy.

In response to my early-day motion 522, which condemned the hon. Gentleman's unwarranted and distressing comments, an amendment was tabled admitting that only one crew member admitted having a drink. That is a long way from rampant alcoholism having caused the ship to go down.

With the ninth anniversary of the disaster approaching next Wednesday, I hope that, on mature reflection, the hon. Member for Dover will reconsider his comments and withdraw them and apologise, particularly to the crew who tried to blow the whistle to save the lives of the people who were killed in that tragedy. Parliamentary democracy is not served by bogus attempts to reveal wrongdoing under privilege of the House.

The other case to which I shall refer came to light during the passage of my Bill, which is now the Activity Centres (Young Persons' Safety) Act 1995. It was the most distressing and harrowing case of a whistleblower who made every attempt to do what she thought was right. She predicted, with chilling precision, what would happen if safety measures were not put in place at the St. Albans venture centre in Dorset, back in 1992. In a letter to the managing director, she said:

"There is most definitely not one person here on this site technically qualified to instruct . . . As for sending out people on oversized classes on the water, I really do feel you are cutting it fine".

She goes on to say:

"At present we are walking a fine line between 'getting away with it' and having a very serious incident."

She litters her letter with similar comments. Near the end, addressing the managing director, she says:

"We feel that you at head office could sort out some of these for us . . . we think you should have a careful look at your standards of safety. Otherwise you might find yourselves trying to explain why someone's son or daughter will not be coming home.

Nobody wishes or wants that to happen, but it will sooner or later."

Within six months, four of my young constituents died in the Lyme bay tragedy.

In his reply to Joy Cawthorne, the managing director said:

"You can be assured that we are concerned that any problems that are identified are resolved as quickly as possible."

He served 14 months of a three-year sentence for manslaughter. His was the first company found guilty of corporate manslaughter.

That case is vital in the context of this debate, because had Joy Cawthorne still been employed by that company, she would have been very afraid that her actions would have resulted, perhaps, in her sacking, or other things being brought down on her head.

The whistleblower needs protection, like Joy Cawthorne. She needed someone to whom she could go. For those reasons I support the Bill. By supporting the Bill, we shall protect and support those who have to search deep into their conscience to do what is in the best interests not of themselves but, ultimately, of others.

1.48 pm

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): This has been one of the most interesting debates that I have had the privilege of listening to in the House.

I come to the Dispatch Box aware of the necessary courtesies involved in the Government responding to an important private Member's Bill. I am also aware of the fact that I am bound to fail, because if I tried to address every single argument that has been deployed in the debate, I would assuredly threaten eternity, and I do not believe that those who have good will towards the Bill want me to do that. I can tell the House that I shall not threaten eternity, but part of the price for that is that some hon. Members may feel that I have not addressed everything that was said. I accept that risk.

Our debate began with a lucid presentation by the hon. Member for Islwyn (Mr. Touhig), who was ably supported by my hon. Friend the Member for Chingford (Mr. Duncan Smith). He in turn took some interesting interventions from my hon. Friends the Members for Blaby (Mr. Robathan) and for Bristol, North-West (Mr. Stern). There was further support from the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), but my hon. Friend the Member for Gosport (Mr. Viggers) shared a number of anxieties with the House. The hon. Member for Leeds, Central (Mr. Fatchett) supported the Bill, but my hon. Friend the Member for Bristol, North-West developed his reservations.

The hon. Member for Linlithgow (Mr. Dalyell) revived some of our favourite memories of him, not lightly, I grant, but in the most serious vein. My hon. Friend the Member for Blaby had serious misgivings. The hon. Member for Cannock and Burntwood (Dr. Wright) returned to some themes that he has been working on and maturing over time. He has form, as they say in the criminal world, in these areas of activity. He has been here before—*[Interruption.]* I did not hear those interventions, but I think that they were probably quite amusing.

My hon. Friend the Member for Worcester (Mr. Luff) gave the impression that he had come as a sceptic and had become a convert. The hon. Member for Plymouth, Devonport (Mr. Jamieson) made a serious and important contribution to our debate, although it was not the longest. He rightly has the credit for the Activity Centres (Young Persons' Safety) Act 1995 which followed the tragedy that was visited on four of his young constituents; he will always have the credit for that.

The hon. Member for Stratford-on-Avon (Mr. Howarth)—I would still like to call him my hon. Friend so I refer to him now as my hon. Friend the Member for Stratford-on-Avon—was as lucid today as he always is. If he had been in his place, I would have assured him on the following point. Hon. Members will appreciate that he spoke about humility and touched on the analogy with Hans Christian Andersen's story about the emperor and the little boy. I wanted to tell him that, when I stand at the Dispatch Box, I am the veritable embodiment of humility. In that spirit, I acknowledge, once again, that I could not answer all the points in this interesting debate without taking far longer than any of the friends of the Bill would want me to take.

I have considerable sympathy with the objectives of the Bill; who could not have? The hon. Member for Islwyn has told the House of the support he has received from interested parties and the debate has shown that that support is reflected by hon. Members. However, although the Government broadly agree with the principles of the Bill, they see considerable difficulties in going down the road of legislation.

Legislation should always be approached with great caution and should not be entered into hastily. It should be a final step to meet an inescapable need. People should be encouraged to put their own houses in order without the constraint of statute, and that is especially true when it comes to employers running businesses. Only in particular and extreme circumstances where that approach does not work should legislation be considered.

There has been much discussion about whether the Bill is or is not deregulatory. It may be worth repeating the Government's position on regulation, the objectives behind the deregulation initiative and the tools that we are using to achieve those objectives. We are not opposed to regulation; well-thought-out and sensibly enforced regulations, limited in scope to what is truly necessary, are consistent with an open, innovative and growing business community. Bad regulation has the opposite effect, as it stands in the way of innovation, investment and jobs. Our deregulation objective is to reduce the burden of existing legislation and paperwork, and to minimise the burden of new legislation.

The Government's approach to good legislation is based on the three principles of the deregulation task force. The first is proportionality, which means that the benefits of any measure must outweigh the costs it imposes. The second is "think small first": regulations that cover small firms must ensure that they are able to comply with them. The third is goal-based regulation: the aim is to specify the provision's objective and to leave as much flexibility as possible, so that businesses have the freedom to comply in the way that best meets their individual circumstances.

The new system is more rigorous. It requires the Government's compliance cost assessment requirements to be undertaken. They ensure that all proposed regulations that affect businesses are thoroughly costed. Ministers will consider the compliance cost assessments personally and certify that the balance between cost and benefit has been appropriately struck. Special consideration must be given to the Bill's effects on small firms that do not have the resources or time to deal with elaborate measures.

[Mr. John M. Taylor]

In accordance with those principles, employment protection legislation sets out a minimum necessary framework of protection, on which employers can build as suits their circumstances. That framework already provides protection for individuals that the Bill aims to cover. The protections that exist in law include the civil service and health service codes, the rules relating to pension trustees and activity centres, which I have already mentioned, the body of health and safety legislation and civil law, not least in its applications to unfair and wrongful dismissals.

The two-year service requirement for most unfair dismissal complaints is necessary to ensure that unfair dismissal provisions do not weigh too heavily on business. We recognise, however, that some circumstances are so crucial that the two-year period should not apply. Some of those do not concern our debate. Two exceptions, however, relate directly to whistleblowing. They show that we are always ready to consider sympathetically the case for specific protection where that is justified.

The first exception is health and safety. Hon. Members have mentioned the Piper Alpha tragedy. It led to the provision of strong protection for employees working on oil rigs through the Offshore Safety (Protection Against Victimisation) Act 1992. That protection was enhanced and extended to people working onshore from August 1993. The provisions make it automatically unfair to dismiss, to select for redundancy or to subject to any other detriment any employees, regardless of their length of service, hours of work or age, in particular circumstances.

Similar protection will apply from next year to employee pension trustees to ensure that they feel free to undertake their duties without fear of reprisals. Hon. Members have mentioned the Maxwell case. Those existing measures show the Government's preferred approach to whistleblowing. Those protections deal properly with the worst cases that may be relevant to the Bill. They build on the Government's belief that internal procedures are the best way of dealing with such problems and that employees should always follow those procedures before considering whether to breach their duty of confidence by talking to the press.

Paragraph 114 of the first Nolan report states:

"On the other hand, we would not wish to encourage vexatious or irresponsible complaints which undermine public confidence in institutions without due cause. We believe"—

this is the important quotation—

"the best way to achieve this balance is to develop sound internal procedures backed by an external review."

Statutory measures are not employees' only recourse. Those who are victimised for raising ethical concerns may have civil remedies. They could sue for breach of contract or wrongful dismissal, or claim damages if their employer provides an inaccurate reference maliciously or without exercising a duty of care. There are other possibilities.

Mr. Hartley Booth (Finchley): While I support the Bill's principles, may I ask the Minister to address the scope under common law for widening the clauses in employment contracts to cover the concerns that have been expressed?

Mr. Taylor: In general terms, the Government's philosophy is that a contract of employment is a discreet matter between the employer and the employee and that it should be worked out by them to their mutual satisfaction in the circumstances of the industry or area of employment in which they are engaged. I should not want the Government to intrude by gratuitously specifying terms that should be in such contracts. I would prefer the parties to the contract to work it out for themselves.

The law is not a panacea for all the ills that surround the issue. We need to create and encourage openness and dialogue within businesses, so that employees are encouraged to express their reasonable concerns in a climate in which constructive comments are welcomed. Some may ask what the Government are doing in their role as employers. Successive debates on the Nolan and Scott reports have focused attention on the civil service and its relationship with Ministers. We heard a good deal about that today.

Until recently, it might have been argued that procedures for civil servants to voice concern within Government did not command universal confidence, but the Government have recently responded to that issue. The civil service code, which was introduced on 1 January 1996, contains broad-ranging provisions whereby a civil servant can report—first within his or her Department and ultimately to the independent civil service commissioners—a breach of the code or a requirement to act in a way which, for that person, raises a fundamental issue of conscience.

In preparing the code, the Government's objective was to maintain and build on the consensus that greeted the original draft code that was produced by the Treasury and Civil Service Select Committee. The Government accepted the substance of all the recommendations of the Nolan committee on the code. Those were: that the code should cover wrongdoing of which a civil servant is aware although in which he is not personally involved; wider reporting of appeals by the civil service commissioners; and a confidential appeal channel that is independent of a civil servant's line management. We also accepted that the recommendations should be introduced as soon as possible.

The Government produced a revised draft in July 1995 to allow comment on the text by the civil service unions and others. This further consultation resulted in only a few minor amendments and meant that, by the end of last year, a text had been arrived at which in all substantive respects commanded near-universal approval. Given that consensus, the code is a precious asset.

The important measures in the code are followed in key areas of the public service. In themselves they provide a response to the sort of issues that were raised by Public Concern at Work, which is one of the Bill's main backers. In this respect it is worth noting what the Nolan committee said in its first report. The committee made it clear that it would not want to encourage vexatious or irresponsible complaints which undermined public confidence in institutions without due cause. It said that the best way to proceed was through development of sound internal procedures that were backed by external review.

In its submission to the Nolan committee, Public Concern at Work noted:

"Rather than advocate that the whistle should be blown outside—our pre-eminent aim is that the concern should be raised internally with those accountable for the organisation . . . but as this

submission seeks to show, we consider that in many areas of public life there are presently no, or no adequate, alternatives for such concerns to be raised."

Those alternatives have now been provided. Therefore, a Bill that sanctions public whistleblowing is unnecessary in areas of the public service, as effective procedures have already been established for the undoubtedly preferable option of internal whistleblowing.

I shall now consider the Bill's provisions in more detail. I appreciate the great care with which the Bill was drafted, but I have several anxieties about the detail, which are more than quibbles. I cannot envisage how the Bill might be amended to meet those concerns.

First, despite what the hon. Member for Islwyn said, the Bill would impose a considerable burden on business. I heard the hon. Gentleman's argument that the Bill was intended to be deregulatory, but his explanation was not convincing.

Any statutory imposition on employers is a burden on all those who have to find out about the legislation and on those who would wish to tackle the issue in their own way. Legislation such as licensing and other statutory controls would be the appropriate response in only a tiny proportion of cases in which an individual has been hesitant about drawing attention to a worry. The majority of cases can and should be sorted out by the employer.

The Bill is all the more burdensome—to my mind, unacceptably so—because of the enormous uncertainty about its effect. In any specific case, individuals will not know whether they will be protected because they are unlikely to be experts in what the courts might consider to be the public interest. One may say that that is their concern; the Bill aims to take only a small first step and it is up to the responsible individual to be sure that he or she is acting in the public interest.

However, employers will be equally uncertain. The misconduct that the Bill might cover is very loosely drawn—in fact limitless, because the matters listed in the schedule are only examples. In what circumstances can maladministration in a private firm be a matter of public interest? If a public company's shareholders are interested, does that constitute a public interest? When does its injustice to an individual become such a matter?

A solicitor specialising in the field may know the answer, but employers, individuals and many of their advisers will not. The circumstances are crucial, and in many cases neither the employer nor the individual would know whether the protection applied until it was too late, the disclosure had been made and a court had been asked to decide.

The Bill as drafted is likely to cut across many professional rules. Its effect is to impose blanket provisions regarding, for example, the steps that a whistleblower must take to draw attention to a matter internally, but certain professions have their own rules on that matter. Auditors are an example.

There is anxiety that the Bill may permit professional advisers to disclose confidential information, not only to a proper authority, but more widely. Any regulation should have regard to the position of the different advisers in question. It is undesirable simply to cut across professional rules applying to the disclosure of confidential information, which had been worked out to suit a specific profession, by imposing different universal standards, which may well be inappropriate.

The individual's motives may be finely balanced and difficult for the courts—never mind the employer—to decide. As I read the Bill, the onus of proof on bad faith is on the employer. Other queries surround the proposed remedies.

Although the hon. Member for Islwyn optimistically hopes that the Bill, if passed, would be invoked rarely, I cannot be so sanguine. The uncertainty in its effect would be likely to lead to a considerable volume of difficult cases, and meanwhile neither employers nor individuals could be confident about where they stood. Inevitably, a proportion of cases—perhaps a large proportion, in such an uncertain area—would be found to be without foundation, putting employers to unnecessary trouble and expense.

The hon. Member for Islwyn told us of the support that the Bill has received from business. I wish to make a couple of points about that. First, we welcome employers who are prepared to meet the cost of introducing their own systems and would encourage them to do so, but we do not consider it right to impose blanket legislation on all employers, requiring those who cannot afford the burdens to bear them as well as those who can. Secondly, I invite the hon. Gentleman to examine carefully the terms in which employers have offered support. In general, I believe that he will find that they support the principle that individuals who raise matters of public interest through appropriate channels should not be penalised as a result.

As I have said, who could fail to support such a principle? That is probably why my Department has received no letters objecting to the Bill. However, when employers examine the proposed legislation in a little detail, the hon. Gentlemen may find that they will express considerable doubts and fears about the practicality of such a measure, for the reason that I have just given. The Government certainly have those doubts and it may be why, of the letters supporting the Bill sent to my Department, only one is from an employer or employers' organisation.

The Government encourage open communications and employee involvement in the workplace. That must be the key to the problems that I have identified today. We do not merely encourage open communications and employee involvement, but rather see that as an essential element in achieving and maintaining competitiveness. Involving employees makes good sense for all sorts of reasons—not simply those that we are discussing today. Companies that involve their employees and have open communications are much less likely to have problems in the areas that we are discussing.

Employers and professional bodies are increasingly recognising the benefits of having their own systems. Concerned individuals can make their worries known though a large number of existing avenues. Increasingly, the complicated and unclear provisions proposed in the Bill will be rendered redundant by more appropriate voluntary schemes.

When I began my remarks, I knew that I would be unable to reconcile the time available to me with my obligation to try to answer all of the questions. I shall keep faith with my endeavour not to trespass on eternity, as I believe that that is the priority—I think that the House will agree with that.

[Mr. Taylor]

In conclusion, I applaud the motives of the hon. Member for Islwyn in bringing forward the Bill. I welcome the highlighting of an important issue which will draw employers' attention to the need to establish ready, suitable procedures through which their employees can pursue such matters should that prove necessary. However, I do not believe that the Bill is a practical or desirable way forward—even though I know that it is well intentioned.

2.12 pm

Mr. Ian McCartney (Makerfield): I thank my hon. Friends for cutting their congratulations short, but the Minister has left me only four minutes in which to respond to the debate. I congratulate my hon. Friend the Member for Islwyn (Mr. Touhig) and the hon. Member for Chingford (Mr. Duncan Smith) on their presentation of the Bill. This is the first time in eight and a half years of debate in the House that the argument in favour of proposed legislation has been won so comprehensively.

Even those who oppose the Bill—such as the Minister, who does not want it to receive further consideration in Committee—have been forced on to the back foot. They have had to accept both the concept and the principle behind the Bill. There is therefore no reason why Ministers should prevent the Bill from receiving further consideration in Committee and returning to the House. If the Minister is serious about taking a cross-party approach to the issue of ethics in the public and private sectors, he should support consideration of the Bill in Committee.

In truth, the Bill is about good governance, whether in the public, the private or the voluntary sector. It would assist in establishing better management techniques; it would be an aid, not a drag, on management. Over time, it would assist companies to change their culture and to ensure good practice and good management internally. As fraud was rooted out, companies would prosper: they would not be weakened or lose out as a result of fraudulent activities.

The Bill would ensure the provision of good quality public services. The managers of those services would be accountable for the way in which they managed and for the contractual arrangements that were agreed between them and the service providers. The Bill would also ensure good codes of practice in the voluntary sector when managing public resources.

As Members of Parliament, we have absolute privilege and, in the past eight and a half years, I have seen hon. Members on both sides of the House use that privilege to great effect. They have examined statutory requirements and breaches of legal obligations—such as the improper use of public and private funds, the abuse of authority, miscarriages of justice and maladministration. As hon. Members, we have a privilege—we are protected in law. That is not the case for the ordinary citizen or employee, who can be the victim of internal gagging or disciplinary procedures; who can be accused of breach of contract; who can lose their employment; who can be stripped of their self-esteem; and who can have their professional confidence undermined and their public duty ridiculed. That is not acceptable in any circumstances.

Four days after the debate on Scott, it is this House's duty—the public would demand it of us—to give the Bill a fair wind and allow it to go into Committee. We must be serious about European and corporate fraud, public safety, quality in the caring professions and ensuring that support services exist. We must ensure that policing arrangements are fair and above board and that police officers can look into maladministration without suffering attacks on their personal integrity. Civil servants must be able to raise successfully with Ministers issues that they believe go against the code of conduct, and do so in a way that will not destroy their reputation or career.

For all those reasons, I ask the Minister to support the Bill in a meaningful sense—allow it to go to Committee and then back to the Floor of the House for further consideration.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 118, Noes Nil.

Division No. 65] **[2.15 pm**

AYES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Anderson, Ms Janet *(Ros'dale)*
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Bennett, Andrew F
Benton, Joe
Bottomley, Peter *(Eltham)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Campbell-Savours, D N
Carrington, Matthew
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Cormack, Sir Patrick
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Dafis, Cynog
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Denham, John
Dowd, Jim
Duncan-Smith, Iain
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Ewing, Mrs Margaret
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Gapes, Mike
Gerrard, Neil
Gill, Christopher
Godman, Dr Norman A
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Hain, Peter
Hall, Mike
Harman, Ms Harriet
Heppell, John
Hill, Keith *(Streatham)*
Hodge, Margaret
Howarth, Alan *(Strat'rd-on-A)*
Howells, Dr Kim *(Pontypridd)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark)*
Jackson, Glenda *(H'stead)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Keen, Alan
Khabra, Piara S
Livingstone, Ken
Lloyd, Tony *(Stretford)*
McCartney, Ian
Mackinlay, Andrew
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
Madden, Max
Maddock, Diana
Marek, Dr John
Marshall, Jim *(Leicester, S)*
Meacher, Michael
Michael, Alun
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morris, Rt Hon Alfred *(Wy'nshawe)*
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Hara, Edward
Pearson, Ian
Pike, Peter L
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Rathbone, Tim
Roche, Mrs Barbara
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*

Smith, Chris *(Islton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Strang, Dr. Gavin
Sutcliffe, Gerry
Thompson, Jack *(Wansbeck)*
Timms, Stephen
Touhig, Don
Turner, Dennis
Walker, Rt Hon Sir Harold
Waller, Gary
Walley, Joan
Watson, Mike
Wicks, Malcolm
Wilkinson, John
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Winnick, David
Winterton, Nicholas *(Macc'fld)*
Wise, Audrey
Wright, Dr Tony

Tellers for the Ayes:
Mr. Derek Fatchett and
Mr. David Jamieson.

NOES

Tellers for the Noes:
Mr. Derek Conway and
Mr. Michael Bates.

Question accordingly agreed to.

Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Interest on Debts Bill

Order for Second Reading read.

2.27 pm

Mr. Jon Owen Jones (Cardiff, Central): I beg to move, That the Bill be now read a Second time.

"It is not a question of never getting their money, but the time it takes to receive it".

That is the definition, coined by a leading firm of accountants, of one of the largest problems that United Kingdom companies face. The problem is, of course, late payment, which my Bill attempts to address.

I want to get it straight from the start that the Bill is not about bad debts—payments that, for one reason or another, will never be made—but about poor credit management or, more often, cynical and wilful delaying tactics in settling accounts to obtain free credit facilities from weaker suppliers.

I claim to be proposing not a panacea for British businesses, but a measure that would have made a tangible difference to the 5,000 firms that went under last year due to late payment.

If the House wants an example of the problem, it need look no further than the Deputy Prime Minister who, earlier this month, was only too happy to boast about his skill at "stringing along creditors" with such sharp practices as omitting second signatures from cheques, ensuring that the words and figures on cheques did not match or simply waiting until the writ arrived. His defence—that everyone got paid in the end—may satisfy his conscience, but his inability to gasp the seriousness of his actions goes to the heart of the issue.

I repeat my opening line:

"It is not a question of never getting their money, but the time it takes to receive it".

The result of the cynical manipulation of trade credit can be devastating for some firms. In extreme cases, they can be put out of business. More usually, the effect is to restrict business expansion, so destroying potential jobs, destabilising the marketplace and holding back national economic growth.

An excellent example of the measurable effect of late payment was given in a recent article by Paul Linford in Cardiff's local newspaper, the *South Wales Echo*. He cites the case of a do-it-yourself supply firm that was owed £90,000 in late payments, £50,000 of which was overdue two months. The firm had to invest about 30 hours a week solely to chase those late payments—nearly one person's entire working week. That was a waste of time and the money could have been devoted instead to the company's growth and development.

It being half-past Two o'clock, the debate stood adjourned.

Bill to be read a Second time upon Friday next.

Remaining Private Members' Bills

ENERGY CONSERVATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday next.

WATER (CONSERVATION AND CONSUMER CHOICE) BILL

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Morris): The Question is, That the Bill be read a Second time. Those of that opinion say aye.

Hon. Members: Aye.

Mr. Deputy Speaker: To the contrary, no.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? Friday next.

Mr. Simon Hughes (Southwark and Bermondsey): On a point of order, Mr. Deputy Speaker. The Bill was clearly objected to after the House had determined that the Bill should receive a Second Reading. I ask you to rule, Mr. Deputy Speaker, that the Bill received a Second Reading without, as required by "Erskine May", the appropriate objection and that we should proceed with further stages of the Bill.

Mr. Deputy Speaker: I had not quite completed putting the Question.

Second Reading deferred till Friday next.

PERIODICALS (PROTECTION OF CHILDREN) BILL

Read a Second time.

Bill committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

COLD CLIMATE ALLOWANCE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 22 March.

WATER CHARGES (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 10 May.

HOUSE OF COMMONS (REFORM) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 10 May.

BRITISH TIME (EXTRA DAYLIGHT) BILL

Order read for resuming adjourned debate on Second Reading [26 January].

Hon. Members: Object.

Debate further adjourned till Friday next.

BUSINESS OF THE HOUSE

Motion made, and Question proposed,

That, at the sitting on Monday 11th March—

(1) the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of Mr. Tony Newton relating to Welsh Business not later than Ten o'clock; and

(2) Standing Order No. 52 (Consideration of estimates) shall apply with the insertion in line 41, after the words 'At Ten o'clock', of the words 'or immediately after the previous business has been disposed of, whichever is the later'.—*[Mr. MacKay.]*

Hon. Members: Object.

Debate to be resumed upon Friday next.

Telecommunication Masts

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay]*

2.32 pm

Mr. Tim Yeo (South Suffolk): I am grateful for the opportunity to raise the important subject of planning controls over telecommunication masts. My interest has been stimulated by the concern surrounding proposals in my constituency, but my inquiries lead me to believe that the problem is widespread.

Telecommunication masts can be erected up to a height of 15 m, or 50 ft, without any need for planning permission to be obtained. Given the growth of the telecommunications industry, which I broadly welcome and which the Department for Trade and Industry is actively encouraging, there is a danger that masts will proliferate in a visually intrusive and environmentally damaging manner.

I understand that it is the Government's policy to facilitate the growth of telecommunication systems because of the benefits they can bring. No doubt my hon. Friend the Minister of State will confirm that. However, there are plenty of other industries besides telecommunications that confer benefits, but which are not allowed to put up buildings at will without going through the normal planning process. Indeed, I find it extraordinary that an industry which is clearly expanding rapidly on the basis of growing demand and also achieving attractive financial returns, should now be singled out for privileged treatment.

I am all in favour of keeping the planning process as simple as possible and trying to help planning authorities, applicants for planning permission and objectors by enabling decisions to be taken swiftly, and uncertainty to be resolved as quickly as possible. However, the importance of keeping regulation to a minimum does not have to mean that one form of development—and a potentially unattractive one at that—should be given a fast track through the normal system of controls.

The present arrangements allow unacceptable outcomes to slip through too often and too easily. There are plenty of other industries, many of which create jobs, attract investment to rural areas and improve service to their customers, which would dearly love to have a similar privileged position. Furthermore, individual householders, who have struggled for years to obtain approval for apparently inoffensive and modest alterations to their own properties, are understandably outraged that historic and cherished landscapes can suddenly be destroyed virtually without warning.

I recognise that a determined local authority, even under present regulations, has the power to block an especially offensive telecommunications mast, if it is minded to do so, but I wonder whether my hon. Friend the Minister of State would be able to tell me how many times that power has been used. I suspect that the answer is that the power has been used very infrequently.

The present regulations, which classify masts of less than 15 m in height as permitted development, are deficient in two respects. First, there is no obligation on either the telecommunications operators or the local planning authority to publicise any proposals to erect such masts. In practice, therefore, the first that some people—who may be directly affected by the construction of such masts—know about the development is when they see the completed masts.

Given that the sites chosen for the masts are often, for operational reasons, visually prominent, the number of people affected can be great and may not be confined to those living in immediately adjacent property. I consider it entirely unsatisfactory that members of the public may find themselves confronted by a fait accompli, as a result of development about which they knew nothing until it was too late, and on which they had no opportunity to comment.

My second concern about the present procedure is the grossly inadequate timetable allowed to local planning authorities. During a space of only 28 days, the authorities must undertake consultation with the public, hold negotiations when appropriate with the operator, and reach a final decision on the merits of individual proposals. That 28-day period commences on the date on which the application from the telecommunications operator was received by the authority.

Those of us who have struggled to assist constituents over the years to overcome the seemingly endless bureaucracy and inordinate delays involved in the planning process are astonished that, apparently for the convenience of one already highly successful industry, an impossibly short deadline is imposed on local planning authorities.

I am quite unable to understand why the normal protection offered to the environment for the benefit of residents in urban and, more especially, in rural areas is not available in those cases. There is no reason whatever why such development should not be subject to normal planning controls when smaller and intrinsically less offensive development is still subject to them.

I therefore urge my hon. Friend the Minister to respond to the widespread and growing concern which is felt, not just by me, but by many other hon. Members, by the Council for the Protection of Rural England and by the Countryside Movement, whose chairman—the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel)—has written to me to express his support.

The ideal response would be to bring all such developments within the ambit of normal planning controls. That would have immediate and considerable benefits and would be widely supported. Failing that, and perhaps as interim measures, my hon. Friend could take two other steps.

The first would be to introduce a requirement for telecommunications operators and local planning authorities to publicise proposals for telecommunications masts, in the same way that other planning proposals are publicised. Although even that measure could not guarantee that all those affected would be made aware of the proposed developments in advance, it would still represent a huge step forward from the present completely unsatisfactory position. Many more people would be alerted to the possibility of a mast in their neighbourhood, and would have the opportunity to express their views about it.

Secondly, the very limited 28-day period now available to local planning authorities to consult, negotiate and decide should be extended to at least eight weeks. I do not believe that that extension would significantly disadvantage the industry. It would make it much more

[Mr. Tim Yeo]

likely, however, that local opinion would be properly consulted and that sensible negotiations were carried out to minimise the environmental impact of telecommunications masts that were deemed acceptable. In extreme cases, local authorities would have sufficient time to give a considered refusal to proposals which were simply unacceptable, and where negotiations had failed to produce an agreement.

I strongly urge my hon. Friend the Minister to make the changes that I have suggested applicable to all new proposals for telecommunications masts, regardless of how low or how acceptable their positions may be.

A further concern affects my constituency and that of my hon. Friend the Member for Colchester, North (Mr. Jenkin), as a result of applications for telecommunications masts to be sited in Dedham Vale, an area of outstanding natural beauty. Having lived on the edge of the vale for the past 13 years, I am especially sensitive to the historic, unspoiled and beautiful nature of the landscape. It is inconceivable that a Government who have demonstrated so thoroughly their concern for a wide range of environmental issues should be willing to countenance the threatened destruction of some of the most famous and attractive views in the whole of East Anglia.

Fortunately, the three most recent proposals for masts have had to go through the normal planning process, because they are too high to be approved under the permitted development regulations to which I have referred.

My hon. Friend the Member for Colchester, North and I have been contacted by many people who are extremely worried about the proposals to place communications masts. They hope that action can be taken before permanent damage is done.

I understand that one of the applications has already been turned down by Colchester borough council, but there is much concern over the remaining applications, not least because the decisions are likely to be influenced by the terms of planning policy guidance note 8. That guidance instructs local planning authorities to

"respond positively to telecommunications development proposals"

and

"to be alive to the special needs and technical problems of telecommunications development."

Its general tone is sympathetic to the industry. Some people fear that, as a result, considerations of environmental protection may not be given sufficient weight.

Anything that my hon. Friend can say about the possibility of amending the guidance so as to require planning authorities to attach greater weight to environmental protection, especially in areas of outstanding natural beauty, will be welcome. His words on that subject, and on the masts for which planning permission is not at present needed, will be closely scrutinised by everyone who is interested in the rural environment.

2.44 pm

The Minister for Construction, Planning and Energy Efficiency (Mr. Robert B. Jones): I pay tribute to my hon. Friends the Members for South Suffolk (Mr. Yeo) and for Colchester, North (Mr. Jenkin), who have been concerned about this issue for some time, and have raised it in the House in their different ways—and, I suspect, from opposite sides of any possible telecommunications mast. I congratulate my hon. Friend the Member for South Suffolk on securing this opportunity to flesh out those concerns.

My hon. Friend has urged me to tighten the controls over telecommunications masts. I have listened carefully to the debate, and I recognise the strength of feeling that has been expressed. Indeed, I share that concern, and am watching the position carefully. Perhaps it would be helpful if I explained the present legislation in this area and the guidance issued by my Department.

Following the privatisation of British Telecom, one of our policy objectives has been to open up the public telecommunications market to wider competition. That has been a tremendous success. Britain has become a world leader in this area of new technology, and consumers have benefited from lower prices and continuously improving products and services in a highly competitive market.

Success, however, brings with it new problems. We are very aware that this rapidly developing industry needs to be subject to controls, some of which are embodied in the system of licensing introduced by the Telecommunications Act 1984. That regime is the responsibility of my right hon. Friend the President of the Board of Trade, and covers a much wider range of telecommunications operations than we are concerned with in this debate. Our interest today is in the licences under which the four mobile telephone networks are introducing their services—or, in the technical jargon, they are being rolled out.

The two original cellular operators, Cellnet and Vodafone, have already rolled out networks covering more than 98 per cent. of the UK population. The Government have also awarded licences under the Telecommunications Act for what are called personal communication networks. These offer a service similar to that offered by the cellular operators, and provide direct competition. The two PCN operators are Mercury One-2-One and Orange. PCN uses digital rather than analogue technology, and Vodafone and Cellnet are also now rolling out digital stations.

The four mobile telecommunications operators are required by their licences to meet target dates for providing services to a specified percentage of the UK population. Cellnet and Vodafone were required to meet a target of 90 per cent. by 1989, and have achieved that. One-2-One and Orange are required to meet a target of 90 per cent. by December 1999. The Government's policy is not to allow the mobile operators to pick and choose where they provide coverage, but to ensure that they provide a widespread service to the bulk of the population. That is to ensure both competition and consumer choice.

The mobile telephone is already a feature of everyday life for millions of people, and will become so for millions more over the next decade. However irritating they may sometimes seem, mobile telephones are helping to improve the efficiency of British industry by enabling staff to maintain contact both with their offices and with their customers. Not surprisingly, therefore, users want to be able to use their telephones as widely as possible, and

we believe that it is right that they should be able to do so. It is important, however, that provision is made in a sensitive way.

Licences issued under the 1984 Act give telecommunications companies special rights to install equipment on private land with the agreement of the owner. With these rights come various obligations, imposed through conditions in the licence. One purpose of these is to protect the amenity of the area in which an installation is proposed.

For example, the operators have to notify the local planning authority before installing any apparatus. They must give 28 days' notice to allow the planning authority time to raise any objections. In protected areas, such as conservation areas, national parks and areas of outstanding natural beauty, 40 days' notice is required. That is complementary to and separate from the planning controls, which I shall deal with in a minute.

Before I do so, it is important that we understand the technical constraints under which the operators have to work. The frequency ranges available to operators are limited, and can be used for calls only by a certain number of subscribers at any one time. Networks depend on the re-use of frequencies in separate areas, known as cells, and each cell needs a base station. It will include an antenna for receiving or transmitting signals.

Transmission of those signals is basically on a line-of-sight basis, as they have a very limited ability to pass through solid objects. That means that antennae have to be in an elevated position, usually mounted on a building or a mast.

Operators also have to be careful to avoid interference between one cell and another. Customers do not want other callers using the same frequency in another cell to pick up their calls. Mobile phone networks are therefore rather akin to a jigsaw puzzle. Each cell has to fit in with all the others to create a national network.

Against that background, I turn now to the planning controls over telecom masts. They apply equally, as do the licensing requirements, to fixed-link, wireless local loop operators, such as Ionica and Liberty. As has already been said, the main legislation in the area is the general permitted development order. The order sets out various categories of minor development that can go ahead without the need for a planning application to be submitted. Its purpose is to save both applicants and local planning authorities from undertaking a great deal of work on a range of minor developments.

The order gives mobile phone and other telecom operators a general right to erect masts up to 15 m high. That is, however, subject to two important caveats. First, we have recognised the need for much more detailed planning consideration to be given to proposals to erect masts in areas of particular landscape quality. The permitted development rights do not apply, therefore, to masts in national parks, areas of outstanding natural beauty and conservation areas. Masts in those areas require full planning permission from the local planning authority, as do all masts, wherever they are located, that exceed 15 m in height.

Secondly, even where operators wish to exercise their permitted development rights, they must go through what is called the prior approval procedure. That means that they must give the local planning authority the opportunity to say whether it wishes to approve the details of the siting and appearance of the installation.

The authority then has 28 days in which to give—or in some cases refuse—its approval. The period of 28 days is designed to give planning authorities sufficient time to consider prior approval applications, while not obstructing operators unnecessarily in the complex business of laying out their networks. In an interlocking network, operators need to know fairly quickly if they cannot rely on one of the components, as that will have consequences for other parts of the system.

There are those who say that a mast 15 m in height is too tall, and makes too big an impact on the skyline. I assure the House that the threshold was chosen most carefully. There is an important balance to be struck between the height and the number of masts needed to deliver efficient communications. The House should know that if, for example, the limit was reduced to 10 m, there could be an increase of more than a third in the number of masts.

We are concerned that the planning procedures should operate as smoothly as possible, that operators and local planning authorities should build up good working relationships, and that the prior approval procedure should work to best effect. We already issue policy guidance on telecommunications in our planning policy guidance note 8, and on the permitted development order in circular 9/95.

PPG8 draws attention to our policies for protecting the countryside, and encourages the inclusion in development plans of telecom policies which take account of the need to protect the best and most sensitive environments. It also advises that local planning authorities should reasonably expect applicants for large masts to show evidence that they have explored the possibility of erecting antennae on an existing building, mast or other structure.

To supplement that advice, we set up a working party last year to draw up a code of practice on the handling of prior approval applications. The working party was made up of representatives of the local authority associations, operators and other interested Government Departments. They have worked together in a very positive and constructive way, and I can now announce to the House that the result is an agreed code, which we intend to publish at the beginning of April.

The code will specify the information that operators should provide to local planning authorities before they roll out their networks, and when making individual applications. It will give model application forms for local authorities to use in making decisions, and guidance on how to deal with applications speedily. There will be guidance for operators on the sensitive areas they should avoid if possible when erecting masts. Finally, there will be a technical annexe on the technology of mobile and other systems.

My task in the Department of the Environment is to provide the planning framework that can accommodate the continuing growth in telecommunications, while minimising any adverse effects on amenity and the environment. Our present framework of control has been devised to achieve those twin objectives. I am grateful to the operators and local authority associations for their work in drawing up the new code of practice. I hope that it will help to iron out the kind of problems we have heard about in today's debate.

However, I fully recognise the concerns that have been expressed, and I shall watch the situation very carefully. I have therefore asked the members of the working group

[Mr. Robert B. Jones]

to monitor the operation of the code over its first six months, and then to reconvene to discuss any problems that have arisen. I believe that the best way forward is for the parties to maintain a constructive dialogue, and I hope that the efforts of the working party have laid a firm basis for that.

My hon. Friend has raised some interesting points on which I shall reflect. His concern is shared by many of his constituents and many colleagues in the House. I shall therefore continue to keep a careful watch on the position.

Question put and agreed to.

Adjourned accordingly at six minutes to Three o'clock.

Written Answers to Questions

Monday 19 February 1996

CHURCH COMMISSIONERS

Hunting Engineering

Mr. Flynn: To ask the right hon. Member for Selby, representing the Church Commissioners, what investments the Church Commissioners hold in Hunting Engineering. [15164]

Mr. Alison: I refer the hon. Member to the answer I gave him on 13 February, *Official Report*, column *528*. Hunting Engineering is a wholly owned subsidiary of Hunting plc, in which we hold no shares.

ENVIRONMENT

Trust Councils

Mr. Allen: To ask the Secretary of State for the Environment what is his Department's policy in respect of trust councils. [15170]

Sir Paul Beresford: We have no plans for a trust councils initiative.

Secure Accommodation

Mr. Nigel Jones: To ask the Secretary of State for the Environment what was the standard spending assessment for each local authority social services department for placing young offenders in secure accommodation for each year since 1988. [15439]

Sir Paul Beresford: There has been no separate standard spending assessment, or grant-related expenditure assessment in the case of years prior to 1990–91, for the placement of young offenders in secure accommodation. The need to spend on this function has, however, been taken into account in the personal social services element of authorities' SSAs and GREs.

Solent Shellfish Beds

Mr. Barry Field: To ask the Secretary of State for the Environment, pursuant to his answer of 13 February, *Official Report*, column *481*, if he will list the dates, positions, and results of the National Rivers Authority monitoring of the Solent under the shellfish waters directive for each month and year for which the NRA holds records. [15553]

Mr. Clappison: The NRA has monitored all designated shellfish waters in the Solent at the intervals specified in the directive since 1989 and holds records prior to this date. The location of sampling points and results of the NRA's monitoring are contained in the public registers maintained by the NRA.

Rough Sleepers Initiative

Mr. David Atkinson: To ask the Secretary of State for the Environment if he will extend the rough sleepers initiative outside London to make provision for night shelters for those who are prevented from using existing accommodation because they are drunk or drugged. [15911]

Mr. Clappison: The Housing White Paper, "Our Future Homes", published on 27 June 1995, said that the Government would continue the rough sleepers initiative in central London beyond March 1996 when it was due to end, and that we would consider assisting the development of the successful RSI model of co-operation between statutory and voluntary sector agencies in other towns and cities where rough sleeping could be demonstrated to be a major problem.

Proposals for taking forward these plans were set out in an interdepartmental consultation paper "Rough Sleepers Initiative: Future Plans", issued on 3 October 1995. A strategy paper will be issued shortly.

Potatoes

Mrs. Ewing: To ask the Secretary of State for the Environment (1) what representations he has received in connection with the proposal by Nickerson Biocem to release genetically modified potatoes; [15301]

(2) which sites are currently being reviewed by his Department as potential areas for the release of genetically modified potatoes; [15302]

(3) if he will list the sites from which genetically modified potatoes have been released indicating the date of release; [15303]

(4) what monitoring his Department carried out during the growth and release of genetically modified potatoes; [15304]

(5) what funding has been allocated by his Department to research relating to the release of genetically modified organisms in each of the past five years. [15305]

Mr. Clappison: Two representations have been received from the public on the application from Nickerson Biocem for consent to release genetically modified potatoes. The first representation consisted of a petition signed by 17 people registering their concern over the proposed release and the time allowed for access to public information prior to the issuance of a consent. The second representation requested further details on the proposed release.

Currently one application for consent to release genetically modified potatoes is being reviewed by my Department. The proposed release site for this application is Pitgaveny estate, Elgin in Morayshire.

Since the Genetically Modified Organisms (Deliberate Release) Regulations 1992 came into force on 1 February 1993, genetically modified potatoes have been released at the following sites during the periods indicated:

Sites	Dates	Year
Trumpington, Cambridge	May–October	1993
Trumpington, Cambridge	April–October	1994 and 1995
Contrannie, Perthshire	April–October	1995
Trumpington, Cambridge	April–October	1995
Maplebeck, Nottinghamshire	April–October	1993
Maplebeck, Nottinghamshire	April–October	1993
Bilsthorpe, Nottinghamshire	April–October	1994 and 1995
Bilsthorpe, Nottinghamshire	April–October	1994 and 1995
Bilsthorpe, Nottinghamshire	April–October	1994 and 1995
Oathlaw, Angus	June–August	1993
Oathlaw, Angus	May–August	1994 and 1995
Rothamstead, Herts	Spring–Autumn	1994 and 1995
Rothamstead, Herts	April–September	1995
Dundee and West Linton	May–September	1995

All consents to release genetically modified organisms, including genetically modified potatoes, contain a number of specified and general conditions. These include a requirement on the consent holder for monitoring the release and to report to the Secretary of State on the outcome of the release. The consent holder is also required to keep himself, and the Secretary of State, informed of any conditions which may lead to changes in the risk assessment of the release. Compliance with the conditions of a consent is enforced by specialist inspectors from the Health and Safety Executive.

Funding allocated for research relating to the release of genetically modified organisms under my Department's research programme for each of the past five years is as follows:

1995–96: £862,457

1994–95: £615,765

1993–94: £988,221

1992–93: £1,174,794

1991–92: £984,215.

Right-to-buy Legislation

Mr. Dover: To ask the Secretary of State for the Environment how many homes have been purchased each year under the right-to-buy legislation. [15584]

Mr. Clappison: The available information is in the table.

Right-to-buy sales in England, 1980–81 to 1994–95

Year	Number
1980–81	2,332
1981–82	107,588
1982–83	170,600
1983–84	109,903
1984–85	80,192
1985–86	74,814
1986–87	79,592
1987–88	96,784
1988–89	140,617
1989–90	138,476
1990–91	79,665
1991–92	49,918
1992–93	38,587
1993–94	45,374
1994–95[1]	43,229

[1] Provisional.

These figures include sales by local authorities, new towns and housing associations.

Local Government, London

Mr. Dunn: To ask the Secretary of State for the Environment what plans he has to instruct the local government boundary commission to review the local government boundaries of London boroughs. [15634]

Sir Paul Beresford: We have no plans at present to direct the Local Government Commission to review the boundaries of London boroughs.

Supplementary Credit Approval (Bristol)

Ms Primarolo: To ask the Secretary of State for the Environment when Bristol city council will receive its supplementary credit approval for 1996–97; and what factors have led to the delay in its issue. [15472]

Sir Paul Beresford *[holding answer 16 February 1996]:* Bristol city council was asked to reconsider whether the reorganisation in its area could be implemented more economically and was asked to submit a revised bid by the end of January. An allocation was made on 15 February.

DUCHY OF LANCASTER

HMSO

Mr. Heppell: To ask the Chancellor of the Duchy of Lancaster what *(a)* plans and *(b)* facilities Her Majesty's Stationery Office has to provide (i) Acts of Parliament, (ii) codes of practice and (iii) other documentation in (1) European Community languages, (2) Braille, (3) large print and (4) audio tape. [14483]

Mr. Willetts: As this is a purely operational matter, I have asked the chief executive of HMSO to reply directly to the hon. Member.

Letter from Mike Lynn to Mr. John Heppell, dated 9 February 1996:

I have been asked to reply to your Parliamentary Question (No 166) to the Chancellor of the Duchy of Lancaster about provision of HMSO publication in other languages and formats.

We have no firm plans in any of the specific areas you list, but we certainly have the capability to produce publications in these forms if there is sufficient market demand to make it a viable proposition.

We have previously examined the prospects for Braille publications in consultation with the Royal National Institute for the Blind, but reached the conclusion that the costs we unlikely to be recovered from the predicted level of sales. We have, however, recently agreed a new copyright licence with RNIB, which covers all Crown and Parliamentary copyright texts for which we are responsible for reproduction in Braille, Moon, Audio tape and Braille-coded floppy disk formats. This licence is issued free of charge.

Deregulation

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster what progress is being made towards *(a)* establishing lead inspectors and *(b)* merging different enforcement regimes as part of the Government's deregulation policy. [15589]

Mr. Freeman: The deregulation task force and the local government enforcement review recommended piloting the concept of the lead inspector approach and, where different regulatory and enforcement regimes overlap, recommended merger or alignment. The Government accepted these recommendations and we have made progress in implementation.

Under the joint working programme, Inland Revenue and the Contributions Agency announced plans for joint audits for some large employers, and single audit visits for all other employers, to cover both PAYE and national insurance contributions. Guidance was issued to Inland Revenue and Contributions Agency staff in December 1995 on single audit, and the new arrangements have now been implemented. Work is continuing to develop a programme of joint auditing for larger employers.

The lead inspector approach is existing practice in Her Majesty's inspectorate of pollution. This will become part of the Environment Agency, which comes into being on 1 April 1996, bringing together a number of regulatory regimes under one umbrella. The agency will be setting up first stop shops in its local offices.

As part of a wider review of regulation and inspection, the Department of Health is addressing the need for certain residential care and nursing homes to register with two public authorities. This review also puts forward for discussion alternative regulatory structures.

In the food hygiene area, statutory codes of practice have clarified demarcation lines to achieve single body enforcement.

In the case of community premises, we are promoting a single licensing process for a number of activities. Guidance encourages local authorities, wherever possible, to arrange for a combined inspection covering the entertainment application and any other inspections required by the premises, covering for example, food hygiene and health and safety.

HOME DEPARTMENT

Carl Bridgewater

Dr. Lynne Jones: To ask the Secretary of State for the Home Department if he will set out all the new evidence he is considering in deciding whether to refer the Carl Bridgewater case back to the Court of Appeal. [15395]

Mr. Kirkhope: All new material weighted by my right hon. and learned Friend in reaching his provisional conclusions in this case has been made available to the applicants' solicitor; details of the main points in the case were set out in a Home Office news release dated 7 December 1995.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department, pursuant to his letter to the Bridgewater defendants' lawyer, what is the nature of the information which allegedly implicates Vincent Hickey and Pat Molloy in the murder. [15396]

Mr. Kirkhope: The specific information referred to in my right hon. and learned Friend's letter is confidential. The letter makes it clear that, in reaching his provisional conclusions, my right hon. and learned Friend has placed no reliance on that information.

Licensed Restaurants

Mr. David Atkinson: To ask the Secretary of State for the Home Department what plans he has to allow licensed restaurants to be able to sell alcohol to customers who do not take food; and if he will make a statement. [15393]

Mr. Kirkhope: We are currently considering the scope for relaxing restrictions on the sale of alcohol in restaurants. Any proposals for change would be the subject of public consultation.

Voluntary Sector

Mr. Chris Smith: To ask the Secretary of State for the Home Department what recent discussions he has had with representatives of the voluntary sector in relation to statutory funding difficulties and delays in payments. [15387]

Mr. Sackville: Home Office Ministers regularly meet voluntary sector representatives to discuss a wide range of issues, including funding.

Criminal Justice and Public Order Act

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will place in the Library all research conducted by his Department concerning the effectiveness of the Criminal Justice and Public Order Act 1944; and if he will make a statement. [15232]

Mr. Maclean: Work concerned with evaluating the Criminal Justice and Public Order Act 1994 is in progress, and all publications arising from this work will be placed in the Library.

Prison Service

Mr. Alex Carlile: To ask the Secretary of State for the Home Department when he expects the publication of the study commissioned by his Department into relations between the Home Office and the Prison Service; and if he will make a statement. [15233]

Miss Widdecombe: As my right hon. and learned Friend informed the House on 16 October 1995, the work is under way and he will report on it to the House when it is complete.

Ponies (Research)

Mr. Morgan: To ask the Secretary of State for the Home Department what representations he has received concerning the injection of equine flu and herpes viruses into mountain ponies bred for research purposes and the extraction of antibodies from carcases following slaughter of such ponies at different time intervals after injection; and if he will make a statement. [14242]

Mr. Sackville *[holding answer 8 February 1996]:* The Home Office has obtained the recent report by the organisation Animal Aid on the use of ponies in this area of research.

Asylum Seekers

Mr. Madden: To ask the Secretary of State for the Home Department when he reached a decision on the designation of *(a)* India and *(b)* Pakistan in respect of his determination of countries from which asylum cases are likely to prove unfounded; and what considerations underlay his decision. [15349]

Miss Widdecombe *[holding answer 15 February 1996]:* My right hon. and learned Friend indicated to the House during Second Reading of the Asylum and Immigration Bill on 11 December 1995, *Official Report*, column 703, those countries which the Government currently regard as candidates for designation. No actual designations will be possible until clause 1 of the Bill has come into force and an order has been made under it. The considerations we will take into account have been outlined it the relevant background note on the Bill, copies of which are available in the Library.

EDUCATION AND EMPLOYMENT

Mortgages

Mr. Frank Field: To ask the Secretary of State for Eduction and Employment how many heads of household below retirement age and available for work have mortgages. [14300]

Mr. Clappison: I have been asked to reply.

The latest estimate for England is that 7,540,000 heads of household who are below retirement age, and were either in employment or seeking and available for work, have mortgages. This estimate is from the 1994–95 survey of English housing and is subject to sampling error.

Pupil Testing

Mr. Blunkett: To ask the Secretary of State for Education and Employment what account her Department has taken when issuing the results of national tests of those children who were re-assessed for national tests at 11 years old, having initially failed them; if these children were counted more than once in the results released to date; and what estimate she has made of the number of pupils who have been doubled counted. [15372]

Mr. Paice: The aim of statutory assessment is to assess pupils' achievement against national curriculum levels. The standards at level 4 have been set to challenge typical 11-years-olds, but it is incorrect to suggest that pupils either pass or fail the tests.

The collection procedures in 1995 were designed to give accurate national results while minimising schools' compliance costs. Schools were asked to indicate whether pupils were to be entered for tasks as well as tests in maths and science, but not all did so. Any double counting in the national results for those subjects is estimated to be small, at around 1 per cent.

Employment Service Dispute

Ms Lynne: To ask the Secretary of State for Education and Employment, pursuant to her answer of 18 January, *Official Report*, column *699* on the Employment Service dispute, if she will list the percentage of employees in grades represented by the Civil and Public Services Association who received a pay award for 1995–96 of *(a)* less than 3.7 per cent. and *(b)* between 2.7 and 2.9 per cent. [15837]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Ms Liz Lynne, dated 19 February 1996:

The Secretary of State has asked me to reply to your question about the current trade dispute within the Employment Service; responsibility for pay bargaining was delegated to the Agency in January 1994.

Further to my letter to Frank Field MP, a more detailed breakdown of the percentage increases received by people in grades represented by the Civil and Public Services Association is as follows:

Based on the salary levels in payment at the time the awards were paid: a) 38% received an award of less than 3.7%; b) 35% received an award of between 2.7 and 2.9%.

I hope that this is helpful.

Campbell's Soups

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment what discussions have taken place between representatives of Campbell's Soups, Stratford-on-Avon operations and the Department of Employment on matters relating to redundancy at that plant in the last two years. [15365]

Mr. Forth: No discussions have taken place between the Department and representatives of Campbell's Soups relating to redundancy at the Stratford-on-Avon plant.

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment on how many occasions in the past two years redundancies announced by Campbell's Soups have been required to be notified to her Department. [15366]

Mr. John M. Taylor: I have been asked to reply.

Information given to the Department under the statutory redundancy handling provisions is provided in confidence.

Vice-Chancellors and Principals

Ms Armstrong: To ask the Secretary of State for Education and Employment if he will publish the salaries of the vice-chancellors and principals of United Kingdom universities according to the salary bands published in the institutional annual. [15422]

Mr. Forth: My right hon. Friend has no plans to publish this information. The higher education funding councils require universities to disclose these details. They are already in the public domain.

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Education and Employment what was the surplus or loss on trading account of each training and enterprise council in 1994–95. [15569]

Mr. Paice: The following table lists the surpluses or losses incurred by training and enterprise councils in 1994–95. The figures are those shown in the audited statutory accounts lodged at Companies House.

Post tax operating surplus

TECS by region	*1994–95* £
Northern	
County Durham	(785,231)
Northumberland	884,973
Teesside	(3,941,000)
Tyneside	(1,191,000)
Sunderland City	250,264
	(4,781,994)
Merseyside	
CEWTEC	359,849
Merseyside	2,683,672
QUALITEC	(130,746)
	2,912,775
North West	
Bolton/Bury	(527,728)
Manchester	(215,299)
METRO	379,973
Oldham	(127,476)
Rochdale	129,225
South and East Cheshire	263,853
Stockport and High Peak	(63,548)
Cumbria	(101,023)
ELTEC	(268,183)
LAWTEC	1,866,300
NORMID	587,422
	1,923,516
Yorkshire and Humberside	
Barnsley/Doncaster	232,000
Bradford	(387,183)
Calderdale and Kirklees	225,868
Humberside	760,616
Leeds	(1,816,448)
North Yorkshire	397,000
Rotheram	(122,704)
Sheffield	(372,000)
Wakefield	126,742
	(956,109)
Eastern	
Bedfordshire	(143,547)
CAMBS	(55,355)
Essex	363,953
Greater Peterborough	21,450
Hertfordshire	852,000
Norfolk and Waverney	(91,000)
Suffolk	(396,331)
	551,170
East Midlands	
Greater Nottingham	319,000
Leicester	(271,766)
Lincolnshire	(2,135,126)
Northamptonshire	192,807
North Derbyshire	92,217
North Nottinghamshire	701,783
South Derbyshire	(356,000)
	(1,457,085)
West Midlands	
Birmingham	2,043,000
Central England	283,485
Coventry/Warwick	118,851
Dudley	(61,500)
HAWTEC	(170,417)
Sandwell	(331,901)
Shropshire	150,285
Staffordshire	(1,842,000)
Walsall	(612,779)
Wolverhamptom	640,000
	217,024
South West	
Westec	(399,000)
Devon/Cornwall	(1,366,000)
Dorset	318,838
Gloucester	769,047
Somerset	(140,890)
Wiltshire	(632,032)
	(1,450,037)
London	
AZTEC	748,520
CENTEC	287,415
CILNTEC	(36,989)
LETEC	2,765,046
North London	3,519,426
North West London	118,023
SOLOTEC	(1,396,023)
South Thames	0
West London	(286,586)
	5,718,832
South East	
Hampshire	343,021
Isle of Wight	(232,391)
Kent	(133,463)
Milton Keynes/North Buckinghamshire	32,654
Heart of England	196,567
Surrey	(727,521)
Susex	240,000
Thames Valley Ent.	(145,906)
	427,039
Grand Total	2,251,053

Access to Work Scheme

Mr. Blunkett: To ask the Secretary of State for the Education and Employment how many people in each county and region have received assistance under access to work; and in each case if she will give the number who were *(a)* employed and *(b)* unemployed at the time of their application. [15590]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. David Blunkett, dated 19 February 1996:

The Secretary of State has asked me to reply to your question about the number of people in each region who have received assistance under Access to Work; and whether they were employed or unemployed.

Access to Work began in June 1994. The number of people who received help in 1994–95 (including those helped under the previous special schemes) was 10,394. Of those, 7,669 were new applicants under Access to Work. In 1995–96 up to the end of December, 12,267 people received help, of whom 8,206 were new applicants.

The annex gives the number of new applicants by region and whether they were employed or unemployed. We do not keep records by county.

For these purposes we count as "unemployed" those who did not have a job when they applied for Access to Work, and newly employed people who had gained that employment with the help of Access to Work.

I hope this is helpful.

Supplementary Credit Approvals

Mr. Hicks: To ask the Secretary of State for Education and Employment (1) if she will list those applications for supplementary credit approval that have been approved by her Department during the current financial year together with financial amounts involved, the number of applications received and the total cost of these projects; [15592]

(2) when she intends announcing further supplementary credit approvals with specific reference to the Liskeard junior school application; and if she will make a statement. [15591]

Mrs. Gillan: Copies of press notices listing supplementary credit approvals so far issued in 1995–96, which total over £40 million, have been placed in the Library. This figures includes some cover for Liskeard junior school. Applications so far made total around £110 million—year 1 costs—and there have been approximately 270 bids. I hope to be able to announce further SCAs for 1995–96 shortly.

Teachers

Mr. Dover: To ask the Secretary of State for Education and Employment (1) what assessment she has made of the impact on the job prospects of newly qualified teachers of teachers who have taken early retirement returning to work; [15586]

(2) if she will make it her policy that teachers who have taken early retirement are not re-employed as teachers on a *(a)* full-time *(b)* part-time or *(c)* supply basis. [15585]

Mr. Robin Squire: The Department does not believe that the re-employment of retired teachers is having an adverse effect on the job prospects of newly qualified teachers. In 1986–87, 12,600 newly qualified teachers entered full-time teaching, 42 per cent. of all entrants. In 1993–94, the latest year for which we have information, the figures were 17,700 and 58 per cent. respectively. My right hon. Friend has no plans to make it her policy to ban re-employment of teachers who have been granted premature retirement. Teachers whose re-employment brings the total of salary and pension they receive above the rate of their previous salary are subject to abatement of pension.

Employment Service

Mr. Tipping: To ask the Secretary of State for Education and Employment what remuneration the chief executive of the Employment Service received in *(a)* 1994–95 and *(b)* 1995–96; and what is planned for 1996–97. [15672]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fodgen to Mr. Paddy Tipping, dated 19 February 1996.

The Secretary of State has asked me to reply to your question about my remuneration as Chief Executive of the Employment service.

The information about my total remuneration for 1994/95, including a non-consolidated performance bonus and taxable benefits, is published in the Employment Service Annual Report & Accounts which was presented to Parliament in July 1995. A copy is available in the House of Commons Library.

The comparable figure for 1995/96 will not be available until any bonus payable has been agreed after the end of the financial year.

Similarly, it is not possible to calculate in advance what my remuneration will be in 1996/97.

Mr. Tipping: To ask the Secretary of State for Education and Employment what assessment she has made of the number and costs of payments made erroneously to claimants as a result of industrial action in jobcentres between 30 November 1995 and 19 February 1996. [15674]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Paddy Tipping, dated 19 February 1996:

The Secretary of State has asked me to reply to your question concerning the number and costs of payments made erroneously to claimants as a result of industrial action in Jobcentres between 30 November 1995 and 19 February 1996.

Details of overpayments made are collected quarterly. The figures for the quarter ended December 1995 are being collated. To date there is no upward trend. The next set of figures will relate to the period ending 31 March. Therefore, no current information is available about changes in levels of overpayments during the period since the industrial action started.

Overpayments can, and do, arise for a variety of reasons and it would be very difficult to identify separately overpayments which are directly attributable to the industrial action. To do this would require complex analysis and reporting arrangements additional to those presently in place. These would add to the burden of those continuing to work in the affected offices and further hinder the ability of the Employment Service to maintain a customer service in such times.

I hope this helps explain the situation.

Mr. Tipping: To ask the Secretary of State for Education and Employment if she will provide a breakdown of the extra costs contracted by the Employment Service as a result of industrial action in jobcentres between 30 November 1995 and 19 February 1996. [15673]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Paddy Tipping, dated 19 February 1996:

The Secretary of State has asked me to reply to your question about
the extra cost to the Employment Service of the industrial action organised by the Civil and Public Services Association in jobcentres between 30 November 1995 and 19 February 1996.

The information you request is not kept centrally and could only be obtained at disproportionate cost. However, it is more likely that any additional costs incurred, for example by employing temporary workers or additional security guards, will be more than offset by savings made as a result of withholding pay from those who have chosen to strike.

I hope this is helpful.

Workstart

Sir Ralph Howell: To ask the Secretary of State for Education and Employment, pursuant to her answer to the hon. Member for Islington, South and Finsbury (Mr. Smith) of 5 February, *Official Report,* column *68,* what financial evaluation has been made of the workstart pilot scheme in *(a)* east Kent, *(b)* south London, *(c)* the north-east and *(d)* Devon and Cornwall. [15841]

Mr. Forth: The evaluation reports of the initial pilots were published on 12 December 1994 and copies are available from the Library.

Sir Ralph Howell: To ask the Secretary of State for Education and Employment, pursuant to her answer to the hon. Member for Islington, South and Finsbury of 5 February, *Official Report,* column *69,* what was *(a)* the saving in benefits of all kinds and *(b)* her Department's estimate of income from income tax and national insurance contributions, which resulted from the workstart pilot scheme in (i) east Kent, (ii) south London, (iii) the north-east and (iv) Devon and Cornwall; and what was the net saving or cost of the scheme. [15842]

Mr. Forth: This information is not available. Savings to the Exchequer from any employment programme arise from long-term improvements in the functioning of the labour market and cannot be calculated in the terms requested.

South Thames Training and Enterprise Council

Mr. Byers: To ask the Secretary of State for Education and Employment what changes in policy and procedures have been introduced following South Thames training and enterprise council going into receivership. [15559]

Mr. Paice *[holding answer 16 February 1996]:* The relationship between Government and training and enterprise councils is under continual review. TECs are private companies operating under a contract. Since 1994, when South Thames TEC was placed in receivership the contract has required TECs to pay due regard to the code of practice on the financial aspects of corporate governance—the Cadbury code—and to the "Framework for Local Accountability" published by the TEC National Council. TECs are also required to remain within the financial low risk band category as determined by the Department.

Further guidance to Government offices in the regions now ensures the prompt recovery of any overpayments. Licensing arrangements require TECs to meet and maintain published standards set by the Department. All TECs must be licensed by 1997.

Hard-to-fill Vacancies

Mr. Byers: To ask the Secretary of State for Education and Employment what was the percentage of hard-to-fill vacancies in *(a)* the south-east, *(b)* London, *(c)* the south-west, *(d)* the west midlands, *(e)* the east midlands, *(f)* eastern, *(g)* Yorkshire and Humberside, *(h)* the north-west, *(i)* the north-west (Greater Manchester) and *(j)* northern areas over the previous 12 months in 1994 and 1995. [15561]

Mr. Forth *[holding answer 16 February 1996]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Stephen Byers, dated 19 February 1996:

The Secretary of State has asked me to reply to your question about the percentage of hard to fill vacancies in the English regions over the previous 12 months in 1994 and 1995.

We do not collect the information you have requested. However, during July to September 1994 a trial was undertaken to assess the feasibility of using hard to fill vacancies more widely to test clients' commitment to returning to employment and their availability for work.

The trial revealed that the types of vacancy which are hard to fill vary widely between localities and it is difficult to be prescriptive about which particular vacancies fall into the hard to fill category. We do not, therefore, collect statistics on hard to fill vacancies.

I hope this is helpful.

TREASURY

Tax Regime

Mr. Robert Ainsworth: To ask the Chancellor of the Exchequer if he will list the change in taxation relative to an indexed 1978–79 tax regime for a married couple with two children with one adult earning *(a)* 25 per cent. of average earnings, *(b)* 50 per cent. of average earnings, *(c)* 75 per cent. of average earnings, *(d)* 100 per cent. of average earnings, *(e)* 200 per cent. of average earnings, *(f)* 300 per cent. of average earnings, *(g)* 400 per cent. of average earnings and *(h)* 500 per cent. of average earnings. [13929]

Mr. Jack: The weekly reduction in income tax liability for 1996–97 compared with the 1978–79 indexed regime

and the weekly reduction as a percentage of earnings in 1996–97 is given in the table.

	One earner married couple with two children under 11	
Multiple of average earnings[1] 1996–97	*Reduction in income tax[2] in 1996–97 compared with the 1978–79 indexed regime* £	*Reduction in income tax[2] as a percentage of weekly earnings in 1996–97*
¼	–3.18	3
½	–8.30	4
¾	17.24	6
1	–26.18	7
2	–50.91	6
3	–143.54	12
4	–281.82	18
5	–452.66	23

[1] Full time males on adult rates, all occupations.
[2] Net of child benefit.

Property Valuations (Reading)

Sir Anthony Durant: To ask the Chancellor of the Exchequer what was the average percentage increase in property valuations for business rate purposes by the Inland Revenue for *(a)* Reading town centre and *(b)* the Oxford road, Reading, and the number of appeals received and the number of appeals completed. [13823]

Mrs. Angela Knight: Broad street is the main street in Reading town centre, and comprises mostly shops, where rateable values have increased by about 27 per cent. on average in the 1995 rating list above their previous 1990 list levels.

In Oxford road, Reading, rateable values of shops have generally remained unchanged.

To date, the valuation officer at Reading has received 50 appeals for Broad street shops and 46 appeals for Oxford street shops. No appeals have been settled so far but discussions with ratepayers are expected to begin soon.

Outside London, rate increases, in 1996–97 are limited to 5 per cent. for small businesses, 7.5 per cent. for legal businesses and 2.5 per cent. for composite properties after inflation.

Advance Corporation Tax

Mr. Robert Ainsworth: To ask the Chancellor of the Exchequer if he will list the amount of advance corporation tax reclaimed by tax exempt institutions each month over the past five years. [13928]

Mr. Jack: Advance corporation tax paid by companies is not repayable to shareholders. Exempt institutions, such as pension funds, insurance companies' exempt funds and charities are, however, entitled to payment of the tax credit issued with the dividends and other qualifying distributions they receive. This recognises that the dividends have already borne tax at the company level. Tax credits to exempt institutions are not separately accounted for and precise statistics are, therefore, not available. It is estimated, however, that exempt institutions will receive around £3.5 billion in payments of tax credits from qualifying distributions in 1995–96.

Exchange and Trading Schemes

Mr. Chris Davies: To ask the Chancellor of the Exchequer how participation in a local exchange and trading scheme affects the assessment of taxable income. [15430]

Mr. Jack: Participation in a local exchange and trading scheme does not itself affect what is and is not taxable income. It is the participant's activities that mater. Thus, anyone who provides either goods or services for reward, either inside or outside a local exchange and trading scheme, is likely to be liable to income tax.

However, the form of these organisations can differ and as members, activities can vary from individual to individual, it is important that the scheme's organisers contact their local tax office with the full details of their particular scheme to check whether there are any tax implications. Similarly, any scheme member who has doubts about his own tax liability should check with his own tax office.

Taxpayers

Mr. Spellar: To ask the Chancellor of the Exchequer, pursuant to his answer of 6 February, *Official Report*, columns *117–18*, what was the number of *(a)* basic rate and *(b)* higher rate taxpayers in 1993–94 in each constituency in the west midlands county area. [15464]

Mr. Jack: I regret that estimates below county level are not available.

Compliance Costs

Mr. Steen: To ask the Chancellor of the Exchequer what progress has been made towards completing the joint research project to establish the current compliance costs of tax/national insurance contributions legislation and systems referred to in his White Paper, "The Way Forward". [15588]

Mr. Jack: The contract to carry out the study was awarded to the Centre for Fiscal Studies at Bath university in October 1995. The work is expected to take around 18 months to complete and should give an up-to-date picture of those aspects of the system which give rise to the largest compliance costs for business. The research team has been asked to identify options for simplification of current operational procedures which could reduce those costs.

Departmental Running Costs

Mr. Andrew Smith: To ask the Chancellor of the Exchequer what were in each year from 1979 to 1994, in real terms, *(a)* the running costs of his Ministers' private offices, separately identifying expenditure on staff and *(b)* the running costs of the Department. [15356]

Mrs. Angela Knight *[holding answer 15 February 1996]:* The costs of the ministerial offices and the running costs of the Department are included in the running costs published in the departmental report.

PRIME MINISTER

Advertising

Mr. Redmond: To ask the Prime Minister what is the annual cost of the Government's advertising budget for each of the last five years. [15468]

The Prime Minister: There is no central advertising budget. This is a matter for individual Departments.

Out-of-school Activities

Mr. Alex Carlile: To ask the Prime Minister if he will make it his policy that every Government Department should produce proposals to ensure that the public and private sectors are able to encourage and, where necessary, provide a wide range of out-of-school activities for 10 to 16-year-olds; and if he will make a statement. [15482]

The Prime Minister: The public and private sectors are already free to encourage or provide out-of-school activities and schools are free to use them, or not, as they wish.

Public Records

Mr. Llew Smith: To ask the Prime Minister what plans he has to review the Public Records Acts 1958 and 1967 in regard to the selection of material for retention and release. [15981]

The Prime Minister: The Government have no such plans as their policy on the release or withholding of records under the provision of the Public Records Acts was reviewed in 1992–93. The results of that review were published as chapter 9 of the White Paper on open government, July 1993 (Cm 2290).

Scott Inquiry

Mr. Llew Smith: To ask the Prime Minister what is his policy towards the correction of answers given to Parliament where civil servants responsible for drafting or Ministers or former Ministers told the Scott inquiry that they were inaccurate. [14904]

The Prime Minister *[holding answer 16 February 1996]:* If the answers to any parliamentary questions require correction, they are corrected.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Officials (Vested Interests)

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will arrange to keep a central register of his Department's officials' vested interests. [15179]

Mr. Hanley: Yes. I have arranged for interests declared by members of the diplomatic service to be recorded centrally with immediate effect.

British Council

Mr. Soley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the reduction in services offered by the British Council; and if he will list the countries affected. [14588]

Mr. Hanley: The British Council is still considering how best to make the necessary adjustments to its programmes and activities following the latest public expenditure round. No decisions have been taken.

Sudan

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what international initiatives are being made to resolve *(a)* the war and *(b)* other problems in Sudan. [15412]

Mr. Hanley: The main international initiative to settle the war in Sudan was launched in 1994 by the Inter-Governmental Authority for Drought and Development—comprising Ethiopia, Eritrea, Kenya and Uganda—which we have fully supported. At the UN, the UK has been active in securing the passage of resolutions critical of Sudan's human rights record and appointing a special rapporteur. The UN Security Council passed a resolution on 31 January calling on Sudan to hand over to Ethiopia three men suspected of involvement in the assassination attempt of President Mubarak of Egypt last year.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the Government of Sudan about the sponsorship of terrorism outside Sudan. [15414]

Mr. Hanley: We have repeatedly raised with Sudan the matter of it harbouring extremist organisation. My right hon. and learned Friend the Foreign Secretary expressed our concern to the Sudanese ambassador in September last year. The UN Security Council, under UK chairmanship, unanimously passed a resolution on 31 January calling on the Sudanese Government to desist from engaging in activities of assisting, supporting and facilitating terrorist activities. It also called on them to give up to the Ethiopian authorities three suspects implicated in the assassination attempt on President Mubarak of Egypt.

Rwanda

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on *(a)* the presence of Rwandan war criminals in Kenya and *(b)* progress in persuading the Government of Kenya to co-operate with the international war crimes tribunal. [15417]

Sir Nicholas Bonsor: The International Criminal Tribunal for Rwanda has issued four indictments against eight people. It has requested the transfer of three people detained in Belgium and it is due to make a similar request for an unspecified number detained in Zambia. None of these people is believed to be in Kenya.

All countries are required to comply with the tribunal, which was established by Security Council resolution 955 under chapter VII. Judge Goldstone has confirmed that Kenya is co-operating with the tribunal.

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about progress in the return of refugees to Rwanda. [15416]

Mr. Hanley: The United Nation's High Commissioner for Refugees estimates that about 230,000 Rwandan refugees returned to Rwanda during 1995, leaving

1.7 million Rwandan refugees in neighbouring countries at 1 January 1996. The UNCHR hopes that up to 820,000 of these will return voluntarily to Rwanda during 1996.

East Timor

Sir Russell Johnston: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions on the issue of human rights in East Timor took place during recent meetings between Ministers of his Department and the Indonesian Foreign Minister. [15730]

Mr. Hanley: Ministers raised our concerns about human rights and East Timor with the Indonesian Foreign Minister, Ali Alatas, during his visit to the UK in January.

OVERSEAS DEVELOPMENT ADMINISTRATION

Nigeria

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the return of the British ambassador to Nigeria. [15564]

Mr. Hanley: After close consultations, European Union heads of mission returned to Lagos during January, including our high commissioner. He was sent back to reinforce our concerns about human rights and the transition timetable at the highest level.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of potential instability within Nigeria on neighbouring countries. [15565]

Mr. Hanley: We continue to monitor developments closely in Nigeria, including their possible impact on neighbouring countries.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is currently provided by Her Majesty's Government to west African countries bordering Nigeria. [15566]

Mr. Hanley: Cameroon benefits from a bilateral aid programme, focused on conservation of forestry and biodiversity and totalling some £2.3 million in 1995–96.

Niger, Chad, and Benin also receive UK aid, most notably through the joint funding scheme—£0.41 million in 1994–95.

The UK provides substantial assistance to all four countries through its contributions to multilateral aid, particularly EU aid, of which our share in 1994 was about £22 million.

Burundi

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what involvement *(a)* he and *(b)* British-based non-governmental organisations have in Burundi; and if he will make a statement about the political situation and any international initiatives to improve matters there. [15415]

Mr. Hanley: Britain supports efforts led by the UN, the Organisation of African Unity and regional leaders to promote political dialogue and reduce violence in Burundi. We supported UN Security Council resolution 1040 of 29 January, which requested the UN Secretary-General to consider options for further action. He is due to report by 20 February. We also supported the appointment by the Foreign Affairs Council on 29 January of an EU special envoy for the Great Lakes region, who will work closely with the UN Security-General's special representatives and the facilitators appointed by the Cairo Conference. An EU troika visited Burundi on 12 February, delivering a firm message to leaders there on the need for dialogue and action to prevent further violence.

British NGOs play an important role in ensuring humanitarian aid reaches those in need. Although the level of violence has calmed in recent weeks, we remain concerned about extremist pressures on the power-sharing Government.

Kenya

Mr. Worthington: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Kenya about human rights and good governance issues. [15413]

Mr. Hanley: We maintain a regular dialogue with the Kenyan Government on a wide range of issues including those of good governance and human rights.

Land Mines

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will update his answer to the hon. Member for Leyton (Mr. Cohen) of 31 January 1994, *Official Report*, column *496* on land mines. [15628]

Mr. Hanley: Since April 1993, the ODA has funded the following humanitarian mine clearing operations totalling some £12.713 million. Details are set out in the table. In addition, the UK share of European funded projects from 1 January 1993 to 31 December 1995 is over £1.936 million.

30DA mine clearance actions since April 1993 (as at 15 February 1996)

£

Country	*Project*	*1993–94*	*1994–95*	*1995–96*
Afghanistan	Halo: Mine clearance and mine awareness in the Shomali Valley	416,131	223,087	275,000
Afghanistan	UNOCHA: Minefield surveying, planning and management; mine awareness; clearance and clearance training	500,000	1,000,000	750,000
Angola	MAG: Minefield survey and marking (4 months) Luena, Moxico province, Phase I (£223,243) and Phase II (£498,825)	—	722,068	300,000

30DA mine clearance actions since April 1993 (as at 15 February 1996)

£

Country	Project	1993–94	1994–95	1995–96
Angola	Halo: Recce, surveying and demining (5 months) Benguela/Kuito corridor Phase I (£259,243) and Phase II (£640,430 +£103,570)	—	899,430	303,570
Angola	Central Mines Action Office within UCAH: two staff posts for one year + equipment and office support costs	—	226,029	—
Cambodia	Halo: Mine clearance in Banteay Meanchey and Siem Reap	277,142	376,549	198,350
Cambodia	MAG: Mine clearance in Battambang	50,625	316,876	271,388
Cambodia	Support of Cambodian Mine Action Centre (through UNDP)	1,133,333	1,000,000	—
N. Iraq	MAG: Training and mine clearance in Halabja	200,439	—	444,750
Laos	MAG: Mine eradication and community education programme in Xieng Khouang Province	—	—	454,386
Laos	UNDP: 6 months x Programme Management Adviser (PMA) to support Lao national mine clearance programme + 12 months x UN Volunteer to support PMA	—	—	89,000
Mozambique	Halo: Demining of roads in Zambezia Province (Phases I and II)	574,586	414,832	561,000
Rwanda	Support to UN training and equipment of Rwanda mine clearance teams: 20 x Schiebel 19/2 detectors	—	30,000	—
Somalia NW	Rimfire: Mine clearance training; clearance management; mine awareness in and around Hargeisa	—	—	—
Yemen	Support to UN appeal	—	100,000	—
Global	Defence Research Agency: 6 months research into mine detection	—	104,928	—
Global	Contribution to UNDHA's Voluntary Trust Fund for Mine Clearance	—	500,000	—
Total		3,152,256	5,913,799	3,647,444
Total of ODA's Bilateral mine clearance/awareness actions since April 1993				12,713,499

HEALTH

Road Traffic Act 1988

Mr. Foulkes: To ask the Secretary of State for Health what consideration he has given to repealing section 157 of the Road Traffic Act 1988 *(a)* in total and *(b)* for pensioners only. [14306]

Mr. Horam: None. Charges under the Road Traffic Act 1988 provide valuable income to the national health service.

GP's Fees

Mr. French: To ask the Secretary of State for Health what representations he has received about general medical practitioners claiming fees from their local health authorities for services to individual patients which they do not provide; what assessment he has made of the costs to his Department of this practice; and what safeguards exist to prevent it. [15074]

Mr. Malone: Management controls within individual health authorities should ensure that fees are paid only to general medical practitioners for services which they have provided. Payments are subject to scrutiny by both internal and external auditors. Any false fee claims will affect only the distribution of incomes to general medical practitioners but will not increase the overall cost of general medical services.

Health Care Trusts

Sir Teddy Taylor: To ask the Secretary of State for Health if health care trusts are required to seek competitive tenders for purchases of equipment for hospitals; and if he will make a statement. [16034]

Mr. Horam: There is a statutory requirement to invite competitive tenders where the aggregate value of the national health service contracting authority's purchase, hire or lease of specified goods or equipment over a 12-month period exceeds £108,667. The only permitted exceptions are on grounds of:

- national security;
- another international procedure takes preference;
- only one supplier is available for technical or artistic reasons, or because of exclusive rights;
- extreme urgency has arisen that was unforeseeable and not due to the purchaser;
- the procurement is of a research and development nature;
- additional deliveries by the original supplier are justified within the current contract;
- following no response, or unacceptable or irregular tenders, from a competitive tender exercise.

Below the statutory threshold, competitive tenders for purchase of equipment would normally be required under a health authority's or NHS trust's standing financial instructions. Any decision to waive such a requirement,

except on de minimis grounds, would require the explicit approval of the board, and reasons would be recorded for audit scrutiny.

Ombudsman

Mr. Byers: To ask the Secretary of State for Health what plans he has to extend the powers of the health service ombudsman. [15568]

Mr. Horam: The Health Service Commissioners (Amendment) Bill is currently being considered in another place. The Bill proposes to extend the powers of the commissioner to allow him to investigate complaints involving clinical judgment and family health services. The intention, subject to Royal Assent, is to implement this change from 1 April this year.

Campbells Soups

Mr. Campbell-Savours: To ask the Secretary of State for Health (1) how many inspections on matters relating to hygiene have been carried out on the Campbells Soups plant in King's Lynn in each of the last five years; [15362]

(2) how many inspections on matters relating to hygiene have been carried out on the Campbells Soups plant in Stratford on Avon in each of the last five years. [15363]

Mr. Horam: The information requested is not held centrally. Enforcement of food hygiene law at local level, including hygiene inspection visits, is a matter for individual food authorities.

Medical Insurance

Mr. Morgan: To ask the Secretary of State for Health what consultations he has had with the Association of British Insurers concerning guidance given by individual insurers to insured accident patients in respect of disclosure of insurance cover when presenting at NHS hospitals; and if he will make a statement. [15989]

Mr. Malone: None. It is departmental policy that treatment in national health service accident and emergency departments is free. If, however, patients subsequently require emergency in-patient admission, they can choose either NHS treatment or private treatment at an NHS hospital or independent hospital. Many private medical insurance policies cover emergency as well as elective in-patient admissions.

Retired Ambulance Trust Employees (Insurance)

Mr. Morgan: To ask the Secretary of State for Health what guidance has been agreed with the Association of British Insurers concerning the use of former ambulance trust employees on early retirement schemes to use their own cars to drive ambulant patients to out-patient clinics; and if he will make a statement. [15993]

Mr. Horam: No such guidance has been agreed. It is for local ambulance services to decide what use to make of volunteer car drivers. Ambulance services will ensure that any use of a private car is within the terms of the volunteer's motor insurance policy.

Prescription Costs

Mr. Morgan: To ask the Secretary of State for Health, pursuant to his answer of 13 February, *Official Report*, column *562*, if he will specify the total cost of prescriptions issued per practice divided by the number of patients on the list for *(a)* the totality of general practice fundholders and *(b)* non-fundholders for each year. [15983]

Mr. Malone: I refer the hon. Member to the reply I gave him on 13 February, column *562*. Information split between fundholding general practitioners and non-fundholding general practitioners is readily available only nationally. Analysis below the national level would involve special computer programming and substantial cost.

Mr. Nicholas Winterton: To ask the Secretary of State for Health what was the total number of prescriptions issued in the latest year for which figures are available; what was the total revenue from prescription charges in connection with those prescriptions; and what was the average charge per prescription in that year. [15873]

Mr. Malone: Some 456 million prescription items were dispensed in England in 1994. We estimate that for over 80 per cent. of these items, the recipients were exempt, charges were remitted, or were not payable. The time at which income is brought to account means that items dispensed in 1994 correspond most closely to receipts for the financial year 1994–95. Charge income in 1994–95, including income from prescription prepayment certificates, was £287 million. The charge for each prescription item was £4.25 from April 1993 and £4.75 from April 1994.

Cancer Patients (Prescription Charges)

Mr. Sutcliffe: To ask the Secretary of State for Health what considerations led him not to exempt life-saving drugs for long-term cancer patients from prescription charge. [15774]

Mr. Malone: Exemption from prescription charges on medical grounds was introduced in 1968. A limited list of qualifying medical conditions, which require life-long medication, has applied since then.

When these arrangements were established, general exemption and charge remission arrangements were not as extensive as they are today. In 1996–97, we expect about 85 per cent. of prescription items to be dispensed free, whereas in 1968 the comparable figure was about 42 per cent.

Standard Spending Assessments

Sir Julian Critchley: To ask the Secretary of State for Health what account is taken of population in setting social services standard spending assessments; and if he will make a statement. [15729]

Mr. Bowis: Population size is one of the factors taken into account in calculating standard spending assessments for social services. In addition, a variety of indicators are used to reflect the relative need for social services in each local authority.

Asthma

Mr. Simon Hughes: To ask the Secretary of State for Health when the "The Health of the Nation" sub-group on asthma reported to the chief medical officer; when he

expects to reach a conclusion on the recommendation of the chief medical officer; and if he will make a statement. [14297]

Mr. Horam *[holding answer 12 February 1996]:* The ad hoc advisory group reported to the chief medical officer in April 1995. The report is being considered in the light of that of the Committee on the Medical Effects of Air Pollutants "Asthma and Outdoor Air Pollution", published in October 1995. We shall announce out conclusions in due course.

Deaths

Mr. Flynn: To ask the Secretary of State for Health how many deaths occurred in each of the past five years as a result of *(a)* peanut allergic reaction, *(b)* Ecstasy use and *(c)* excessive water intake. [14344]

Mr. Horam *[holding answer 12 February 1996]:* During the years 1990–94, one death occurred, in 1993, resulting from a peanut allergic reaction.

One other death occurred in 1993 from food-induced anaphylaxis, where a peanut was the probable cause.

The number of deaths registered in 1990–94 with a mention of Ecstasy were as follows:

Year	*Number of deaths*
1990	1
1991	6
1992	6
1993	17
1994	19

During the years 1990–1994, the number of deaths from excessive water intake[1] were as follows:

Year	*Number of deaths*
1990	6
1991	2
1992	3
1993[2]	7
1994[2]	5

[1] International Classification of Diseases (9th Revision) code 276.6—fluid overload.

[2] Provisional. (Deaths for 1992 and earlier years represent the number of deaths registered in each year, while deaths from 1993 onwards are deaths occurred in each year).

SOCIAL SECURITY

Administration Costs (Benefits)

Mr. Pike: To ask the Secretary of State for Social Security what the administration costs are of each benefit in percentage terms for *(a)* 1993, *(b)* 1994 and *(c)* 1995. [12832]

Mr. Burt: The available information is in the table. The administration costs of each benefit are expressed as a percentage of benefit expenditure, for the financial years 1992–93, 1993–94 and 1994–95.

Percentage

Benefit	*1992–93*	*1993–94*	*1994–95*
Retirement pension	1.2	1.2	1.1
Widow's benefit	3.1	3.1	2.5
Unemployment benefit	15.3	17.5	11.8
Sickness and invalidity benefit	4.9	4.8	3.9
Maternity allowance	20.3	17.5	12.9
Non-contributory retirement pension	1.1	0.4	0.8
War pension	4.9	4.2	4.7
Attendance allowance	4.8	3.7	3.7
Invalid care allowance	3.7	4.1	3.7
Severe disablement allowance	6.1	5.0	4.9
Mobility allowance[1]	6.8	—	—
Disability living allowance	7.1	5.2	5.1
Disability working allowance	256.6	65.7	43.9
Industrial injuries disablement benefits	9.0	8.4	7.3
Income support	10.4	10.2	10.3
Child benefit and one parent benefit	2.3	2.1	2.3
Guardian's allowance	3.9	7.2	14.2
Family credit	4.6	4.4	3.7
Social fund	51.7	61.1	46.1
Housing benefit	3.4	3.0	5.8
Council tax benefit	12.4	10.3	9.4

[1] 1994–95 benefit expenditure figures source: Departmental Report 1995.

1. Disability living allowance replaced mobility allowance and attendance allowance for under 65s from April 1992.

2. Benefit and administration expenditure is subject to different influences, with the latter particularly affected by factors such as staff costs and capital investment. The estimates of administration costs are based on the Government case accounting convention and therefore include any investment spend incurred in the current year.

Disability Living Allowance

Mr. Clelland: To ask the Secretary of State for Social Security how many new claims for disability living allowance were received in 1994–95; and how many of those claims were rejected by the Benefits Agency. [15201]

Mr. Andrew Mitchell: The information is not available in the format requested. Figures are collected for claims processed in a year and also for disallowances. However, a claim received in one year, for example in March 1995, may not be decided until the following statistical year, for example in April 1995. Information available is set out in the table.

Disability Living AllowanceAwards and disallowances on new claims between 1 April 1994 and 31 March 1995[1 2 3]

	Number
Claims received	504,000
Claims disallowed[3]	256,000

Source:
Analytical Services Division.

Notes:

[1] Figures are rounded to the nearest thousand.

[2] 100 per cent. data.

[3] Also includes disallowances made by disability appeal tribunals.

Funeral Costs

Mrs. Fyfe: To ask the Secretary of State for Social Security if he will meet funeral directors' representatives to discuss the average size of funeral bills, with particular reference to cremation dues and other items excluded from DSS grants. [15377]

Mr. Roger Evans: Meetings were held with representatives of the three main funeral directors' associations prior to the changes to the social fund funeral payment scheme implemented in June 1995. It was agreed that future liaison meetings would be held with officials. There are no plans to change these arrangements.

Mrs. Fyfe: To ask the Secretary of State for Social Security what research he has carried out to establish the costs charged by funeral directors. [15379]

Mr. Evans: The amounts charged and awarded for funeral directors' fees under the previous funeral payment scheme were reviewed before changes were made. A specification was prepared following discussions with the three main national funeral directors associations. The specification now restricts the type of coffin and number of cars allowed. It is the Government's view that an amount of up to £500 is a reasonable amount to pay for the funeral director's fees, included within the specification.

Mrs. Fyfe: To ask the Secretary of State for Social Security if he will publish guidelines on the items to be included in or excluded from DSS assistance with funeral bills. [15376]

Mr. Evans: The information is contained in:

Regulation 3(4) of the Social Fund Maternity and Funeral Expenses (General) Amendment Regulations 1995 (SI. 1229 1995), a copy of which is in the Library; and

Social Security leaflets: D49—What to do after a death in England and Wales; D49s—What to do after a death in Scotland: Social Security Supplement; SB16—A guide to the Social Fund; and SF200—Social Fund Funeral Payment claim pack.

Leaflets D49 and D49S may be obtained from the office of the local registrar of births, deaths and marriages. All social security leaflets are available from social security offices and may also be obtained from the citizen's advice bureau and other advice centres.

Mrs. Fyfe: To ask the Secretary of State for Social Security what steps he has taken to safeguard income support claimants who are unable to pay the difference between the cost of a funeral and the DSS funeral grant. [15378]

Mr. Evans: Income support claimants who are responsible for meeting the expenses of a funeral may be entitled to a social fund funeral payment.

The social fund payment includes the reasonable cost of the funeral directors' fees, up to £500, and the necessary cost of disbursements for either a burial or cremation.

Where funds are available from the deceased estate or the claimant has capital over £500—£1,000 if over 60—this will be taken into account when making an award.

It is the Government's view that an amount up to the capped level of £500 is a reasonable amount to pay for the funeral directors' fees in respect of a dignified funeral. Where a claimant is unable to obtain the services of a funeral director within the reasonable amount, or chooses to spend more on the funeral than provided from the social fund, they may consider using any available capital, seek help from other family members, or come to mutually agreeable terms with the funeral director to pay the balance.

Pensions

Mr. Marlow: To ask the Secretary of State for Social Security what was the public expenditure cost per head of total population in each European Union country of state-provided pensions in 1995; and what it is estimated to be under present policies in the years (i) 2000, (ii) 2005, (iii) 2010, (iv) 2015 and (v) 2020, respectively. [15570]

Mr. Heald: The information is not available in the format requested. Such information as is available is as follows.

The 1988 EU figures are contained in "Digest of Statistics on Social Protection in Europe Volume 1: Old Age" published by Eurostat in 1992, a copy of which is in the Library.

The table contains Organisation for Economic Co-operation and Development forecasts of per capita spending on public pension systems in the four EU countries listed:

Local currency values—1994 prices

	Germany	*France*	*Italy*	*United Kingdom*
1995	4,518	13,752	3,259,156	531
2000	5,446	13,974	2,951,341	600
2005	6,084	14,298	3,203,566	679
2010	6,644	15,898	3,621,503	794
2015	7,322	18,416	4,309,383	881
2020	8,012	20,943	5,043,293	924
2025	9,316	23,785	5,975,440	1,002
2030	11,153	26,597	7,079,009	1,094

Figures for UK are based on current average pension receipt and World bank population projections, figures take into account equalisation of state pension age but do not take into account changes to SERPS.

The following table contains the Government Actuary's Department's projections for Great Britain, which take into account all the changes to date and are based on more recent population data:

Per capita spending in 1994 prices on Retirement Pension (including SERPS)

	Great Britain (£)
1994–95	506
2000–01	587
2010–01	707
2020–01	764
2030–01	892

Appeals

Mr. Madden: To ask the Secretary of State for Social Security how many social security appeals are currently adjourned pending a decision by the House of Lords. [15359]

Mr. Roger Evans *[holding answer 15 February 1996]:* The information is set out in the table.

Cases on which action has been suspended

	Number
Social security appeals	2,011
Commissioners	[1]4,278
Court of appeal	nil

[1] This figure represents both cases upon which appeals have been accepted and cases upon which applications for leave to appeal are still to be considered.

Disability (Access Committee for England)

Mr. Alfred Morris: To ask the Secretary of State for Social Security, pursuant to his answer of 13 February 1996, *Official Report,* column *550,* what representations he has received on the achievements of the Access Committee for England; what replies he has sent; and if he will make a statement. [15772]

Mr. Burt: We have received a number of letters about the Access Committee for England which have been brought to the attention of the working group set up to consider the committee's future role and functions.

Benefit Fraud

Mr. Rooney: To ask the Secretary of State for Social Security what further measures he is assessing to combat benefit fraudulent claims. [14864]

Mr. Heald *[holding answer 12 February 1996]:* The Benefits Agency's comprehensive security strategy includes a five-year plan for improving security and control of the benefits system.

The further measures include the continuing benefit review programme to establish the scale and patterns of fraud and incorrectness in all the major benefits; increasing the numbers of visits to, and other checks of, claimants to benefit; expanding data matching to compare information on DSS computers; investigation of employers who collude with employees who make fraudulent claims; the gradual replacement of order books and girocheques with a benefit payment card; improving the integrity and control of national insurance numbers; and the introduction in targeted areas of mobile electronic stop notice scanners in post office to stop the fraudulent encashment of order books.

Local authorities administer housing benefit. New measures being introduced include the development of a central computer register to cross-check claims, ear marking of £8 million for challenging funding to encourage innovation in fighting fraud, and a strengthening of the financial incentives for local authorities to pursue fraud.

TRADE AND INDUSTRY

Gas Supply (Failure)

Mr. Home Robertson: To ask the President of the Board of Trade if he will make a statement on the inquiry by Ofgas into the failure of the gas supply in Prestonpans, Lockenzie and Port Seton on 29 December 1995. [15647]

Mr. Eggar: I fully sympathise with the hon. Member's constituents who suffered during the supply failure. The Director General of Gas Supply is rightly looking into the incident and we must await her conclusions. I understand that she hopes to report at the end of February.

Electricity Import

Mr. Jack Thompson: To ask the President of the Board of Trade what was the effect upon the balance of payments of the import of electricity from France in *(a)* 1990–91, *(b)* 1991–92, *(c)* 1992–93, *(d)* 1993–94 and *(e)* 1994–95. [15650]

Mr. Page: The following information from the DTI's "Digest of UK Energy Statistics 1995", in practice relates to net imports from France:

Net imports of electricity, Overseas Trade Statistics basis

	£ million
1990	200
1991	343
1992	369
1993	426
1994	388

Source:
"Digest of UK Energy Statistics 1995", Table 64.

Environmental Technology Companies

Mr. Alan W. Williams: To ask the President of the Board of Trade what has been the level of Government financial support in each year since 1990 to companies involved in environmental technology. [15533]

Mr. Page: Companies involved in environmental technology may apply for support under a range of general regional, export promotion and innovation programmes funded by the Government. The Office of Science and Technology's funding of the research councils is also relevant to the needs of these companies. Spending under these general arrangements on projects relevant to environmental technology companies cannot be readily identified.

Government funding under programmes directed specifically at environmental technology totalled £176 million in the period 1 April 1990 to 31 December 1995. Figures for individual years are not readily available.

In addition, the environmental technology best practice programme, run jointly by the Department of Trade and Industry and the Department of the Environment, aims to benefit both suppliers and users of environmental technologies and techniques through encouraging United Kingdom firms to take up measures that will improve both

their competitiveness and their environmental performance. The programme budget is £16 million, for the five years to 1998–99. Spending under the programme was £1.99 million in its launch year 1994–95, and £2.36 million between 1 April and 31 December 1995.

Sellafield (Safety)

Mr. McGrady: To ask the President of the Board of Trade how many incidents have been reported at the British Nuclear Fuels Ltd. plant at Sellafield since 1 January; what discussions have taken place with the directorate of British Nuclear Fuels plc concerning these; and what action will be taken to prevent similar incidents occurring. [15711]

Mr. Eggar: The arrangements for reporting nuclear incidents at civil nuclear installations to my Department and its precursor were revised in 1987. I refer the hon. Gentleman to the answer given by my right hon. Friend the Member for Eddisbury (Mr. Goodlad) to a question from the then hon. Member for Sherwood, *Official Report* 30 April 1987, columns *203–04*.

Since 1 January 1996, no incidents at British Nuclear Fuel plc's plant at Sellafield have been reported to my Department under the above arrangements. Two minor events which were not of such safety or radiological significance as to be formally reportable were brought to the attention of my Department because of public interest. Details of these two incidents are contained in the 13 February Sellafield site newsletter, a copy of which is available in the Library of the House.

All incidents at Sellafield are investigated by BNF plc management to determine their cause and to put in place such measures as may be necessary to prevent a recurrence. Inspectors of the Health and Safety Executive's nuclear installations inspectorate carry out separate investigations as necessary, in order to determine what further regulatory response, if any, is appropriate.

Nuclear Electric (Privatisation)

Mr. Ainger: To ask the President of the Board of Trade if he will make a statement on the future ownership of Lambeeth farm, Hundleton, Pembrokeshire following his announcement of the privatisation of Nuclear Electric. [15773]

Mr. Eggar: The Government are considering which land and property currently held by Nuclear Electric plc should be allocated to British Energy, and which should stay in the public sector with Magnox Electric. The final decision on Lambeeth farm has not yet been made.

Leukaemia (Electromagnetic Fields)

Mr. Tipping: To ask the President of the Board of Trade (1) what assessment he has made of the research undertaken by Professor Denis Henshaw, a copy of which has been sent to him, on child leukaemia and electromagnetic fields; and if he will make a statement; [15632]

(2) what research he has *(a)* commissioned and *(b)* evaluated into the link between electromagnetic fields and child leukaemia; if he will place copies of that research into the Library; and if he will make a statement. [15631]

Mr. Page *[holding answer 16 February 1996]:* My right hon. Friend the President of the Board of Trade receives advice from the National Radiological Protection Board on the issue of electromagnetic fields and any effects on human health, including the possibility of a link with childhood leukaemia.

Both the NRPB and other independent bodies conduct research into possible causes of leukaemia and other cancers, supported by funding from Government. An important five-year study into possible causes of childhood leukaemia is at present being conducted by the UK Co-ordinating Committee on Cancer Research, due to be completed in about two years' time. The Government are funding this research together with various bodies and, when complete, it will be evaluated by NRPB and its advisory group on non-ionising radiation and the findings will be published.

The NRPB acknowledges the link between randon deposition and electromagnetic fields but advise that the theory in recently published research, suggesting an increased risk of cancer due to the effects of fields on radon and its decay products, is speculative. There is still no convincing evidence that electromagnetic fields from power lines or domestic appliances are harmful to health and no biological mechanism has been established to change this view.

Energy Council

Ms Quin: To ask the President of the Board of Trade if he will make a statement on the outcome of the informal Energy Council held on 3 and 4 February in Bologna. [15092]

Mr. Eggar *[holding answer 16 February 1996]:* I represented the United Kingdom at the informal Council in Bologna. It is a rule of procedure within the European Union that informal councils cannot reach decisions or adopt text. The main matters discussed at the meeting were as follows:

The Council considered the latest position on the proposed electricity liberalisation directive and the Italian presidency compromise proposal. This involves fixing a percentage of electricity markets to be opened to competition with member states deciding how this is to be achieved. I called for the maximum possible opening, as in the United Kingdom, to ensure full economic benefit for consumers and for European competitiveness. There was no consensus on the appropriate percentage or whether such opening should be achieved in a single step or over a period of time. The presidency concluded that further work was required at official level.

The Council considered the Commission's energy policy White Paper in the light of possible future trends and rising energy consumption. The presidency called for new policies and common objectives, including completion of the single market in energy. I welcomed

the White Paper's emphasis on the single market but expressed my frustration that there was a call for new instruments when there was so little progress on electricity liberalisation. Member states welcomed the White Paper but views differed in emphasis. Further work will be required at official level and each proposal in the annexed work programme will be subject to the usual procedures.

The presidency presented its views on the need for increased energy co-operation with southern Mediterranean countries in the light of growing demographic pressures in the region. In particular, the president saw a need to improve investor protection and enhance development of energy networks. The presidency also announced meetings with the southern Mediterranean countries at official ministerial level.

TRANSPORT

2182KHz Distress Watch

Ms Walley: To ask the Secretary of State for Transport (1) if he will make a statement as to the resources available to monitor 2182KHz transmissions; [15010]

(2) how he will monitor the new arrangements for response to transmissions on the 2182KHz medium wave frequency. [15009]

Mr. Norris: I have asked the chief executive of the Coastguard Agency to write to the hon. Member.

Letter from C. J. Harris to Ms Joan Walley dated 19 February 1996:

The Secretary of State for Transport has asked me to reply to your recent Questions about the 2182KHz Distress Watch.

In addition to the normal 24 hour watchkeeping complements at each Rescue Centre an additional Operations Room Assistant has been made available to assist in maintaining the Distress Watch at the designated 2182 stations.

In accordance with standard practice, all incidents, including those involving Distress calls, are analysed by Coastguard management to confirm that procedures are timely and correct. Additionally a Medium Frequency log is maintained at each Rescue Centre containing details of Distress, Urgency and Safety Traffic.

Rail Privatisation

Mr. Wilson: To ask the Secretary of State for Transport what action he intends to take against the officials who were involved in preparation of documents marked "not for National Audit Office eyes" in relation to the sale of British Rail Maintenance Ltd. [15724]

Sir George Young: None. They acted properly and in accordance with long-standing guidelines agreed with the National Audit Office and the Treasury.

Mr. Wilson: To ask the Secretary of State for Transport what was the cost of *(a)* the Price Waterhouse report and *(b)* the Ernst and Young report on the sale of the British Rail Maintenance Ltd. depot at Eastleigh. [15725]

Sir George Young: The Price Waterhouse report, which covered only the sale of the Eastleigh depot, was commissioned by the British Railways Board. I understand that it cost about £30,000. The separate Ernst and Young study commissioned by the Department of Transport embraces the sale of all six depots. The price is not expected to exceed £45,000.

Mr. Wilson: To ask the Secretary of State for Transport if he will list the documents prepared by his officials in relation to the rail privatisation programme in the past 12 months, which are marked "not for National Audit Office eyes" or subject to similar restrictions. [15726]

Sir George Young: No. Documents designated "not for NAO eyes" are held on files with that privacy marking. In accordance with Treasury guidance of 15 July 1988, such files retain their privacy marking until one year after the publication of the relevant Treasury Minute. All such files are subject to regular scrutiny by Department of Transport Internal Audit and copies of their reports are sent to the National Audit Office.

Mr. Wilson: To ask the Secretary of State for Transport when he first received reports of criticisms of the Eastleigh sale contained in the Price Waterhouse report; and what action he took. [15727]

Sir George Young: Officials first became aware of BR concern about the sale of the Eastleigh depot in September 1995. An early draft of the Price Waterhouse report on the sale of the Eastleigh depot was shown to my Department in October 1995. Officials urged the British Railways Board to widen the study remit to cover the sales of all the six depots and to establish explicitly whether the agreed sale procedures had been properly followed. A further report was received in my Department on 13 December. It gave comfort on the value BR obtained for the Eastleigh sale, but pointed to shortcomings in sales procedures; and dealt only with the Eastleigh sale. Following discussion with the Treasury and with the National Audit Office, whose own examination of the BRML sales had started in June 1995, my Department commissioned Ernst and Young to examine the sale of all six depots. The National Audit Office, at the request of my Department, accompanied the Ernst and Young investigating team. Ernst and Young's emerging findings—which will be placed in the Library—show that the BRML sales were competitive and fair, but confirm that BR procedures needed some improvement. The BR board has strengthened its procedures and will ensure that they are properly implemented. Ernst and Young expects to complete its work shortly.

Mr. Wilson: To ask the Secretary of State for Transport if he will make a statement on the circumstances in which it was decided to replace Price Waterhouse with Ernst and Young, as consultants on the Eastleigh British Rail Maintenance Ltd. sale review. [15728]

Sir George Young: I refer the hon. Member to my answer to the hon. Member for Aylesbury (Mr. Lidington) on 14 February, column *574*. The Price Waterhouse study was commissioned by the BR board. The Ernst and Young review has been separately commissioned by the Department of Transport.

Royal Train

Mr. Tony Banks: To ask the Secretary of State for Transport (1) who will be responsible for the royal train after privatisation of the railways; [15900]

(2) what provision will be made for costs of the royal train in the event of privatisation of the railways. [15913]

Sir George Young: Following the sale by the British Railways Board of Rail Express Systems Ltd., which manages and operates the royal train, my Department continues to be responsible for the costs of operating the royal train.

SCOTLAND

Departmental Property

Mr. Macdonald: To ask the Secretary of State for Scotland if he will list the estates owned by the Scottish

Office Agriculture and Fisheries Department where the previous landowner still holds rights of pre-emption in respect of future transfer of ownership. [15072]

Mr. Raymond S. Robertson: My right hon. Friend owns 52 estates which are subject to a limited statutory right of pre-emption under land settlement legislation. This states that:

"Before selling any land which, in the opinion of the Secretary of State, is not required for the purposes of the Act, the Secretary of State shall offer the land to the person from whom it was purchased or his successor in title at a price to be determined, failing agreement, by the Scottish Land Court."

Similar rights may be contained in the title deeds of individual estates. This can be determined only by carrying out a full title search which, at this stage, would involve disproportionate costs.

The consultation paper on the disposal of my right hon. Friend's crofting estates, "Crofting Trusts", acknowledges that legislation may need to take account of the possibility that, in some cases, the successors in title to the original owners may have pre-emptive rights.

Housing Expenditure

Mr. Chisholm: To ask the Secretary of State for Scotland what percentage of identifiable public expenditure in Scotland was spent on housing in *(a)* 1980–81, *(b)* 1990–91 and *(c)* the latest year for which figures are available. [12342]

Mr. Raymond S. Robertson *[holding answer 30 January 1996]:* Identifiable general Government expenditure in Scotland is published annually in the statistical supplement to the "Financial Statement and Budget Report". The most recent supplement was published in February 1995. Total Government expenditure on housing in Scotland includes expenditure by the Department of Social Security on housing benefits, and is now published in The Scottish Office department report "Serving Scotland's Needs". They are not, however, available for 1980–81. In 1983–84—the first year for which it has been possible to obtain the information—1990–91 and 1993–94—the latest year for which figures are available—total expenditure on housing in Scotland was 9.6, 7.4 and 6.6 per cent. respectively of identified general Government expenditure. That reduction has to be seen against a reduction of 276,082 public sector houses from 30 September 1982 to 31 March 1994, reducing the associated requirement for public expenditure. The figures exclude capital receipts available for investment of £238 million, £411 million and £389 million respectively.

Hard-to-fill Vacancies

Mr. Byers: To ask the Secretary of State for Scotland what was the percentage of hard-to-fill vacancies over the previous 12 months in 1994 and 1995. [15562]

Mr. Kynoch *[holding answer 16 February 1996]:* The percentage of establishments in Scotland reporting hard-to-fill vacancies in 1994 was 15 per cent.; no comparable figure for 1995 is available. The data are based on a survey of establishments with 25 or more employees conducted on behalf of the Department for Education and Employment

ATTORNEY-GENERAL

Unduly Lenient Sentences

33. **Mr. Merchant:** To ask the Attorney-General if he will seek powers to refer all unduly lenient sentences passed in the Crown court. [14190]

35. **Mr. Congdon:** To ask the Attorney-General if he will seek powers to allow him to refer all unduly lenient sentences passed in the Crown court. [14192]

The Solicitor-General: All the most serious offences tried in the Crown court, which are those giving rise to the greatest public concern, are already within the scope of the Attorney-General's power of review. He sees no need at present to seek any further extension to his powers.

Crown Prosecution Service (Queen's Counsel)

34. **Mr. Harry Greenway:** To ask the Attorney-General how many Queen's counsel are employed by the Crown Prosecution Service; at what average annual salary; and if he will make a statement. [14191]

The Solicitor-General: The Crown Prosecution Service instructs Queen's counsel, who are self-employed, to prosecute the more serious cases before the courts. There are currently only two Queen's counsel employed by the Crown Prosecution Service, namely the Director of Public Prosecutions and a senior Crown prosecutor, whose salaries are within the scales appropriate to their respective grades.

Discontinued Cases

37. **Mr. Jacques Arnold:** To ask the Attorney-General how many cases were discontinued by the Crown Prosecution Service in *(a)* 1994 and *(b)* 1995. [14194]

The Attorney-General: Proceedings were discontinued in respect of 159,803 defendants during 1994, and 156,628 defendants during 1995. Between 1992 and 1995, the rate of discontinuance has fallen from 13.3 per cent. to 12 per cent. of completed cases.

Prosecution Papers

38. **Mr. Llwyd:** To ask the Attorney-General what are his Department's guidelines for the retention by police forces and the Crown Prosecution Service of prosecution papers after the conclusion of cases; and if he will make a statement. [14195]

The Solicitor-General: Area offices of the Crown Prosecution Service retain files relating to cases dealt with by the magistrates courts for a minimum of 12 months after the final court date. Those finalised in the Crown court are kept for a minimum of three years. Cases handled in CPS headquarters are retained for a minimum of five years. Where there is a conviction, all case files are retained until the expiry of the sentence, if it exceeds the usual retention period. Prosecution files considered worthy of permanent preservation are sent to the Public Record Office.

Scott Report

Mr. John Greenway: To ask the Attorney-General if he will make a statement about the report by Sir Richard Scott as it relates to the work of his Department. [14193]

The Attorney-General: The Government have said that the recommendations in the Scott report will be given careful and detailed consideration.

WALES

Soups Production Industry

6. **Mr. Campbell-Savours:** To ask the Secretary of State for Wales what regional assistance he has given to the soups production industry in the last 12 months. [14161]

Mr. Gwilym Jones: None.

Health Authority Budgets

17. **Mr. Hain:** To ask the Secretary of State for Wales if he will make a statement on the effects of the budgets allocated to Welsh health authorities in 1996–97. [14174]

Mr. Hague: I have increased resources for the NHS in Wales by 3.9 per cent. in 1996–97. This represents growth of 1.1 per cent. in real terms. Together with 3 per cent. efficiency savings I have asked for from health authorities and trusts, this will allow the NHS to meet the pressures facing it next year and to continue to increase investment in patient care.

Road Transport Safety

18. **Mr. Flynn:** To ask the Secretary of State for Wales what new proposals he has to improve road transport safety in Wales. [14175]

Mr. Gwilym Jones: The Welsh Office is continually seeking ways to improve the safety of road users throughout Wales. A contract will shortly be let for a detailed study of the trunk road network in Wales, to identify priorities for casualty reduction over the next five years; and a number of road safety publicity campaigns and initiatives are planned.

Inward Investment

19. **Mr. Merchant:** To ask the Secretary of State for Wales if he will list the latest available figures for inward investment in Wales; and if he will make a statement. [14176]

Mr. Hague: Since 1983, almost 1,400 projects have been recorded involving over 82,000 new and almost 50,000 safeguarded jobs, and investment of over £7 billion. Wales continues to be very successful in attracting inward investment.

23. **Sir Sydney Chapman:** To ask the Secretary of State for Wales what was the level of inward investment (i) into Wales and (ii) into the rest of the United Kingdom over the past *(a)* five and *(b)* 10-year period on a per capita basis. [14180]

Mr. Hague: Based on figures notified by companies to the Invest in Britain Bureau at the time of investment decisions, inward investment per capita in the last five years was £1,018.62 for Wales and £382.51 for the United Kingdom; in the last 10 years the figures were £1,095.29 and £620.44 respectively.

Companies are under no obligation to notify their investment decisions, and the figures take no account of subsequent developments.

25. **Sir Wyn Roberts:** To ask the Secretary of State for Wales what assessment he has made of *(a)* the progress of and *(b)* incentives for (i) inward investment and (ii) expansion of existing plants in Wales. [14182]

Mr. Hague: We have a range of measures at our disposal—land, site and factory deals; training support; Source Wales; financial support and a loyal and industrious work force, a good record on industrial disputes and stable economic conditions which put Wales at the forefront of our inward investment success.

Public Expenditure and Taxation Receipts

20. **Mr. Duncan:** To ask the Secretary of State for Wales what recent estimate he has made of *(a)* total public expenditure and *(b)* total taxation receipts in Wales in 1996–97. [14177]

Mr. Hague: No such estimates have been made for 1996–97. In 1993–94, it is estimated that total Government expenditure on behalf of Wales was £14.7 billion, while total revenue raised from Wales was £9.3 billion.

National Health Service Administration

21. **Mr. Ainger:** To ask the Secretary of State for Wales what was the amount spent on NHS administration in Wales in *(a)* 1991–92 and *(b)* 1994–95. [14178]

Mr. Richards: The amount spent on NHS administration in Wales in 1991–92 and 1994–95 was around £107 million and £147 million respectively.

Welsh Assembly

22. **Mr. Robert G. Hughes:** To ask the Secretary of State for Wales what recent representations he has received about the systems for electing a Welsh Assembly. [14179]

Mr. Hague: I have received two representations, one from the hon. and learned Member for Montgomery (Mr. Carlile) and one from the hon. Member for Caernarfon (Mr. Wigley).

Nursery Voucher Scheme

24. **Mr. Touhig:** To ask the Secretary of State for Wales how many requests have been received for a pilot scheme for the Government's nursery voucher proposals for Wales. [14181]

Mr. Richards: There have been some suggestions that there should be a pilot scheme in Wales, but no offers or requests by local education authorities to participate in such a scheme.

Rhondda Cynon Taff Unitary Authority

26. **Dr. Howells:** To ask the Secretary of State for Wales what plans he has to meet representatives of the Rhondda Cynon Taff unitary authority to discuss the future provision of public services. [14183]

Mr. Gwilym Jones: It is for local authorities to consider how they carry out their functions in the light of local circumstances and priorities.

Defence Procurement

27. **Mr. Wigley:** To ask the Secretary of State for Wales what representations he has made to secure a greater share of defence procurement work for Wales. [14184]

Mr. Gwilym Jones: Government procurement policy rests on the principle of securing value for money, primarily through competition. The capabilities of UK industry—including, where appropriate, companies in Wales—are fully considered in all defence procurement decisions.

Schools (Selection)

28. **Dr. Spink:** To ask the Secretary of State for Wales what recent representations he has received about selection in schools in Wales. [14185]

Mr. Richards: We have received four representations to date in response to a consultation exercise we are undertaking on allowing schools greater flexibility with regard to selection on the basic of aptitude or ability. Consultation closes on 23 February.

Local Authority Tenants

Mr. Rowlands: To ask the Secretary of State for Wales what is his estimate of the number and percentage of local authority tenants who are paying the current rents in full *(a)* in Wales and *(b)* in Mid-Glamorgan. [13373]

Mr. Gwilym Jones: The information requested is as follows:

	Number of local authority tenants paying rents in full	*Percentage of local authority tenants paying rents in full*
Wales	55,198	26.7
Mid Glamorgan	7,758	20.4

Source:
Local authorities' 1995-96 housing revenue account subsidy claim forms.

Parliamentary Questions

Mr. Kirkwood: To ask the Secretary of State for Wales how many written parliamentary questions were passed for answer to executive agencies and non-governmental departments in each of the last five years; and if he will make a statement. [14989]

Mr. Hague: The information requested is a matter of public record but it could be extracted in the form requested only at disproportionate cost.

Welsh Language

Mr. Ron Davies: To ask the Secretary of State for Wales what representations he has received from the Welsh Language Board concerning the Council of Europe's charter for minority languages. [15627]

Mr. Hague: The Welsh Language Board's views on the matter have been made available to me in the course of discussions between my officials and those of the board.

Small Businesses

Mr. Barry Field: To ask the Secretary of State for Wales what action he has taken to improve access to business advice for small firms in Wales. [14162]

Mr. Richards: The formation, last year, of the eight business development consortia in Wales and my recent launch of the associated business connect service have all been designed to improve access to business advice and other enterprise support schemes by firms in Wales.

Hospital Waiting Lists

Mr. Morgan: To ask the Secretary of State for Wales if he will list the surgeons employed by NHS trusts whose total waiting times exceed 104 weeks in the latest waiting times information bulletin of the Welsh Health Common Services Authority, giving data for 31 December 1995; what is the number of weeks total waiting time for each such surgeon; and if each such surgeon has agreed a job plan with the employing trust. [15985]

Mr. Hague: The latest information on waiting times for first out-patient appointments and for in-patient or day case treatment, by consultant, for certain procedures is given in the January 1996 edition of the "Hospital Waiting Times Bulletin". I have arranged for a copy to be placed in the Library of the House.

Information on job plans agreed by consultants with their employing NHS trusts is not held centrally.

Ambulance Services

Mr. Morgan: To ask the Secretary of State for Wales what information he has obtained from Welsh ambulance trusts regarding the number of ex-ambulance trust employees on early retirement using their own cars to drive ambulant patients to out-patient clinics; what guidance he has given with respect to *(a)* remuneration, *(b)* clawback, *(c)* insurance and *(d)* future policy; and if he will make a statement. [15994]

Mr. Hague: None.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the South East Wales ambulance trust concerning issues of regularity and propriety in the conduct of the trust's affairs; what notice he has been given of the reason for the extraordinary board meeting scheduled for 15 February; and if he will make a statement. [15984]

Mr. Hague: I have had no such consultations. My Department expressed concern to the trust about its business position in 1994–95 and required that specific action be taken to resolve its financial problems. By

December 1995, it had become clear that there had been an inadequate response. The Department insisted that the trust review urgently its managerial and financial controls. This review has revealed serious weaknesses in these areas and inadequate supervision of trust affairs by the board. It is for the board to decide on the timing and purpose of its meetings.

Hospital Waiting List Initiative

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 12 February, *Official Report*, column *478*, what guarantees he has received from family health services authorities making funds available to general practitioner fundholders for treatment or diagnosis of long-wait patients in orthopaedics, with respect to the regularity and propriety of the expenditure in *(a)* the private sector and *(b)* NHS surgical firms on out-of-session terms. [15992]

Mr. Hague: I refer the hon. Member to the reply I gave him on 16 February, *Official Report*, columns *732–33*.

Orthopaedic Surgery

Mr. Morgan: To ask the Secretary of State for Wales what is the number of orthopaedic consultants employed in each Welsh hospital trust per 10,000 people living in the corresponding health authority. [15986]

Mr. Hague: The information, which relates to the provisional whole-time equivalent number of consultants in the specialty of traumatic and orthopaedic surgery employed at 30 September 1995, is given in the following table.

	Rate per 10,000 health authority population [1]
Clwyd	
Glan Clwyd Hospital NHS Trust	0.10
Wrexham Maelor Hospital NHS Trust	0.06
Dyfed	
Carmarthen and District NHS Trust	0.11
Ceredigion and Mid Wales NHS Trust	0.05
Llanelli Dinefwr NHS Trust	0.06
Pembrokeshire NHS Trust	0.06
Gwent	
Glan Hafren NHS Trust	0.15
Nevill Hall and District NHS Trust	0.07
Gwynedd	
Gwynedd Hospitals NHS Trust	0.13
Mid Glamorgan	
Bridgend and District NHS Trust	0.04
East Glamorgan NHS Trust	0.03
Merthyr Cynon Health Unit	0.05
Rhymney Valley Health Unit	0.03
Powys	
Powys Health Care NHS Trust	0.04
South Glamorgan	
Llandough Hospital NHS Trust	0.01
University Hospital of Wales Healthcare NHS Trust	0.14
West Glamorgan	
East Health Unit (Glan-y-Mor shadow NHS Trust)	0.04
Morriston Hospital NHS Trust	0.20
Swansea NHS Trust	0.02

[1] Figures are expressed as the rate per 10,000 population (mid 1994 estimates) living in the health authority in which the trust is situated. Where there is more than one trust situated in a health authority, the same population, relating to all residents of the health authority, is used to calculate the rate for each trust.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 12 February, *Official Report*, column *478*, what representations he has received from general practitioners in South Glamorgan concerning the use of waiting list initiative money to purchase orthopaedic surgical treatment from NHS orthopaedic surgeons in NHS hospitals on piecework terms on weekends for long-wait patients; and if he will make a statement. [15988]

Mr. Hague: None.

GP Fundholders

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 13 February, *Official Report*, column *497*, if he will give the total numbers of patients on the list of *(a)* fundholders and *(b)* non-fundholders in each health authority area; and what weighting he has (i) made and (ii) proposes to make for different age distribution in the population of each health authority using the patient unit formula. [15990]

Mr. Hague: The total number of patients on the lists of fundholders and non-fundholders in each family health services authority area in 1994–95 were:

	Number of patients (000)	
PHSA	*Fundholders*	*Non-fundholders*
Clwyd	188	238
Dyfed	157	206
Gwent	178	284
Gwynedd	54	196
Mid Glamorgan	120	446
Powys	92	38
South Glamorgan	154	283
West Glamorgan	209	178

These figures are not weighted for age. Figures expressed as prescribing units are not readily available.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 12 February, *Official Report*, column *478*, and to the letter of guidance to South Glamorgan family health services authority on purchasing probity by general practitioner fundholders, what guidance he has issued to the chairman of the University Hospital of Wales NHS trust regarding the need to ensure that consultants employed by it behave with probity and avoid allowing their private activity to interfere with their NHS practice. [15991]

Mr. Hague: None. Guidance on all aspects of the management of private practice in the NHS is contained in the document known as the "Green Book" which was issued in 1986.

Welsh Economic Forum

Mr. Morgan: To ask the Secretary of State for Wales on how many occasions and on what dates the Welsh Economic Forum has met; what were the principal matters discussed; and what was the membership at the latest effective date. [15982]

Mr. Hague: The Welsh Economic Council met on 30 March 1994; 25 July 1994; 7 December 1994; and 26 April 1995. The topics for discussion were respectively: training and enterprise; communications; urban renewal; and the rural economy.

Until 31 January 1996, of the original appointments, membership was as follows:

Professor J. Andrews; Ms N. Bray OBE; Mr. R. Cuthbertson MBE; Professor T. Congdon; Mr. C. Hadley OBE; Mr. D. Jenkins MBE; Councillor J. Pembridge; Mr. T. Lewis; Mr. D. Rowe-Beddoe; Councillor T. Williams; Mr. J. Troth OBE.

I am currently considering the future of the council, and am awaiting the local authorities proposals on a reconstituted council for the future.

NATIONAL HERITAGE

Sport Councils

Mr. Pendry: To ask the Secretary of State for National Heritage how many times the Great Britain Sports Council met in its last year of operation; and if she will list those who attended each meeting. [12899]

Mr. Sproat: The GB Sports Council met 12 times last year. Mr. R. M. Walker, GB chairman attended all 12 meetings; Mr. G. Dennis, vice-chair, Mr. M. Parker and Mr. G. Simmers attended 11; Mr. T. Brooking, vice-chair, and Mr. O. Wheatley, 10; Mr. T. Marshall, Mr. K. Oates and Dr. S. Springman, nine; Ms J. Bracewell and Mr. J. F. Elms, seven—Mr. Elms' term of office expired on 30 September 1995; Mr. G. Thompson, five; and Sir David Simon, four; Sir David's term ended on 30 September 1995. Officials of the Sports Council were present as necessary. An assessor from the Department of National Heritage, and observers from the home country sports councils and the Central Council for Physical Recreation, also attended.

Mr. Pendry: To ask the Secretary of State for National Heritage how many times the new United Kingdom Sports Council has met; and if she will list those who have attended each meeting. [12900]

Mr. Sproat: The formal establishment of the UK Sports Council is subject to the granting of a royal charter. A UK sub-committee of the Sports Council has met formally five times. Sir Ian MacLaurin (chairman), Mr. C. Reedie and Mr. O. Wheatley have attended all five meetings;
Mr. D. Allen, Mr. G. Simmers and Dr. S. Springman, four; Mr. R Walker, three; and Mr. C. Lloyd one. Officials of the Sports Council were present as necessary. An assessor from the Department of National Heritage and observers from the home country sports councils and the British Olympic Association have also attended.

Mr. Pendry: To ask the Secretary of State for National Heritage how many times the new English Sports Council has met; and if she will list those who have attended each meeting. [12898]

Mr. Sproat: The formal establishment of the English Sports Council is subject to the granting of a royal charter. An English sub-committee of the Sports Council has met once, informally, in January 1996. Those attending were Mr. Rodney Walker, Mr. Trevor Brooking, Mr. Peter Blake, Ms Julia Bracewell, Mr. Jim Munn, Mr. Keith Oates, Mr. David Oxley, Mr. Jeff Probyn, Mr. Sam Stoker. Officials from the Sports Council and the Department of National Heritage were also present.

Listed Industrial Buildings

Ms Lynne: To ask the Secretary of State for National Heritage (1) what research her Department has carried out into the impact on private property values of the listing of industrial premises; and what compensation is offered to the owners of a property that is listed; [14980]

(2) what research her Department has carried out into the extra costs placed upon businesses by the listing of industrial properties. [14979]

Mr. Sproat: My Department, English Heritage and the Royal Institution of Chartered Surveyors have jointly commissioned three research studies into economic aspects of the listing of historic buildings. The performance of listed buildings in the investment property market was considered by the investment property databank—"The Investment Performance of Listed Buildings, November 1993"; a pilot study by Cambridge university's property research unit examined the effect of listing on the value of buildings—"The Listings of Buildings: The Effect on Value, May 1994"—and a recent study by Reading university's department of economics and DTZ Debenham Thorpe has investigated ways in which the wider benefits of listing and conservation might be valued and measured.

The first two studies provided evidence that while commercial buildings can experience a one-off drop in value at the time of listing, thereafter they perform as investments as well as, or better than, similar buildings which are not listed, even when extra costs of upkeep are taken into account. There is no provision for compensating owners of buildings that are listed—through in certain circumstances repairs grants may be available. Planning policy guidance note 15: "Planning and the Historic Environment" exhorts local planning authorities and applicants for listed building consent to adopt a flexible approach wherever possible to proposed changes to listed commercial buildings. In the forthcoming heritage Green Paper, we shall be consulting on a range of possible changes to listing and listed building control procedures.

National Lottery

Sir Mark Lennox-Boyd: To ask the Secretary of State for National Heritage which projects in the Lancaster and Morecambe travel-to-work area have benefited from lottery funding; and what sums they have received. [15094]

Mr. Sproat: Figures for national lottery projects in the Lancaster and Morecambe travel-to-work area are not available. However, 12 grants to projects totalling £2.7 million have been awarded to various projects in Lancaster and Morecambe.

	Date	*Project*	*Area(s)*	*£*
Sports	6 September 1995	Quernmore Recreation Club	Lancaster	2,314,259.00
NHMF	19 September 1995	King's Own Royal Lancaster Regiment Museum	Lancaster	94,414.00
NHMF	19 September 1995	Ruskin Library/University of Lancaster	Lancaster	62,502.00
Arts	21 September 1995	The Folly Trust	Lancaster	61,210.00
Sports	3 October 1995	Lancaster, John O'Gaunt Rowing Club	Lancaster	57,318.00
NLCB	19 December 1995	Lancaster, Morecombe and District Spastics	Morecambe and Heysham	48,000.00
NLCB	19 December 1995	Lancaster Boys Club	Morecambe	47,566.00
NLCB	19 December 1995	Lancaster and District Women's Aid	Lancaster	22,100.00
Sports	10 January 1996	Lancaster YMCA	Lancaster, Morecombe and District	17,500.00
Arts	30 March 1995	Morecombe Youth Band	Lancaster, Lancashire	15,000.00
NLCB	19 December 1995	Arthritis Care—Morecambe	Lancaster, Lancashire	6,790.00
NLCB	23 October 1995	Morecambe and Heysham Citizens Advice Bureau	Morecambe, Lancashire	6,545.00
Total		12 projects		2,753,204.00

Ms Eagle: To ask the Secretary of State for National Heritage what guidance is given to boards of trustees about the declaration of interest when fulfilling their duties of distributing national lottery funds. [15098]

Mr. Sproat: The second financial direction issued to all lottery distributors under section 26 (3) and (4) of the National Lottery etc. Act 1993 states that each distributor shall devise and abide by a procedure for handling potential conflicts of interest which may arise in the evaluation of applications by the body or individual members of that body. This should be provided to the Secretary of State before the distribution of any funds under section 25 of the Act, and thereafter at the beginning of each financial year.

It is the responsibility of the individual body concerned to ensure that trustees are aware of the respective requirements and comply with them.

Millennium Awards

Dr. John Cunningham: To ask the Secretary of State for National Heritage (1) when she plans to announce the headline themes for millennium awards as set out in her consultation document; [11988]

(2) what measures she intends to take to ensure that the millennium awards will benefit those areas of the country most in need of extra funding; [11969]

(3) how much matching funding she expects to achieve for the millennium awards; [11986]

(4) what measures she has taken to ensure that *(a)* all sections of society and *(b)* those areas of the country most in need benefit from the millennium awards; [11970]

(5) for which schemes funded by the millennium awards applicants will have to provide matching funding. [11987]

Mrs. Virginia Bottomley: This is a matter for the Millennium Commission. I shall reply to the hon. Member in my capacity as chairman of the commission and place copies of my reply in the Libraries of the House.

Torbay Picture House

Mr. Allason: To ask the Secretary of State for National Heritage if she will take steps to protect the Torbay picture house from being removed from the English Heritage list of protected buildings. [15064]

Mr. Sproat: The Torbay picture house is included as a grade II building in the statutory list of buildings of special architectural or historic interest. My right hon. Friend the Secretary of State has no plans to change its protected status. Any application for listed building consent in respect of works to the building would be a matter for the local planning authority in the first instance.

Byland Abbey (Floor Tiles)

Mr. Redmond: To ask the Secretary of State for National Heritage what action her Department has taken to preserve the medieval floor tiles at Byland abbey, North Yorkshire; and if she will make a statement. [15008]

Mr. Sproat: These medieval tiles are currently the subject of a two-year study under English Heritage's conservation research programme. This includes the completion of a photographic record of all the tiles and a survey of their condition. Environmental conditions are being monitored to give a full picture of the effects of temperature and humidity. English Heritage's report will be published in August 1996, and is expected to recommend improvements to the current maintenance regime to enable the medieval tiles to be preserved on site.

Parliamentary Questions

Mr. Kirkwood: To ask the Secretary of State for National Heritage how many written parliamentary questions were passed for answer to executive agencies and non-governmental departments in each of the last five years; and if she will make a statement. [14986]

Mr. Sproat: The information requested is a matter of public record, but it could be extracted in the form requested only at disproportionate cost.

Tourism

Mr. Pendry: To ask the Secretary of State for National Heritage if she will list *(a)* the per capita grant

in aid and *(b)* the grant in aid awarded to (i) the British Tourist Authority, (ii) the English tourist board, (iii) the Wales tourist board, (iv) the Scottish tourist board and (v) the Northern Ireland tourist board in each year since 1979. [15314]

Mr. Sproat: The total Government grant awarded to each of the statutory tourist boards for each year from 1979 to the current year in cash figures, and expressed per head of population for the countries covered by the boards was as follows:

	British tourist authority		*English tourist board*		*Scottish tourist board*		*Wales tourist board*		*Northern Ireland tourist board*	
	GIA £ million	*£ per head population*	*GIA £ million*	*£ per head population*	*GIA £ million*	*£ per head population*	*GIA £ million*	*£ per head population*	*GIA £ million*	*£ per head population*
1979–80	12.8	0.23	10.3	0.22	4.3	0.83	3.7	1.32	3.9	2.55
1980–81	14.2	0.26	11.5	0.25	5.2	1.00	4.3	1.54	4.8	3.14
1981–82	16.2	0.30	12.7	0.27	6.1	1.18	5.1	1.82	5.3	3.46
1982–83	18.1	0.33	14.9	0.32	7.2	1.40	5.6	2.00	5.2	3.38
1983–84	16.9	0.31	14.9	0.32	8.1	1.57	5.0	1.79	4.5	2.92
1984–85	17.3	0.31	17.7	0.38	10.0	1.94	6.4	2.29	5.1	3.29
1985–86	17.1	0.31	16.7	0.35	8.7	1.69	7.7	2.75	5.4	3.46
1986–87	20.6	0.37	20.3	0.43	9.1	1.78	7.9	2.82	5.6	3.57
1987–88	22.0	0.40	23.3	0.49	9.1	1.78	8.8	3.14	5.0	3.16
1988–89	23.7	0.43	25.8	0.54	9.9	1.94	9.3	3.26	5.4	3.42
1989–90	25.6	0.46	21.8	0.46	11.9	2.34	10.0	3.48	5.7	3.61
1990–91	27.5	0.49	17.2	0.36	12.3	2.41	10.6	3.68	7.5	4.72
1991–92	29.2	0.52	20.0	0.42	12.8	2.51	11.4	3.94	7.1	4.44
1992–93	30.9	0.55	18.0	0.37	13.6	2.66	13.7	4.72	11.6	7.16
1993–94	32.2	0.57	14.9	0.31	13.8	2.70	13.8	4.76	12.1	7.42
1994–95	33.2	0.59	11.3	0.23	17.4	3.39	14.4	4.95	12.5	7.62
1995–96	34.5	0.61	10.0	0.20	16.9	3.29	14.7	5.03	13.7	8.38

Sources:
Population Estimates Unit (OPCS) 1979–1994.
Government Actuaries Department 1995.
(1992—based projections).
The British Tourist Authority is responsible for marketing Great Britain overseas. The grant per capita for BTA has therefore been calculated using the total population of England, Wales and Scotland.

Geese (Royal Parks)

Mr. Tony Banks: To ask the Secretary of State for National Heritage, pursuant to her answer of 24 January, *Official Report*, column *251*, what method is used to kill geese in the royal parks; and at what time of the day the geese are killed. [14865]

Mr. Sproat *[holding answer 12 February 1996]:* Responsibility for the subject of this question has been delegated to the Royal Parks Agency under its chief executive, Mr. David Welch. I have asked him to arrange for a reply to be given.

Letter from David Welch to Mr. Tony Banks, dated 19 February 1996:

Rt Hon Iain Sproat, Minister of State for National Heritage, has asked me to reply to your Parliamentary Question about the method used to kill geese in the Royal Parks and the time of day when they are killed.

The geese are shot by the Agency's marksmen, in daylight, during the early hours of the morning.

Military Knights

Mr. Tony Banks: To ask the Secretary of State for National Heritage, pursuant to her answer of 30 January 1996, *Official Report*, column *693*, what are the criteria which must be fulfilled for officers wishing to become military knights in Windsor. [14968]

Mr. Sproat *[holding answer 13 February 1996]:* The main criteria are:

He must have held a commission in the Regular Army.

He must be appointed by the age of 65 years.

He must be physically and mentally fit and have a medical certificate to this effect.

His gross income must not exceed a certain level, set from time to time by the keeper of the Privy Purse.

Environmental Appraisals

Ms Ruddock: To ask the Secretary of State for National Heritage how many environmental appraisals were produced by her Department using the guidance contained in the Department of the Environment's "Policy Appraisal and the Environment" in 1995; and if she will place copies in the Library. [15112]

Mr. Sproat *[holding answer 14 February 1996]:* No specific environmental appraisals were produced in 1995.

Football Players (Transfers)

Mr. Meale: To ask the Secretary of State for National Heritage what assessment her Department has made of the impact of the Bosman case in the European Court of Appeal on professional football players in the United Kingdom; what assessment she has made of the extent to which out-of-contract players will be free to move to new clubs without *(a)* reference and *(b)* payment to their previous club; and what plans her Department has to issue guidelines to players on this subject. [15388]

Mr. Sproat *[holding answer 15 February 1996]:* The European Court of Justice ruling in the Bosman case established that article 48 of the EC treaty prevents clubs from demanding a payment to release an out-of-contract player to a club in another member state, and also prohibits rules limiting the number of players from other member

states which may be fielded. The court did not rule on domestic transfers. My Department is keeping in close contact with the European Commission on these issues. I understand that the English football governing bodies have acted to comply with the judgment.

Foreign Flags

Rev. Martin Smyth: To ask the Secretary of State for National Heritage what guidance has been issued as to when the flag of a foreign nation may be flown along with the national flag on Government or public buildings. [14330]

Mr. Sproat *[holding answer 15 February 1996]:* There is no Government guidance on when a flag of a foreign nation may be flown along with the Union flag on Government or public buildings.

Public Service Broadcasters

Sir Michael Grylls: To ask the Secretary of State for National Heritage if she will summarise the public service conditions which attach to each of the existing public service broadcasters, including the holders of the teletext licences; and if she will indicate in the case of any such broadcaster not being allocated guaranteed increased capacity in the digital environment the considerations underlying the decision not to allocate such capacity. [15474]

Mr. Sproat *[holding answer 16 February 1996]:* The BBC's services are governed by the terms of its charter and agreement. Channel 3 licensees are required to provide a diverse programme service calculated to appeal to a wide variety of tastes and interests, including high-quality national and international news and current affairs, religious programmes and educational programmes. The regional Channel 3 licensees also have to show regional programming. Channel 4 is required to show a suitable proportion of programmes which are calculated to appeal to tastes and interests not generally catered for by Channel 3; programmes of an educational nature; and news programmes and current affairs programmes of high quality.

S4C is required to broadcast a substantial proportion of its programmes in Welsh and these are to be of a high-quality. The public teletext licensee has to include in his service a sufficient amount of high-quality national and international news; information of a regional nature and a range of information calculated to appeal to a wide variety of tastes and interests.

Teletext has been offered capacity on the multiplex to be shared between Channel 3, Channel 4 and S4C. The Secretary of State recently met Teletext to discuss its digital service and is considering further its request for increased guaranteed capacity. No decision has yet been made on that request.

Sir Michael Grylls: To ask the Secretary of State for National Heritage if she will list the existing public service broadcasters, indicating in each case the extent to which they are to be allocated guaranteed increased capacity within the digital environment for the provision of new services. [15473]

Mr. Sproat *[holding answer 16 February 1996]:* The existing public service broadcasters are the BBC, Channel 3, Channel 4 and S4C. Teletext holds the public service teletext licence. The BBC has been offered a whole multiplex in respect of BBC1 and BBC2. Channel 3 has been offered half a multiplex—equivalent to approximately 9 megabits per second. Channel 4 has been offered half a multiplex throughout the UK except in Wales, where it has been offered a quarter of a multiplex. S4C has been offered a quarter of a multiplex in Wales.

The Government judge that a quarter of a multiplex should be more than sufficient for a broadcaster to reproduce an existing programme service to an acceptable level of picture quality in digital form. It is a matter for the broadcasters whether any extra capacity available to them is used to enhance the technical quality of the simulcast service or to provide new services. Teletext has been offered sufficient capacity on the multiplex carrying Channel 3/Channel 4/S4C to provide its existing service in digital form to a technical standard equivalent to its analogue service.

DEFENCE

Departmental Publications

Dr. Wright: To ask the Secretary of State for Defence which of his Department's administrative manuals and internal guidance are now made public; and which remain private. [14035]

Mr. Arbuthnot: My Department does not maintain a central list of all internal administrative manuals and guidance documents, and this could be compiled only at disproportionate cost. Any requests for information about such documents are dealt with in accordance with the code of practice on access to Government information, and non-disclosure will result only where the exemptions in part II of the code apply.

Competing for Quality

Mr. Colvin: To ask the Secretary of State for Defence when he expects to introduce new standard intellectual property rights arrangements to allow fair competition for Ministry of Defence contracts under the competing for quality policy. [15466]

Mr. Arbuthnot: Negotiations with industry on a new intellectual property rights protocol to encourage fair competition for contracts under the Department's competing for quality programme have been concluded satisfactorily. The new arrangements will begin to be put in place over the coming months.

RAF Aircraft

Mr. David Nicholson: To ask the Secretary of State for Defence if he will make a statement on the causes and consequences of the shortage of spare parts *(a)* for Tornado fighter aircraft and *(b)* other RAF aircraft. [15446]

Mr. Arbuthnot: I refer the hon. Member to the answer I gave to the hon. Member for South Shields (Dr. Clark) on 4 December 1995, *Official Report*, column *4*.

Written Answers to Questions

Tuesday 20 February 1996

LORD CHANCELLOR'S DEPARTMENT

Departmental Suppliers

Mrs. Roche: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15600]

Mr. Jonathan Evans: The Department intends to carry out a survey of its existing suppliers by the end of February and, thereafter, to ask potential new suppliers if they will provide information about the number of employees.

Wakefield Crown Court

Mr. Hinchliffe: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the number of occasions on which the former Wakefield Crown court building has been used for *(a)* judicial and *(b)* other purposes since its formal closure. [16052]

Mr. Jonathan Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer, and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. David Hinchliffe, dated 20 February 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about Wakefield Crown Court.

Since its closure on 3 April 1993, the former Wakefield Crown Court has been used by Leeds County Court for judicial sittings on a total of 262 occasions.

Statutory Instruments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will cause to be printed on the face of statutory instruments as an addition to the explanatory note the relevant compliance cost assessment where it is no greater than 10 per cent. of the length of the instrument itself. [15580]

Mr. Roger Freeman: I have been asked to reply.

The Government require a compliance cost assessment to accompany all statutory instruments having an impact on business, charities and voluntary organisations when they are presented to Parliament and for the explanatory note to contain a note that an assessment is available and where it can be obtained. I am satisfied that this is sufficient to ensure that compliance cost assessments on statutory instruments are generally available.

NATIONAL HERITAGE

National Collection of Contemporary Accounts

Mr. Elletson: To ask the Secretary of State for National Heritage what plans she has to encourage the establishment of a national collection of contemporary accounts on film and tape of people's memories, attitudes and experiences. [16382]

Mr. Sproat: This is an important idea. I am taking it forward. I have written to organisations with major holdings of such material to ask what material of this kind currently exists and for their views on the scope for establishing a national collection.

TREASURY

Inland Revenue

Mr. David Nicholson: To ask the Chancellor of the Exchequer what obligation the Inland Revenue has to provide taxpayers with *(a)* a copy of its charter and *(b)* a copy of its (i) working manual and (ii) other documents describing taxpayers' rights and expectations of service standards with particular reference to the valuation of premises for business rates. [15443]

Mrs. Angela Knight: The valuation of premises for business rates is carried out by the Valuation Office, an executive agency of the Inland Revenue. It has produced a charter standard statement, copies of which are available free of charge at the reception area in all its offices. In addition, a copy of the charter is sent to all taxpayers at the commencement of correspondence.

The charter describes taxpayers' rights, sets out the standard of service they can expect and how to complain if they are dissatisfied.

Working manuals are available to the public under the open government initiative. The Valuation Office has produced a leaflet entitled "Open Government", again freely available, which sets out details of how information can be obtained.

Divorce

Mr. Cohen: To ask the Chancellor of the Exchequer, pursuant to the answer of 15 January, column *418*, on pension splitting and divorce, if he will set out the basis of his calculation of the cost of pension splitting to unfunded public services schemes in 1997. [11042]

Mr. Waldegrave: If pensions were split with the scheme member's ex-spouse taking a transfer value out, this would bring forward pensions benefit costs and reduce future liabilities. The potential net costs to unfunded public service schemes given in the earlier answer relate to this change. They assume splitting of accrued pension rights equally and payment of a transfer value from the scheme at the time of divorce in all new divorce cases involving current, but not former, employees who are members of these schemes. They also assume divorce rates by age derived from information for the three years 1991 to 1993. The figures take no account of administration costs.

VAT (Domestic fuel)

Mrs. Fyfe: To ask the Chancellor of the Exchequer what is his estimate for the winter months this year and last year of *(a)* income to the Treasury from VAT on domestic fuel and *(b)* expenditure on cold weather payments. [15375]

Mr. Heathcoat-Amory *[holding answer 19 February 1996]:* Estimated income from VAT on domestic fuel was about £700 million during the period October 1994 to March 1995. The figure for this winter is not yet available.

So far this winter, 7.3 million cold weather payments totalling more than £62 million have been made.

Financial Management

Mrs. Roche: To ask the Chancellor of the Exchequer who is on the working party on financial management; how often it will meet; when its first meeting will be; and what is its remit. [15593]

Mrs. Angela Knight: The private sector-led group includes representatives of small firms organisations, accountancy bodies, banks and academia. The first meeting was held on 12 February and the group will meet as and when required in order to fulfil its remit. The group is considering whether it can identify ways of improving financial management in small firms.

Mrs. Roche: To ask the Chancellor of the Exchequer what conclusions his Department has come to with regard to the financial management certificate following the consultation period. [15594]

Mrs. Knight: Almost all the respondents were of the view that financial management within small firms was a significant problem, but a majority of small firms' representatives expressed concerns that a financial management certificate could impose an additional burden on small businesses. There was, however, considerable support for the idea of having a working group to look at other solutions to the problem, and this has been set up.

Mrs. Roche: To ask the Chancellor of the Exchequer if he will publish the submissions his Department received on a financial management certificate. [15595]

Mrs. Knight: I have arranged for respondents to the consultation document to be contacted for their agreement to the publication of their replies.

Exports (Cornwall)

Mr. Hicks: To ask the Chancellor of the Exchequer what is the estimated value of exports by business enterprises located in Cornwall on the basis of figures compiled by Her Majesty's Customs and Excise; and if he will make a statement. [15612]

Mr. Heathcoat-Amory: The location of the business enterprise making an export is not held by Her Majesty's Customs and Excise; only the address registered for VAT purposes is available, which may be at a different location within the UK. Consequently, regional analyses of the trade statistics are not produced, and information relating to the value of exports by business enterprises located in Cornwall is not available.

Departmental Suppliers

Mrs. Roche: To ask the Chancellor of the Exchequer what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15604]

Mrs. Angela Knight: The Treasury follows the good procurement practice laid down in the White Paper "Setting New Standards", Cm 2840, published in May 1995. The aim should always be to award contracts to the supplier who will provide the best value for money for any purchase.

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 20 February. [14735]

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 20 February. [14736]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Defence Exports

Mr. Llew Smith: To ask the Prime Minister if he will change Her Majesty's Government's policy of not commenting on detailed matters concerning individual defence exports. [14905]

The Prime Minister *[holding answer 16 February 1996]:* I refer the hon. Member to the statement made in the House by my right hon. Friend the President of the Board of Trade on 15 February 1996, *Official Report*, columns 1139–44.

Honours Nominations

Mr. Harris: To ask the Prime Minister how many nominations for honours have been received in the latest six month period for which figures are available compared with the last six months before the increased publicity was given to the system for public nomination. [16082]

The Prime Minister: In the last six months of 1995, 4,316 nominations were received. Statistics for the period leading up to my statement in march 1993 were not kept.

Departmental Running Costs

Mr. Andrew Smith: To ask the Prime Minister what were in each year from 1979 to 1994, in real terms, *(a)* the running costs of his private offices, separately identifying expenditure on staff and *(b)* the running costs of the Department. [15358]

The Prime Minister *[holding answer 15 February 1996]:* Information on expenditure by my office is not available on a consistent basis for the years between

1979–80 and 1985–86. Expenditure since 1986–87, at 1994–95 prices is as follows:

£ million

	Total expenditure	Staff costs	Other costs
1986–87	7.471	2.514	4.957
1987–88	7.744	2.520	5.224
1988–89	8.780	2.551	6.229
1989–90	9.603	2.703	6.900
1990–91	9.536	2.386	7.150
1991–92	9.454	2.488	6.966
1992–93	10.344	3.043	7.301
1993–94	9.395	3.331	6.064
1994–95[1]	7.671	3.217	4.454

Information on the running costs of the Cabinet Office is given in the annual report of the "Cabinet Office, Privy Council Office and Parliament", a copy of which is available in the Library of the House.

[1] In 1994–95 spending of £0.718 million on communications was transferred from No.10 budget to the Cabinet Office.

FOREIGN AND COMMONWEALTH AFFAIRS

Foreign Diplomats (Expulsion)

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs how many foreign diplomats have been expelled from the United Kingdom since 1979 for carrying out nuclear technology procurement activities which were incompatible with their status. [15960]

Mr. Hanley: There have been no such expulsions of diplomats. However, one diplomatic mission was asked to terminate the functions of two locally-engaged members of staff for carrying out nuclear technology procurement activities. A further individual, a diplomat, was excluded from the UK. Since 1979, a total of 66 diplomats have been expelled from the UK.

Jonathon Moyle

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Leyton (Mr. Cohen) of 21 November, *Official Report*, column *69*, what further developments have occurred in respect of the inquiry into the death of Jonathon Moyle. [15964]

Sir Nicholas Bonsor: The investigation by the Chilean authorities into the death of Mr. Moyle is continuing.

The inquest being conducted by HM coroner for Exeter and East Devon has not been finalised.

Consultants

Ms Quin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will indicate the size and the purpose of each contract between the diplomatic wing and management consultants for the year 1994–95 referred to in his answer to the hon. Member for Darlington (Mr. Milburn) of 12 July 1995, *Official Report*, column *590*. [15093]

Mr. Hanley *[holding answer 19 February 1996]:* In the answer to the hon. Member for Darlington (Mr. Milburn) of 12 July 1995, there was a printing error which distorted the figures. A correction was issued on 17 July 1995.

The total cost of contracts with management consultants for the year 1994—95 was £76,887.

The table sets out the size and purpose of each contract.

1. Consultancy support for running and assessing new recruitment campaigns for executive assistants and grade 9s: £7,000.

2. Assistance in drawing up and issuing the new Code of Management: £15,500.

3. A review of Science and Technology work overseas (a joint exercise with the Department for Trade and Industry): £7,000.

4. Consultancy support to Internal Audit Unit to achieve BSI accreditation to BS5750: £11,500.

5 Review of Overseas Inspectorate for possible BSI accreditation to BS5750: £500.

6. Revision of Diplomatic Service Procedure: £6,000.

7. Annual assessment fees for BSI accreditation to BS5750 for Management Review Staff (Internal Consultancy service): £900.

8. Consultancy support for an FCO Quality system: £2,000.

9. Review of the training requirements of the Management Review Staff: £2,500.

10. Consultancy support for interdepartmental benchmarking of the procurement of stationery and travel services: £5,000.

11. Consultancy support for Market testing of the Home Security Services: £11,500.

12. Presentation on contract management to the FCO Procurement unit: £300.

14. Consultancy support for business unit development in the Diplomatic Service Language Centre: £7,000.

Korean Peninsula

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy in respect of the unification of the Korean peninsular; and if he will make a statement. [15680]

Mr. Hanley: The reunification of the Korean peninsula can be achieved only through meaningful dialogue between North and South Korea. We encourage such dialogue at every opportunity.

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those items destroyed to date by the UN-supervised programme in Iraq, in accordance with UN Security Council resolution 687 which contained technology originating in the United Kingdom. [15996]

Sir Nicholas Bonsor: The United Nations Special Commission and the International Atomic Energy Agency have reported on items destroyed from time to time in their periodic reports to the Security Council, copies of which have been placed in the Library of the House, but they do not release information on the origin of those items.

ENVIRONMENT

Construction Skills Certification Scheme

Mr. Raynsford: To ask the Secretary of State for the Environment (1) what has been the total cost incurred to date on the construction skills certification scheme including *(a)* the setting-up costs, *(b)* advertising and promotional expenditure and *(c)* day-to-day administrative costs; [15391]

(2) how many operatives have to date registered under the construction skills certification scheme; and what percentage this represents of all those employed in the construction industry and eligible to register. [15392]

Mr. Robert B. Jones: Although my Department supports the objectives of the scheme, it has no responsibility for its administration or costs.

Housing Statistics

Mr. Raynsford: To ask the Secretary of State for the Environment if he will now provide figures for 1994 equivalent to those provided in respect of 1991 and 1993 in his answer of 19 July 1995, *Official Report*, columns *1414-16.* [15389]

Mr. Curry: Estimates for numbers and proportions of owner-occupiers by age and household type in England in 1994–95 are now available and are given in the table. They are on a consistent basis with the earlier figures and exclude households which entered owner-occupation through purchase as a sitting tenant from a local authority.

The proportions are drawn from the survey of English housing and are subject to sampling variability, as is the number of owner-occupiers based on them. Sampling variability is especially high for groups where the number of households are small and this is likely to cause some of the variation between age groups. These comments apply also to the figures for 1993–94 given in the earlier answer.

All households, and owner-occupiers excluding those who entered owner occupation by purchase as a sitting tenant from a local authority, by household type and age of head of household 1994–95

England

	Total households[1] Thousands	*Owner occupiers*	
		Thousands[2]	*Percentages[3]*
Married couple			
Under 25	165	88	53
25 to 29	646	472	73
30 to 34	1,047	792	76
35 to 39	1,110	837	75
40 to 44	1,128	859	76
45 to 49	1,265	980	77
50 to 54	1,027	770	75
55 and over	4,031	2,744	68
Total	10,421	7,546	72
Cohabiting couple			
Under 25	232	91	39
25 to 29	332	206	62
30 to 34	257	163	63
35 to 39	158	93	58
40 to 44	113	77	68
45 to 49	92	59	65
50 to 54	53	30	56
55 and over	94	53	56
Total	1,332	781	59
Lone parent with dependent children			
Under 25	135	4	3
25 to 29	209	23	11
30 to 34	226	66	29
35 to 39	190	67	35
40 to 44	150	67	45
45 to 49	105	60	57
50 to 54	40	24	59
55 and over	23	7	30
Total	1,076	314	29
Other multi-person			
Under 25	95	13	14
25 to 29	142	43	30
30 to 34	109	61	56
35 to 39	79	47	59
40 to 44	98	50	51
45 to 49	136	77	57
50 to 54	130	57	44
55 and over	666	339	51
Total	1,455	654	45
One person			
Under 25	220	48	22
25 to 29	436	243	56
30 to 34	414	273	66
35 to 39	290	180	62
40 to 44	261	142	54
45 to 49	294	152	52
50 to 54	275	139	50
55 and over	3,346	1,527	46
Total	5,536	2,690	49

Source:

[1] DOE household estimates.

[2] Derived by applying proportions from the 1994–95 survey of English housing (as in column 3 but before rounding) to the household numbers given in column 1.

[3] Survey of English housing 1994–95.

Water Companies (Surplus Land)

Mrs. Helen Jackson: To ask the Secretary of State for the Environment (1) what was the valuation of potential surplus land in respect of each water company at the time of privatisation; [15289]

(2) what assumed proceeds, from the disposal of surplus land, were taken into account when original price limits were set in respect of each water company. [15290]

Mr. Clappison: Details for individual companies are commercially confidential. However, the total assumed proceeds which were included in the initial K setting process were some £300 million.

Mrs. Jackson: To ask the Secretary of State for the Environment what were the actual proceeds, by water company, from the disposal of surplus land which were notified to the Director General of Water Services at the time of the 1994 periodic review. [15291]

Mr. Clappison: Details for individual companies are commercially confidential. However, the actual proceeds taken into account in the periodic review were some £96 million less than that assumed in the initial K setting process.

Mr. Jackson: To ask the Secretary of State for the Environment (1) if he will list by water company those disposals of surplus land for which approval has been sought under licence condition K of their instrument of appointment since 1992 which have had a value exceeding *(a)* £500,000, *(b)* £1 million and *(c)* £2 million or more; [15288]

(2) if he will list, by water company, the number of transfers of land to associated companies for which approval has been sought under licence condition K since 1992 which have had a value *(a)* less than £500,000, *(b)* between £500,000 and £1 million, *(c)* over £1 million and *(d)* £2 million or more. [15292]

Mr. Clappison: This is a matter for the Director General of Water Services. Details of disposals by customer service committee area are published each year in the Director General of Water Services' annual report, copies of which are held in the Library of the House.

Pollution (Incinerators)

Mr. Fisher: To ask the Secretary of State for the Environment if he will make it his policy to require Her Majesty's inspectorate of pollution to publish the levels of *(a)* chlorine and *(b)* dioxin emissions from all incinerators. [15654]

Mr. Clappison: All incinerators under the control of Her Majesty's inspectorate of pollution—HMIP—are required to meet emission limits for hydrochloric acid and dioxins from 1 December 1996. Monitoring results supplied to HMIP are normally placed on public registers. Monitoring information already obtained for dioxin emissions from municipal waste incinerators was published by HMIP on 25 September 1995.

Mr. Fisher: To ask the Secretary of State for the Environment what research his Department is conducting into the emissions of *(a)* dioxins and *(b)* chlorine from incinerators; and at what cost. [15656]

Mr. Clappison: Her Majesty's inspectorate of pollution has funded a review of dioxin emissions to air, including those from incinerators, at a cost of £65,000 plus VAT. The resulting report was published on 25 September 1995, and placed in the House of Commons Library.

HMIP has recently commissioned further research, at a cost of £43,500 plus VAT, on dioxin releases to water and land. This work will cover industrial sources, including incinerators, and non-industrial sources, and is expected to be completed during the last quarter of 1996.

Rents

Mrs. Bridget Prentice: To ask the Secretary of State for the Environment what is the average rent in *(a)* privately rented, *(b)* housing association and *(c)* council dwellings in (i) Leicester, (ii) Bradford; (iii) Normanton, (iv) Christchurch, (v) Birmingham, (vi) Sheffield, (vii) Stockport, (viii) Basildon, (ix) Leicestershire, (x) Southport, (xi) Norfolk, (xii) Chester, (xiii) Cirencester and Tewkesbury, (xiv) Swindon, (xv) Skipton and Ripon, (xvi) Blackpool, (xvii) Gloucester, (xviii) Cardiff and (xix) Scarborough. [15619]

Mr. Clappison: Average weekly local authority and housing association rents at March 1994, the latest date for which figures are available for local authorities and housing associations, are in the table. Figures are available only for local authority districts or groups of districts, e.g., counties, regions, etc.

£ per week

	Local authority[1]	*Housing association*[2]
Leicester	29.16	34.03
Bradford	29.04	33.01
Christchurch	not applicable	38.96
Birmingham	33.52	34.01
Sheffield	26.55	37.53
Stockport	26.54	34.93
Basildon	35.66	40.35
Leicestershire	28.55	35.56
Norfolk	29.88	39.19
Chester	25.44	40.80
Cotswold (Cirencester)	39.70	38.74
Tewkesbury	33.67	39.58
Thamesdown (Swindon)	30.54	38.73
Craven (Skipton)	31.92	37.61
Blackpool	28.35	36.48
Gloucester	37.83	40.92
Scarborough	29.75	39.72

Sources:

[1] Local authorities—housing subsidy claim forms.

[2] Housing associations—HAR10/1 (not grossed for missing data).

Note:

The average rent figures are not directly comparable as they take no account of differences in the composition of stock, e.g., size and type of dwellings, their age and condition.

Figures for average private sector rents are available only from sample surveys that are not large enough to produce reliable figures for individual local authorities.

For information about Cardiff, I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Hydrochlorofluorocarbons

Mr. Fisher: To ask the Secretary of State for the Environment what are his targets for phasing out HCFCs over the next 25 years. [15653]

Mr. Clappison: The Government's targets for phasing out the consumption of HCFCs—production plus imports minus exports—reflect the requirements of EC regulation 3093/94 on substances that deplete the ozone layer. HCFC consumption in the EU was frozen, by 1 January 1995, at 2.6 per cent. of CFC consumption plus total HCFC consumption in 1989. Thereafter, HCFC consumption will be reduced from this amount as follows:

by 2004: 35 per cent. reduction

by 2007: 60 per cent. reduction

by 2010: 80 per cent. reduction

by 2013: 95 per cent. reduction

by 2015: phaseout

The regulation also contains controls on the use of HCFCs which will ensure that they are used only in applications where they or CFCs have been used previously and where there is no acceptable alternative.

Energy Efficiency

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what estimates have been made of the costs to the environment *(a)* by way of reduced thermal efficiency of heating systems and *(b)* in respect of pollution levels arising from the withdrawal of the home energy efficiency grant scheme. [15447]

Mr. Robert B. Jones: We remain committed to the home energy efficiency scheme—HEES—which will continue to help make the homes of people in the greatest need warmer and more energy efficient. Grants are towards the cost of basic energy efficiency measures, and so do not affect the thermal efficiency of heating systems. Reduced fuel consumption, and thus lower carbon emissions, are among the benefits of the scheme.

Local Government Reorganisation, Devon

Mr. Allason: To ask the Secretary of State for the Environment on what date he now plans to lay the orders for the reorganisation of local government in Devon. [15555]

Sir Paul Beresford: I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State for the Environment to the hon. Member for Hereford (Sir C. Shepherd) on 13 February, *Official Report,* column *482–83.*

Methyl Bromide

Mr. Fisher: To ask the Secretary of State for the Environment if he will list the levels of production of methyl bromide in each year since 1991. [15652]

Mr. Clappison: The UK does not produce methyl bromide.

The United Nations environment programme has estimated that, in 1992, global sales of methyl bromide were about 75,625 tonnes.

Pond Protection Orders

Mr. Chris Davies: To ask the Secretary of State for the Environment what representations he has received from organisations seeking legislation to introduce pond protection orders to assist the conservation of ponds as wildlife habitats; and if he will make a statement. [15435]

Mr. Clappison: I understand that my Department has received one representation in recent years.

Ponds have an important part to play as a habitat for wildlife. A survey published in 1994 showed that the number of ponds in Great Britain declined between 1984 and 1990, but that there was some evidence of new ponds being created more recently for farming and wildlife reasons. My Department is commissioning further research to look at more recent trends and to make a qualitative assessment of the national pond resource. The results should be available next year.

Environment Agency

Mr. Steen: To ask the Secretary of State for the Environment what plans he has to undertake a compliance cost assessment for the establishment of the new United Kingdom Environment Agency. [15587]

Mr. Clappison *[holding answer 19 February 1996]:* A compliance cost assessment for the establishment of the new environment agencies was prepared for the Environment Bill in 1995, as explained in the explanatory and financial memorandum to the Bill. I have today sent a copy of the assessment to the hon. Member.

Areas of Special Scientific Interest

Mr. Bennett: To ask the Secretary of State for the Environment, pursuant to his answer of 13 February, *Official Report,* when the consultation process will *(a)* begin and *(b)* end. [16038]

Mr. Clappison: The Wildlife Bill introduced by my hon. Friend the Member for Gillingham (Mr. Couchman) contains provision to extend the powers of the court to make restoration orders. It would not be appropriate for the Government to carry out consultations on their own proposals while the Bill is before Parliament.

Small and Medium Enterprises

Mrs. Roche: To ask the Secretary of State for the Environment what meetings his Department has had with organisations representing small firms since May 1995 to review the scope for simplifying the tendering procedure. [15683]

Sir Paul Beresford: My Department was represented at a meeting chaired by Treasury with small firm representatives on 27 November 1995, which explored the scope for simplification.

Mrs. Roche: To ask the Secretary of State for the Environment what has been the outcome of his Department's review of measures taken to facilitate small firms' access to appropriate areas of Government procurement. [15684]

Sir Paul Beresford: My Department's new computerised procurement order system will be used to identify suppliers by size as part of the supplier base analysis programme promoted by the White Paper "Setting New Standards". The Department's new procurement guide will also highlight its support for the DTI policy on promoting the use of small and medium enterprises.

Mrs. Roche: To ask the Secretary of State for the Environment what actions his Department has taken to improve awareness amongst procurement staff of the potential benefits and pitfalls of purchasing from small and medium-sized enterprises. [15682]

Sir Paul Beresford: My Department has published details on the perceived advantages of using small firms in its purchasing guide, which has been issued to all its main procurement branches.

A representative of the Department of Trade and Industry small firms unit has also recently given a presentation on small and medium enterprises to DoE procurement staff.

Mrs. Roche: To ask the Secretary of State for the Environment what progress his Department has made regarding establishing a contact point with responsibility for liaison with relevant business support organisations and taking forward SME-related public procurement initiatives. [15640]

Sir Paul Beresford: This Department's contact point is identified in the DTI booklet "Tendering for Government Contracts".

Mrs. Roche: To ask the Secretary of State for the Environment what work his Department has done to develop best practice on publication of departmental procurement guidance material relevant to small and medium-sized enterprise needs. [15681]

Sir Paul Beresford: The DTI booklet "Think Big, Buy Small" has been advertised in procurement circulars which are distributed throughout my Department.

Members of my Department's procurement staff also recently took part in the filming of a forthcoming DTI video, which will promote the small firms initiative.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for the Environment what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15597]

Sir Paul Beresford: This Department is developing an IT procurement order processing system with reporting packages that will be the basis of fuller management information on all its suppliers. That system will be available from this autumn.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for the Environment if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15740]

Sir Paul Beresford: My right hon. Friend currently appoints board members to three regulatory bodies: the Health and Safety Commission, the National Rivers Authority and the Environment Agency.

The Health and Safety at Work etc., Act 1974 states that the Health and Safety Commission shall consist of a chairman and not less than six, and not more than nine, members, and that as to three of those members—30 per cent. of the full board—the Secretary of State shall consult organisations representing employers. The board is currently at full strength.

Some 58 per cent. of the present members of the National Rivers Authority and 50 per cent. of the present members of the Environment Agency have past or present business interests, but they have been appointed in a personal capacity and not to represent those interests. The National Rivers Authority will cease operations on 31 March 1996.

My right hon. Friend also appoints the Director General of Water Services. He is supported by the Office of Water Services, a non-ministerial Government Department which does not have an appointed board.

Thames Water

Mr. Rendel: To ask the Secretary of State for the Environment if the Thames groundwater pumping scheme was included in the privatisation of Thames Water. [15874]

Mr. Clappison: The former Thames water authority's west Berkshire groundwater scheme, which includes assets such as pumping stations was transferred from the authority to the National Rivers Authority in accordance with an agreement made under schedule 2 to the Water Act 1989, which was approved by my right hon. Friend the then Secretary of State for the Environment on 31 August 1989.

Private Sector Housing

Mr. Peter Atkinson: To ask the Secretary of State for the Environment what financial support will be available towards local housing authorities' expenditure on private sector housing renewal following enactment of the Housing Grants, Construction and Regeneration Bill. [16385]

Mr. Curry: Clauses 91 and 134 of the Bill authorise the Secretary of State to make contributions to local housing authorities towards expenditure incurred by them under part I and clause 127 of the Bill.

Resources will continue to be distributed to local housing authorities in England as part of their annual housing investment programme allocation. However, from 1 April 1997, the allocations for private sector renewal and disabled facilities grants will be made as two separate allocations.

Disabled facilities grants will continue to be supported through specified capital grant to reimburse 60 per cent. actual eligible expenditure. A guideline allocation will be notified to local authorities and a supplementary credit approval up to the guideline allocation will also be provided.

All other expenditure under these provisions will be supported by a specific capital grant to reimburse 60 per cent. of expenditure up to a cash limit notified to each authority.

The Exchequer support for eligible expenditure incurred up to 31 March 1997 will be paid under the present arrangements.

English Nature

Mr. Peter Atkinson: To ask the Secretary of State for the Environment if he will make a statement about the current financial, management and policy review of English nature. [16386]

Mr. Clappison: In response to the Government's requirement that all executive agencies and non-departmental public bodies be subjected to regular and detailed scrutiny at least every five years, my Department is conducting a financial management and policy review of English Nature.

The review will draw on work which has already been done on the study into the possible merger between English Nature and the Countryside Commission, the results of which were announced by my right hon. Friend

the Secretary of State on 7 October 1994. The current review will encompass English Nature's organisation and structure; general and financial management; and systems of financial control. The scope for further contractorisation of English Nature's work will be specifically addressed by the review.

The review is due to be completed by mid-June 1996.

Protection Advisory Committees

Mr. Peter Ainsworth: To ask the Secretary of State for the Environment what are the Environment Agency's proposals for the membership of its regional environment protection advisory committees. [16387]

Mr. Clappison: The agency has submitted, under section 12 of the Environment Act 1995, membership schemes for its regional environment protection advisory committees in England. At the same time, it has brought the schemes to the attention of persons likely to be interested in them, who may make representations or objections about the schemes to my right hon. Friend the Secretary of State for the Environment by 4 March. Any representations and objections received will be taken into account before a decision is taken on whether to approve the schemes.

The agency has also submitted a scheme for its Welsh region to my right hon. Friend the Secretary of State for Wales.

Copies of the schemes have been placed in the Library of the House. The schemes include descriptions of bodies or persons with an interest in the agency's activities. Once schemes are approved, individual appointments are made by the agency itself after consultation.

Environmental Statistics

Sir Donald Thompson: To ask the Secretary of State for the Environment what are his policies for publishing environmental statistics. [16455]

Mr. Gummer: My Department publishes a wide range of environmental statistics every year, primarily in the annual "Digest of Environmental Statistics", the next edition of which is to be published in May. This is to be supplemented in 1996 by a new booklet giving key facts in graphical and tabular form, which we hope will be particularly useful for those wanting a pocket-sized summary and for schools. Key information from the digest is also to be made available through the Internet for the first time later this year.

A more limited set of statistical information was given in the "Sustainable Development Strategy", published in 1994. It is planned that this will be updated in 1997, five years on from the earth summit held in Rio de Janeiro in 1992. In the meantime, the Government continue to publish annual White Papers reporting progress with the strategy. The next is due in March this year.

A new report, presenting a preliminary set of "Indicators of Sustainable Development for the United Kingdom" will also be published in March. This follows a commitment given in the "Sustainable Development Strategy" to publish a set of indicators within two years. The United Kingdom will, we believe, be one of the first countries in the world to publish such indicators. The indicators will be the subject of consultation and development, and will be updated on a regular basis, probably every two years.

The new Environment Agency is to publish early in April 1996 a summary of the state of the environment in England and Wales. This will be made available through the Internet.

In addition to the more technical "Digest of Environmental Statistics", my Department also published, in 1992, the first edition of a compendium statistical report "The UK Environment", aimed at schools and colleges. This was successful and we had planned to update it in 1997. However, in view of the wide range of statistical publications planned in the next few years which I have described, I have decided that it would be better to devote our resources to producing a special edition of "UK Environment" in 1999 to mark the beginning of the new millennium. My Department will discuss with the environment agencies what contribution they might make to the preparation of this report.

SCOTLAND

Electro-convulsive Therapy

Mr. Worthington: To ask the Secretary of State for Scotland what proposals the Mental Welfare Commission has made to him for changing the conditions under which electro-convulsive therapy is administered. [15420]

Lord James Douglas-Hamilton: My right hon. Friend has received no such proposals from the Mental Welfare Commission for Scotland.

Mr. Worthington: To ask the Secretary of State for Scotland what plans he has for changes in the law about the control of electro-convulsive therapy treatment. [15421]

Lord James Douglas-Hamilton *[holding answer 19 February 1996]:* My right hon. Friend has no immediate plans to change the law relating to electro-convulsive therapy. Consideration is, however, being given to the report of the Scottish Law Commission on incapable adults, which covers this subject.

Mr. Worthington: To ask the Secretary of State for Scotland what representations he has received regarding the desirability of two doctors being required to authorise electro-convulsive therapy treatment. [15418]

Lord James Douglas-Hamilton *[holding answer 19 February 1996]:* My right hon. Friend has received a number of representations from members of the public, local authorities and Members of Parliament that a second medical opinion should be obtained in any case where electro-convulsive therapy is proposed as part of a patient's treatment plan.

The report from the Scottish Law Commission on incapable adults, which we are presently considering, also bears on this subject.

Mr. Worthington: To ask the Secretary of State for Scotland what procedures are followed where a change is made to the conditions under which electro-convulsive therapy treatment is administered in Scottish hospitals. [15419]

Lord James Douglas-Hamilton *[holding answer 19 February 1996]:* In such circumstances, guidance would normally be issued by the Scottish Office.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Scotland what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15609]

Lord James Douglas-Hamilton: From 1 April 1996 the Scottish Office intends to record this information on its computer payment system. This facility is not available at present, but information is currently being recorded in preparation for the system becoming operational.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for Scotland if he will list each regulatory agency for which he is responsible indicating for each the percentage of business people on the board. [15734]

Lord James Douglas-Hamilton: The Scottish Fisheries Protection Agency and the Scottish Agricultural Science Agency are two of my right hon. Friend's executive agencies which carry out regulatory activities on his behalf. Neither agency has any non-executive directors.

Among the non-departmental public bodies for which my right hon. Friend is responsible, the Scottish Environment Protection Agency, which becomes fully operational from 1 April 1996, has regulatory functions relating to environmental protection and Scottish Natural Heritage has powers in relation to the protection of Scotland's natural heritage. Of the 12 board members of SEPA, three are from the business sector and one from the farming sector. Of the 12 board members of SNH, four represent the farming sector and one manages a zoological park.

Scottish Schools Equipment and Research Centre

Mr. Dalyell: To ask the Secretary of State for Scotland what plans he has to close down the Scottish Schools Equipment and Research Centre. [16051]

Mr. Raymond S. Robertson: None.

Hepatitis C

Mr. Wallace: To ask the Secretary of State for Scotland how many patients in Scotland have contracted hepatitis C virus as a result of NHS blood or plasma transfusions. [16087]

Lord James Douglas-Hamilton: A UK-wide "look back" exercise was announced in January 1995 with a view to tracing, counselling and, where appropriate, treating those who may have been exposed to the hepatitis C virus through blood donated before the introduction of testing in September 1991. The best current estimate is that there are around 350 individuals in Scotland infected in this way. It is not possible to give a more precise figure until work on this complex exercise has been completed.

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of his Department's expenditure on newspapers and magazines in *(a)* 1993–94, *(b)* 1994–95 and *(c)* 1995–96, to date; and if he will list the publications purchased for the latest year for which information is available. [11412]

Lord James Douglas-Hamilton *[holding answer 30 Janaury 1996]:* Details of the total cost of newspapers and magazines purchased by the Scottish Office library and information service are as follows:

1993–94: £186,461

1994–95: £186,210

1995–96: £109,497 (to end January)

The Department purchaser or obtains free of charge a wide range of newspapers and periodical publications. A list of their titles has been placed in the Library of the House.

WALES

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for Wales if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15733]

Mr. Hague: One appointment is made to the board of the Environment Agency which does not assume executive functions until 1 April 1996. That person's occupation is shown as retired.

New Dwellings

Mr. Raynsford: To ask the Secretary of State for Wales (1) if he will list the total number of dwellings completed by *(a)* local authorities, *(b)* housing associations, *(c)* development corporations and *(d)* other public authorities, in each local authority area in Wales in each year since 1979; [15070]

(2) if he will list the total number of dwellings started by *(a)* local authorities, *(b)* housing associations, *(c)* development corporations and *(d)* other public authorities, in each local authority area in Wales in each year since 1979. [15069]

Mr. Gwilym Jones: In view of the large number of statistics requested, I shall place a copy of the relevant tables in the Library of the House.

Arable Area Payments Scheme

Dr. Strang: To ask the Secretary of State for Wales how many payments were made in Wales in 1994–95 under the arable area payments scheme of between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000 *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000, *(i)* £100,001 and £150,000 and *(j)* £150,001 and over. [15323]

Mr. Gwilym Jones: The information requested is as follows:

Payment band	*Number of payments*
£0–£5,000	2,088
£5,001–£10,000	144
£10,001–£15,000	79
£15,001–£20,000	21
£20,001–£25,000	32
£25,001–£50,000	4
£50,001–£75,000	1
£75,001–£100,000	

Dr. Strang: To ask the Secretary of State for Wales how many payments he expects to be made in Wales in 1995–96 under the arable area payments scheme of between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000, *(i)* £100,001 and £150,000, *(j)* £150,001 and £200,000, *(k)* £200,001 and £250,000 and *(l)* £250,001 and over. [15324]

Mr. Jones: Figures for 1995–96 are not yet available, but I do not expect the number and distribution of payments to change significantly from 1994–95.

Set-aside Payments

Dr. Strang: To ask the Secretary of State for Wales how many payments *(a)* were made in Wales in 1994–95 and *(b)* he expects to be made on 1995–96 for set-aside between (i) £0 and £5,000 (ii) £5,001 and £10,000, (iii) £10,001 and £15,000, (iv) £15,001 and £20,000, (v) £20,001 and £25,000 and (vi) over £25,001. [15339]

Mr. Gwilym Jones: The information requested is as follows:

Payment band	*Number of payments*	
	1994–95	*1995–96 (Estimate)*
£0–£5,000	331	342
£5,001–£10,000	32	44
£10,001–£15,000	6	10
£15,001–£20,000	3	1
£20,001–£25,000	1	1
£25,000+	0	1

Nature Reserve, River Usk

Mr. Ron Davies: To ask the Secretary of State for Wales what is the policy of the European Commission in respect of the proposed nature reserve site east of the River Usk. [15576]

Mr. Hague: In relation to the loss of the Cardiff bay site of special scientific interest, the European Commission has accepted that the proposed Uskmouth–Goldcliff nature reserve will provide measures, which in addition to management plans for 31 estuaries in the United Kingdom, meet the requirements of article 6(4) of directive 79/0409/EEC on the protection of birds.

Mr. Davies: To ask the Secretary of State for Wales if the intended management agreements on the proposed nature reserve east of the River Usk are binding in perpetuity in the event of future transfers of ownership. [15574]

Mr. Hague: The Land Authority for Wales will secure any management agreements in accordance with the Perpetuities and Accumulations Act 1964, and such agreements will be registered and binding on the present owners and successors in title.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Wales what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15602]

Mr. Hague: My Department already requests that suppliers identify their number of employees on submission of their tenders.

South and East Wales Ambulance NHS Trust

Mr. Morgan: To ask the Secretary of State for Wales if he will set up an independent inquiry into the accounts, financial viability and geographical boundaries of the South and East Wales Ambulance NHS trust. [16194]

Mr. Hague: No.

Mr. Morgan: To ask the Secretary of State for Wales if he will make a statement on the resignation of the chairman of the South and East Wales Ambulance NHS trust with effect from 15 February; and what the current financial position is as regards its contracts with *(a)* Powys health authority, *(b)* South Glamorgan health authority and *(c)* Gwent health authority. [16195]

Mr. Hague: A copy of the announcement I made on the 15 February has been placed in the Library of the House. Contracts between the trust and its purchasers are a matter for them.

TRADE AND INDUSTRY

Unit Labour Costs

Mr. MacShane: To ask the President of the Board of Trade if he will list the change in unit labour costs for each year since 1979 in *(a)* the United Kingdom, *(b)* the United States of America, *(c)* Japan, *(d)* Germany, *(e)* France, *(f)* Italy, *(g)* the Netherlands and *(h)* Sweden. [11820]

Mr. Oppenheim: The information requested is shown in the table.

The figures are affected by short-term exchange rate movements which can bear no relation to the strength of economic fundamentals.

Percentage change in unit labour costs in manufacturing industry since 1979 (in US$)

Year	United Kingdom	United States of America	Japan	Germany	France	Italy	Netherlands	Sweden
1979	30.5	11.2	–5.8	12.5	14.5	13.0	10.2	5.4
1980	33.6	14.4	–0.9	11.4	15.5	8.8	5.3	10.9
1981	–3.9	6.0	5.0	–16.0	–12.7	–11.3	–18.8	–7.7
1982	–9.8	5.2	–11.7	–1.7	–8.3	–3.1	–2.9	–16.5
1983	–13.7	0.5	5.0	–5.2	–6.9	–0.9	–8.2	–15.5
1984	–9.7	1.9	–2.0	–9.1	–6.9	–9.7	–15.9	–3.9
1985	2.4	1.8	–2.7	–1.7	1.5	–2.2	–2.1	4.4
1986	18.2	1.5	51.3	40.3	33.0	31.9	38.6	28.3
1987	17.4	–4.0	10.1	28	17.4	18.1	23.9	17.5
1988	9.8	1.6	8.5	2.6	–2.0	1.2	0.0	8.6
1989	–2.7	3.4	–7.8	–5.2	–6.3	1.2	–9.3	1.9
1990	11.2	3.5	–4.4	19.5	21.2	22.5	18.0	18.4
1991	5.4	3.0	8.3	0.2	0.3	3.5	1.0	5.7
1992	5.0	2.0	11.1	13.5	7.9	2.9	11.9	3.2
1993	–12.8	0.1	16.9	–0.2	–4.5	–21.0	–3.8	–30.9

Source:
Prepared by United States Department of Labor, Bureau of Labor Statistics, Office of Productivity and Technology for 'Comparative manufacturing productivity and unit labour costs'
Monthly Labour Review, February 1995.

Exports

Mr. Cousins: To ask the President of the Board of Trade if he will supply information about British exports to *(a)* Portugal, *(b)* Thailand, *(c)* Greece, *(d)* Cyprus and *(e)* Singapore in the same form as that given in his answer of 14 June 1994, *Official Report*, column *419*. [15178]

Mr. Oppenheim: The information is provided in the table.

Value of United Kingdom visible exports

£ million, current prices

Section/Description	Portugal		Thailand		Greece		Cyprus		Singapore	
	1971–80	*1981–90*	*1971–80*	*1981–90*	*1971–80*	*1981–90*	*1971–80*	*1981–90*	*1971–80*	*1981–90*
0 Food and live animals	57.7	160.4	25.2	62.7	55.2	197.1	55.5	178.3	49.2	137.2
1 Beverages and tobacco	21.6	147.3	10.5	176.1	44.8	311.5	32.3	78.6	49.5	338.7
2 Crude materials, inedible, except fuels	87.7	220.8	4.7	25.8	75.6	142.3	3.7	11.3	4.8	36.6
3 Mineral fuels, lubricants and related materials	120.8	694.2	4.0	10.7	36.1	225.9	8.5	20.5	13.6	39.6
4 Animal and vegetable oils, fats and waxes	3.1	2.6	1.0	1.0	1.1	1.7	0.6	1.3	2.7	3.3
5 Chemicals and related products not elsewhere specified	294.4	864.5	122.5	461.9	187.8	671.3	55.8	174.8	280.8	976.0
6 Manufactured goods classified chiefly by material	431.6	806.2	80.7	292.5	289.7	867.2	134.8	305.9	275.8	889.0
7 Machinery and transport equipment	1,041.5	2,575.8	283.7	920.5	748.9	1,524.4	335.1	473.6	883.8	2,562.1
8 Miscellaneous manufactured articles	133.1	424.4	33.0	109.2	94.2	460.6	54.2	188.1	165.8	823.9
9 Commodities and transactions not elsewhere classified	21.2	53.3	24.4	64.1	21.0	58.7	22.1	40.3	60.1	190.5
Totals	2,212.8	5,949.5	621.8	2,124.5	1,554.4	4,460.6	702.5	1,472.7	1,786.0	5,996.9

Source:
Overseas Trade Statistics of the United Kingdom.

Food and Drink Industry

Dr. Strang: To ask the President of the Board of Trade (1) what was the contribution of food and drink wholesale and retail distribution to the gross domestic product of the United Kingdom in 1995 *(a)* in cash and *(b)* as a percentage of gross domestic product; [15327]

(2) what was the contribution of the food and drink industry in total to the gross domestic product of the United Kingdom in 1995 *(a)* in cash and *(b)* as a percentage of gross domestic product; [15325]

(3) what was the contribution of catering to the gross domestic product of the United Kingdom in 1995 *(a)* in cash and *(b)* as a percentage of gross domestic product. [15328]

Mr. Oppenheim: The detailed information required to answer these questions is compiled only every five years. Latest available information is for 1990 and is published in the United Kingdom national accounts Central Statistical Office methodological paper No.1

"The measurement of output in the estimation of GDP", which is available in the Library of the House. Data for 1995 are not expected to be available before 1998.

Dr. Strang: To ask the President of the Board of Trade what was the contribution of food and drink manufacturing to the gross domestic product of the United kingdom in 1995 *(a)* in cash and *(b)* as a percentage of gross domestic product. [15326]

Mr. Oppenheim: The latest available information is for 1994 and shows the contribution to GDP by food and drink manufacturing to be £16,749 million, 2.9 per cent. of total GDP. Information for 1995 will not be available until August 1996. It will be published in table 2.3 of the United Kingdom national accounts "The Blue Book", which is available in the Library of the House.

Regulatory Bodies

Mr. Steen: To ask the President of the Board of Trade if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15741]

Mr. John M. Taylor: The Office of Fair Trading, Office of Electricity Regulation, Office of Gas Supply and Office of Telecommunications are independent non-ministerial Government Departments. Statute creates the posts of director general and provides for him/her to have an office. There are no boards of management.

Regional Selective Assistance

Mr. Robert Ainsworth: To ask the President of the Board of Trade, pursuant to his answer of 6 February, *Official Report*, columns *141–44*, if he will list in each case *(a)* the value of the offer and *(b)* the name of the firm and the constituency in which it is located. [15626]

Mr. Oppenheim: Information on accepted offers of regional selective assistance, over £75,000, is published in "Labour Market Trends", formerly the "Employment Gazette". This is given on the basis of travel-to-work areas.

Iraq (Military Equipment)

Mr. Llew Smith: To ask the President of the Board of Trade what investigation has been carried out by his Department's export control organisation into the sale of equipment and technology to Iraq by the Astra company since 1985. [15965]

Mr. Oppenheim: The activities of Astra, insofar as they relate to the sale of equipment and technology to Iraq since 1985, are covered in Sir Richard Scott's report. The Trade and Industry Committee is examining the DTI's role in granting export licences to BMARC, a subsidiary of Astra Holdings plc from May 1988, for the export of naval guns to Singapore. BMARC was known as Astra Defence Systems Ltd. between June 1989 and April 1991. My Department has carried out investigations in order to assist both these inquiries.

Economic Statistics

Mrs. Beckett: To ask the President of the Board of Trade what are the last figures for *(a)* United Kingdom and *(b)* EU average (i) inflation, (ii) industrial production and (iii) trade outside the EU. [11059]

Mr. Lang: Data on UK and EU average inflation is regularly published by Central Statistical Office in its retail prices index first release. Indices of industrial production for the UK and EU average are regularly published in the OECD main economic indicators. Information on UK and EU trade outside the EU is regularly published by Eurostat in "External Trade", monthly statistics. Copies of all three publications are available in the Library of the House.

Trade Balances

Mrs. Beckett: To ask the President of the Board of Trade what is the trade balance for each EU country with the rest of the EU. [11061]

Mr. Lang: The information requested is provided in the table:

EU Countries visible trade balance[1] with the rest of the EU 1994

	£ billion
Belgium/Luxembourg	10.1
Denmark	1.7
France	–4.3
Germany	10.1
Greece	–5.7
Ireland	5.1
Italy	4.5
Netherlands	24.7
Portugal	–3.7
Spain	–4.4
UK	–4.6

Note:
[1] Visible exports less visible imports.
Source:
Intra and Extra EU Trade, published by Eurostat.

Export Licences

Mr. Llew Smith: To ask the President of the Board of Trade if he will list the name of the applicant in respect of each piece of correspondence dealt with by his Department on export licensing dated 6 April 1988. [15719]

Mr. Oppenheim: Information is not held in this form.

Nuclear Power

Mrs. Beckett: To ask the President of the Board of Trade, pursuant to his answer of 6 February, *Official Report*, columns *146–47*, what assessment he has made of whether the proposed sale of part of the nuclear power generation industry complies with EC rules; and if he will make a statement on the extent of Govnerment subsidy in respect of the sale of the nuclear power generation industry. [16209]

Mr. Lang: The proposed sale of part of the nuclear power generation industry will comply with EC rules. It is not the Government's intention to pay subsidy to British Energy plc.

Waste Processing

Mrs. Beckett: To ask the President of the Board of Trade what liabilities the Government propose that British Energy carry for reprocessing waste; and if he will make a statement. [16193]

Mr. Lang: The Government have made it clear that in the restructuring of the nuclear generators liabilities will follow assets. British Energy will therefore carry those liabilities associated with its assets.

Small Firms Loan Guarantee Scheme

Mrs. Roche: To ask the President of the Board of Trade, pursuant to his answer of 12 February, *Official Report*, column *404*, when he expects to announce the results of his review into the small firms loan guarantee scheme. [15687]

Mr. Page: I expect to be able to make an announcement shortly.

Small Business Ministerial Group

Mrs. Roche: To ask the President of the Board of Trade what assessment he has made of the benefits to small and medium-sized enterprises from the first meeting of the small business ministerial group. [15679]

Mr. Page: The first meeting of the small business ministerial group took place on Monday 30 October 1995. The group has already met its initial objective of providing a forum for co-ordinated and cohesive policy to help small firms.

Departmental Suppliers

Mrs. Roche: To ask the President of the Board of Trade what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15610]

Mr. John M. Taylor: The Department's standard form requesting tenders or quotations for routine purchases includes a "Statement of Size of Organisation", which asks for details on the number of employees and annual turnover.

Press Officers

Mrs. Roche: To ask the President of the Board of Trade, pursuant to his answer of 5 February, *Official Report*, column *17*, how many press officers worked, and how much of the budget was spent, on small business issues for each year listed. [15635]

Mr. John M. Taylor: As fostering the creation and development of small and medium-sized businesses is one of the objectives of the DTI, it follows that a proportion of most departmental press officers' time is spent on small business issues.

It is not possible to disaggregate the centrally managed budgets to show spend on small business issues separately.

EU Legislation

Mr. Steen: To ask the President of the Board of Trade on which occasions in the last three years officials have vetoed draft EC legislation on the ground that a fiche d'impact had not been correctly prepared. [13647]

Mr. Oppenheim *[holding answer 9 February 1996]:* The correct preparation of fiches d'impact is a very important part of our consideration of proposals for EC legislation. It is one of the factors taken into account when Ministers consider the UK's negotiating position on a particular proposal.

DEFENCE

Bosnia

Dr. David Clark: To ask the Secretary of State for Defence what proportion of Britain's contribution to the Bosnian implementation force operation are reservists. [14579]

Mr. Soames *[holding answer 9 February 1996]:* Some 3.6 per cent. of Britain's contribution to the IFOR operation are reservists.

Ministry of Defence Police

Mr. Allen: To ask the Secretary of State for Defence on what basis the amount that the Royal Ordnance paid his Department for the services of the Ministry of Defence police is classified as commercially sensitive information; and if he will make a statement. [15212]

Mr. Soames *[Pursuant to his reply 17 January 1996, Official Report, column 580]:* The financial aspects of contractual arrangements concerning the supply of goods or services to or from my Department are regarded as commercially confidential. Details of the amounts paid by Royal Ordnance plc for the services of the Ministry of Defence police are no exception.

Offset Agreements

Mr. Spellar: To ask the Secretary of State for Defence what arrangements his Department makes to monitor offset agreements and ensure compliance. [15947]

Mr. Arbuthnot: Companies with offset obligations are required to submit reports to my Department every six months, detailing relevant contracts awarded to UK defence industry during the reporting period. A full audit of these reports is conducted in order to establish the validity of the claims and to ensure that the companies are complying with the terms and conditions of their offset commitment.

Scott Inquiry

Mr. Llew Smith: To ask the Secretary of State for Defence if he will publish the assessment made by his expert advisory group on whether export licences should have been granted to Matrix Churchill for equipment subject to examination by Lord Justice Scott's inquiry. [15966]

Mr. Arbuthnot: This matter is dealt with by Sir Richard Scott's report. Sir Richard intends to publish in due course copies of those documents that he considers are relevant to the text of his report.

Mr. Alan Williams: To ask the Secretary of State for Defence how much has been spent on external legal advice for Ministers and civil servants in relation to the Scott inquiry and report since the period covered by his answer of 15 January, *Official Report*, column *734*. [15901]

Mr. Arbuthnot: The value of legal services charged by the Treasury Solicitor's Department in respect of Ministers and officials since the period covered by my previous answer is £255.

Royal Yacht

Mr. Gordon Prentice: To ask the Secretary of State for Defence what considerations he will take into account in deciding whether to replace the royal yacht; and if he will make a statement. [15955]

Mr. Tony Banks: To ask the Secretary of State for Defence who is responsible for considering a replacement for the royal yacht Britannia. [15899]

Mr. Soames *[holding answer 19 February 1996]:* The Government as a whole are considering the question of a replacement for Britannia. All relevant factors will be taken into account in reaching a final decision, including the role a replacement yacht might play in representing the nation overseas and in promoting British exports. An announcement will be made in due course.

Unexploded Bombs

Mr. Morgan: To ask the Secretary of State for Defence, pursuant to his answer of 12 February, *Official Report*, column *445*, if he will specify the sanctions and method for monitoring, follow-up and investigation of contractors not following such guidance. [15995]

Mr. Soames: My Department has no procedures in respect of contractors failing to act as described in my earlier answer, a circumstance which I find hard to envisage.

Munitions Shipments

Mr. Llew Smith: To ask the Secretary of State for Defence if he will update his answer to the hon. Member for Blaenau Gwent of 13 May 1993, *Official Report*, column *527*, relating to munitions shipments. [16007]

Mr. Soames *[holding answer 19 February 1996]:* I have nothing to add to the reply given on 13 May 1993.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Defence what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15605]

Mr. Arbuthnot: I have no plans to do so. As my answer on 19 December 1995, *Official Report*, column *1108*, indicated, size is not a discriminatory factor when we award a contract. Collecting data from our suppliers on the number of staff they employed would place an unnecessary regulatory burden on companies while serving no useful purpose from my Department's point of view.

Army Careers Information Offices

Mr. Elletson: To ask the Secretary of State for Defence if he will make a statement on progress on the review of the number and location of Army careers information offices. [16383]

Mr. Soames: The review of the requirement for Army careers information offices has now been completed. It has been decided that 36 offices that were due for closure during the current financial year should remain open. Additionally, five new offices will be opened in areas where recruiting has been buoyant in the past. These offices will remain open for a initial period of one year to allow time for the recruiting initiative with the jobcentres, launched last month, to settle down.

Bett Review

Mr. Alison: To ask the Secretary of State for Defence if he will make a statement on progress on his Department's consideration of the recommendations in the report of Sir Michael Bett's independent review of armed forces' career and manpower structures and terms and conditions of service. [16384]

Mr. Soames: In the answer I gave to the hon. Member for Arundel on 26 June, *Official Report*, column *503*, I described the detailed work set in train on Sir Michael Bett's report. Good progress is being made and it remains our intention to complete this work in time to make a definitive announcement in the summer.

In some areas, we have already reached conclusions. To meet the first and fundamental recommendation that a services personnel board should be created, a management group chaired by the Chief of the Defence Staff, has been established. This group will include an external member with relevant experience. The group is developing a personal strategy which will help shape future terms and conditions of service. The group has endorsed guidelines to apply to individual areas of personnel policy, which are now being promulgated, and a copy of which is being placed in the Library.

The initial stages of detailed work have concentrated on career and rank structures, the balance between mobility and stability, policies on accompanied and unaccompanied service and related issues. The rank structure must be driven by operational considerations, including the need for continuity of command in the face of casualties. Account also needs to be taken of the increasingly multinational nature of operations and the need therefore for the UK rank structure to fit together with that of other countries. In the light of these considerations, we have decided not to implement the full package of changes proposed. In the case of officers, promotions to five star rank in peacetime will cease and other minor changes will be made: for other ranks some streamlining is planned. In both cases, the possibility of further changes will be kept under review in the light of the introduction of new arrangements for job evaluation and pay. We agree on the importance of using the minimum number of ranks and layers in non-operational organisations.

We endorse the proposals for a more flexible pay system based on pay ranges, underpinned by improved job evaluation arrangements and involving a looser coupling of rank and pay. This is a particularly complex area and much detailed design work is now required. We have also endorsed in principle the recommendation that a tri-service agency should be established to manage personnel administration and pay delivery systems.

We are giving detailed consideration to the independent reviews' recommendations on career incentives and pensions. We recognise that any new career structures must give us the best means to manage recruitment and retention of the right numbers and high-quality personnel the services of the next century will need. In terms of postings and turbulence, each of the services intends to offer greater predictability in career management and improved family stability for its personnel wherever possible. We shall also be pursuing the recommendations about the need to support greater individual choice in such matters as home ownership and accompanied service.

Further study and development work are continuing. We expect changes introduced as a result of the review to be broadly neutral in cost terms—this is not a savings exercise. At the same time, we will be looking to achieve reductions in the longer term resource cost of manpower and increased value for money, as Sir Michael envisaged, through better management of our people. Service personnel are being kept informed of developments with this important work.

DUCHY OF LANCASTER

Central Office of Information

Mr. Elletson: To ask the Chancellor of the Duchy of Lancaster what changes he plans to make to the Central Office of Information cash limit. [16299]

Mr. Willetts: The cash limit of the Central Office of Information is to be reduced by £188,000 following the transfer of the media advisory service to the Home Office.

Public Bodies

Mr. Pike: To ask the Chancellor of the duchy of Lancaster what was the expenditure by non-departmental public bodies in *(a)* 1979–80 and *(b)* 1994–95 in (i) cash, (ii) real terms and (iii) as a percentage of gross national product. [14946]

Mr. Willetts: Information on expenditure by non-departmental public bodies is held centrally for executive bodies only; That for advisory bodies and tribunals could be produced only at disproportionate cost. For executive non-departmental public bodies, systematic central recording of costs did not begin until 1981–82. However, the Pliatzky "Report on Non-Departmental Public Bodies" in 1980 calculated executive non-departmental public body expenditure for the single year 1978–79. For that year, expenditure by executive non-departmental public bodies was £6,150 million—equivalent, in real terms, to £17,940 million at 1995 prices. This represents approximately 3.5 per cent. of gross national product in 1978–79. Expenditure by executive non-departmental public bodies in 1994–95 was £20,840 million; a figure equivalent to approximately 3.0 per cent. of GNP in the same year.

Increases in total expenditure since 1979 reflect new arrangements for channelling funds and new areas of programme expenditure. The Funding Agency for Schools and the Legal Aid Board, for example, now undertake functions previously performed by local education authorities and the Law Society respectively. Expenditure by these two bodies in 1994–95 totalled approximately £3,000 million.

Departmental Suppliers

Mrs. Roche: To ask the Chancellor of the Duchy of Lancaster what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15598]

Mr. Willetts: The requirement to seek information on the size of suppliers is covered in guidance issued to purchasing staff and it is planned to capture this information as part of the improvements to our procurement system to be introduced in 1996.

Mrs. Roche: To ask the Deputy Prime Minister what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15601]

The Deputy Prime Minister: I refer the hon. Member to the answer given today by the Parliamentary Secretary, Office of Public Service.

Competitiveness

Ms Ruddock: To ask the Deputy Prime Minister how the promotion of sustainable development will be reflected in the implementation of the proposals contains in the White Paper, "Competitiveness: Forging Ahead." [15110]

The Deputy Prime Minister: The 1995 White Paper "Competitiveness: Forging Ahead" outlined policy initiatives across the whole of government to help create the right framework and conditions for business to operate in a way that is both competitive and sustainable. In particular, it set out how the Government's tax and regulatory policies are being used to achieve environmental objectives.

The Government have encouraged, and will continue to encourage, industry to respond effectively to the challenges and opportunities of sustainable development. The White Paper set out how the Government are promoting to industry, and to small companies in particular, the benefits of positive environmental management and of best practice in the use of environmental technology and techniques.

The importance of environmental issues will be discussed further in the next competitiveness White Paper due to be published later this year.

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Deputy Prime Minister what estimate he has made of the annual telephone costs to *(a)* his Department, *(b)* his Department's agencies and *(c)* his Department's non-departmental public bodies staff for (i) 1995–96 and (ii) 1996–97; and if internal telephone directories are available to staff in all areas of *(a)* to *(c)*. [11374]

Mr. Willetts: The estimated out-turn for 1995–96 is shown the following table:

	1995–96 £
Cabinet Office	751,500
Cabinet Office Agencies[1]	539,650
HMSO[2]	1,413,000
COI	272,550

[1] SAFE and the Buying Agency became OPS Agencies as from 1 January 1996; their costs have been included.
[2] Calendar year data.

The Cabinet Office has no executive non-departmental public bodies. Telephone costs for its advisory NDPBs are included in the figures above.

Estimates for 1996–97 are still being prepared as part of the Department's normal budgeting round.

Internal telephone directories are available to staff in all areas.

Deregulation

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster what is the most recently enacted legislation that he proposes to repeal by way of deregulation orders. [15886]

Mr. Freeman: The most recently enacted legislation proposed for repeal is the Rag, Flock and Other Fillings Materials Act 1953 and the most recently enacted legislation proposed for amendment is the Social Security Contributions and Benefits Act 1992. These are, however, subject to the result of public consultation and scrutiny by Committees in both Houses.

ATTORNEY-GENERAL

Scott Inquiry

Mr. Alan Williams: To ask the Attorney-General how much has been spent on external legal advice for Ministers and civil servants in relation to the Scott inquiry since 15 January. [15927]

The Attorney-General: No external advice has been sought since 15 January on behalf of individual Ministers or officials in Departments for which I am responsible.

Crown Prosecution Service

Mr. Gapes: To ask the Attorney-General what age restrictions are currently in force for recruitment to the Crown Prosecution Service. [15296]

The Attorney-General: None.

HOME DEPARTMENT

Asylum Seekers

Mr. Butler: To ask the Secretary of State for the Home Department how many people sought asylum in the United Kingdom in the last 12 months for which figures are available; and what assessment he has made of trends in these figures over the last 10 years. [14353]

Mr. Kirkhope: The total number of asylum applications in 1995 was 43,965. Information on applications made in 1986 to 1994 is published in table 2.1 of the Home Office statistical bulletin "Asylum Statistics United Kingdom 1994", issue 15/95. A copy of this publication is available in the Library.

There has been a massive increase in the number of asylum applications received since 1988. The 1995 figure is nearly as high as the peak figure of 1991, which included a significant proportion of multiple applications made by individuals under different names. It represents a 34 per cent. increase on 1994 and is nearly double the figure for 1993. The upward trend underlines the need for the firm action the Government are taking to deter unfounded applications.

Mr. Henderson: To ask the Secretary of State for the Home Department how many asylum applications were refused and certified as being without foundation on the grounds that the asylum claim was frivolous or vexatious in *(a)* 1994 and *(b)* 1995. [15541]

Miss Widdecombe: Provisional estimates indicate that, in 1994, between 300 and 400 asylum applications were refused on the grounds that the claims were frivolous or vexatious. It is estimated that there were fewer than 100 such cases in 1995. These figures may exclude some port applications refused as frivolous or vexatious which were dealt with under fast track procedures.

Mr. Henderson: To ask the Secretary of State for the Home Department what has been the total amount of liability incurred by all carriers under the Immigration (Carriers Liability) Act 1987; how much of that total liability has been paid; how much has been waived; and how much is outstanding. [15531]

Mr. Kirkhope: A total of £89.604 million had been incurred to 31 January 1996. Of that sum, £53.327 million had been paid and £17.578 million waived following representations from carriers. A sum of £18.699 million remained outstanding.

Mr. Henderson: To ask the Secretary of State for the Home Department what are the consequences for the applicant of an appeal to the Immigration Appellate Authority against a refusal under paragraph 345 of the immigration rules being *(a)* allowed and *(b)* referred back to the Secretary of State for reconsideration under paragraph 5 of schedule 2 to the Asylum and Immigration Appeals Act 1993. [15542]

Miss Widdecombe: In either case, the consequences, including whether the claim was to be considered substantively, would depend on the circumstances, including whether further refusal under paragraph 345 was appropriate.

Mr. Henderson: To ask the Secretary of State for the Home Department if he will provide a breakdown of the number of asylum seekers currently detained under Immigration Act powers by *(a)* nationality, *(b)* gender, *(c)* place of detention, *(d)* length of detention and *(e)* immigration status at the time of application. [15551]

Miss Widdecombe: The information requested is given in the tables.

Table 1: Number of people recorded as detained on 31 January 1996[1] who had sought asylum at some stage, by gender and immigration status

	Port	Illegal entrants	Deport	Total
Male	376	263	45	684
Female	42	5	2	49
Total	418	268	47	733

[1] These figures include people detained for under a month, because of the amount of lag created by the amount of people detained and released in under a month these figures should be used with caution.

Table 2: Number of people recorded as detained on 31 January 1996 who had sought asylum at some stage, by length of detention

Length	Total number detained
0–1 month[1]	194
1–2 months	133
2–6 months	296
6–12 months	97
12 months +	13
Total	733

[1] With the amount of detainees coming in and out of detention in under a month these figures should be treated as estimates.

Table 3: Number of people recorded as detained on 31 January 1996[1] who had sought asylum at some stage, by nationality

Nationality	Total number detained
Nigeria	109
India	91
Algeria	71
Gambia	58
China Peoples Republic of	38
Sri Lanka	31
Ghana	30
Turkey	29
Pakistan	26
Zaire	23
Bangladesh	22
Kenya	19
Angola	13
Romania	12
Ecuador	10
Former Yugoslavia	10
Iran	8
Lithuania	8
Somalia	7
Afghanistan	6
Jamaica	6
Poland	6
Sierra Leone	6
Albania	5
Niger	5
Sudan	5
Uganda	5
Czechoslovakia	4
Lebanon	4
Palestine	4
Tanzania	4
Ivory Coast	4
Columbia	3
Cyprus	3
Cuba	3
Ethiopia	3
Liberia	3
Morocco	3
Russia	3
Bulgaria	2
Congo	2
Eritrea	2
Moldova	2
Peru	2
South Africa	2
Togo	2
Others	15
Nationality Doubtful	4
Totals	733

[1] These figures include people detained for under a month, because of the amount of lag created by the amount of people detained and released in under a month these figures should be used with caution.

Table 4: Number of people recorded as detained on 31 January 1996[1] who had sought asylum at some stage, by location of detention

	Total number detained
Prisons	
HMP Rochester	136
HMP Haslar	90
HMP Harmondsworth	87
HMP Winson Green	41
HMP Wormwood Scrubs	12
HMP Greenock	10
HMP Crumlin Road	10
HMP Brixton	9
HMP Wandsworth	8
HMP Armley	3
HMP Bristol	2
HMP Craiginchess	2
HMP Liverpool	2
HMP Doncaster	2
Others	18
Other places of detention	
Campsfield detention centre	142
Gatwick airport detention centre	33
Police cells	33
Queen's buildings	17
Dover harbour	15
Newhaven port	15
Stanstead airport detention centre	15
Port	12
Manchester airport detention centre	6
Birmingham airport detention centre	3
Others	10
Total	733

[1] These figures include people detained for under a month, because of the amount of lag created by the amount of people detained and released in under a month these figures should be used with caution.

Mr. Henderson: To ask the Secretary of State for the Home Department how many substantive asylum appeals to Immigration Appellate Authority special adjudicators were *(a)* allowed, *(b)* dismissed and *(c)* withdrawn in each quarter of 1994 and 1995. [15540]

Miss Widdecombe: The information on outcomes of substantive appeals to adjudicators in 1995 is given in the table. Information for 1994 is published in table 8.4 of the Home Office Statistical Bulletin "Asylum Statistics

United Kingdom 1994", issue 15/95. A copy of this publication is available in the Library.

Outcome of substantive asylum appeals to the adjudicator, excluding dependants, by quarter 1995

Percentage

	Total substantive determinations	*of which:* *Allowed*	*Dismissed*	*Withdrawn*
1995				
January–March	1,070 (100)	2	82	16
April–June	1,255 (100)	4	79	18
July–September	1,770 (100)	4	82	14
October–December	1,830 (100)	2	80	18
Total (January–December)	5,920 (100)	3	81	16

[1] Figures are provisional and rounded to the nearest 5.
[2] Includes cases withdrawn.
[3] Percentages may not add up to 100 due to rounding.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for the Home Department what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15606]

Mr. Howard: The Home Office is taking forward a Treasury recommendation for measuring the volume of business placed with small to medium enterprises. We are planning for our financial systems to have the capacity to record the size of suppliers by the number of their employees. The first of these systems is being introduced on 1 April 1996. Consideration is being given to how information about company size can best be obtained from our suppliers.

Immigration

Mr. Marlow: To ask the Secretary of State for the Home Department if he will make a further statement on the 64 cases covered in his answer of 3 December 1987, *Official Report*, column *682*. [15876]

Mr. Kirkhope: Inquiries are being made and I shall write to my hon. Friend about the outcome.

Mr. Marlow: To ask the Secretary of State for the Home Department if he will list the *(a)* arrivals and *(b)* departures from the Indian sub-continent of overseas residents indicating the balance between the two for each of the last five years; and if he will make a statement. [15843]

Mr. Kirkhope: Information on arrivals in the United Kingdom of overseas residents from the Indian sub-continent in 1992–4 was given in my reply to my hon. Friend on 8 February, *Official Report*, column *304*. Corresponding figures for 1990 and 1991 are 257,000 and 260,000 respectively. Data on overseas residents departing from the United Kingdom for the Indian sub-continent are not available.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for the Home Department if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15742]

Mr. Howard: My Department is responsible for the following regulatory bodies:

The Commission for Racial Equality

The Drugs Branch Inspectorate

The Gaming Board for Great Britain

Licensing and inspection under the Animal (Scientific Procedures) Act

Office of the Data Protection Registrar

Sixty-seven per cent. of the commissioners on the Commission for Racial Equality and 40 per cent. of the members of the Gaming Board are business people.

There are no boards for licensing and inspection under the Animal (Scientific Procedures) Act, the Drugs Branch Inspectorate or for the Office of the Data Protection Registrar.

Drugs-related Crime

Mr. George Howarth: To ask the Secretary of State for the Home Department what definition his Department uses for the term drug-related crime. [16053]

Mr. Sackville: Drug-related crime is defined in paragraph 2.2 of the White Paper, "Tackling Drugs Together", a copy of which is in the Library. It encompasses any criminal activity which is committed either to fund or as a consequence of drug misuse.

Electronic Monitoring

Lady Olga Maitland: To ask the Secretary of State for the Home Department if he proposes to extend the length of the electronic monitoring trials; and if he will make a statement. [16715]

Mr. Howard: Yes. As I told my hon. Friend the Member for Swindon (Mr. Coombs) in my answer of 7 November 1995, *Official Report*, columns *813–14*, I have been considering a request from the Magistrates' Association to extend the length of the electronic monitoring trials into the next financial year. I agree with the association that it would be helpful to give courts more time to become used to the curfew order, and for it to find its place among other community sentences.

The present trials are currently due to end in April this year and I am proposing to extend them until March 1997. We will also consult interested parties about increasing the number of courts in Greater Manchester and Berkshire, which will have the sentence available to them.

Ponies (Research)

Mr. Morgan: To ask the Secretary of State for the Home Department what guidelines govern the minimum animal welfare and research ethic standards to be applied to ponies used in research into *(a)* equine flu, *(b)* equine herpes and *(c)* surgery on broken limbs at the Animal Health Trust; and if he will make a statement. [14241]

Mr. Sackville *[holding answer 8 February 1996]:* General guidance on the 1986 Act has been published as "Guidance on the Operation of the Animals (Scientific Procedures) Act 1986" [1990: HC182].

Pepper Sprays

Mr. Hawksley: To ask the Secretary of State for the Home Department what investigation he is conducting into the possible use of pepper sprays by police in Britain. [15718]

Mr. Maclean: The Home Office police scientific development branch keeps abreast of the results of all relevant research being undertaken into pepper spray. At this stage, my right hon. and learned Friend considers that not enough is known about the health effects of pepper spray for it to be used by the police in this country.

Unified Incident Report and Alerting System

Mr. Hoon: To ask the Secretary of State for the Home Department if the MI5 audit on the unified incident report and alerting system will be made public. [15406]

Mr. Howard: It is not Government policy to publish reports produced under the unified information technology incident reporting and alert scheme, UNIRAS. The scheme relates to the monitoring of incidents which may affect the secure operation of information technology systems handling Government information.

Criminal Justice and Public Order 1994

Mr. Nigel Jones: To ask the Secretary of State for the Home Department how many people have been arrested; what charges have been brought against them; what convictions have been obtained; and what penalties have been imposed under each of the public order provisions of the Criminal Justice and Public Order Act 1994. [15426]

Mr. Maclean: Separate statistics on arrests by offence groups are not available centrally. Information on court proceedings data under the public order provisions of the Criminal Justice and Public Order Act 1994 will not be available until autumn 1996.

Mr. Jones: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the public order provisions of the Criminal Justice and Public Order Act 1994. [15427]

Mr. Maclean: Sections 61 to 69 of the 1994 Act and sections 14A to 14C of the Public Order Act 1986, as amended by sections 70 and 71 of the 1994 Act, provide the police with powers to deal with trespassers on land, certain types of raves, disruptive trespassers and trespassory assemblies. Officials are closely monitoring the effectiveness of these measures. It is too early to reach firm conclusions about how the powers are working in practice, although I have received some favourable reports.

For the most part, offences under these sections are committed only where there is a failure to comply with a police direction to leave the land or where there is a failure to comply with a direction not to proceed to a rave or a trespassory assembly. Statistics on court proceedings for offences under the relevant sections will not be available until autumn 1996.

Terrorist Prisoners

Mr. Worthington: To ask the Secretary of State for the Home Department (1) how many prisoners convicted of crimes related to Northern Ireland terrorism are currently held in special security units in Britain; [14676]

(2) if he will list *(a)* the number of prisoners convicted of crimes relating to Northern Irish terrorism currently in prison in Britain, *(b)* the length of the sentence of each of the prisoners and *(c)* how many years of their sentences each has already served. [14789]

Miss Widdecombe *[holding answer 14 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Tony Worthington, dated 20 February 1996:

The Home Secretary has asked me to reply to your recent Questions about the number of prisoners convicted of crimes relating to Northern Irish terrorism in prison in Britain; the length of sentence of each of the prisoners; how many years of their sentence each has already served; and the number currently held in Special Security Units in Britain.

There are currently 24 prisoners serving sentences in prison in England and Wales for such offences, five of whom are held in a Special Security Unit.

The attached table shows the date and length of sentence of these prisoners.

Precise information about length of sentence served, the calculation of which needs to take account of time spent on remand, is not held centrally and could be obtained only at disproportionate cost.

Date of sentence	*Length of sentence*
11 May 1976	Life
10 February 1977	Life
10 February 1977	Life
10 February 1977	Life
10 February 1977	Life
10 February 1977	Life
23 June 1986	Life
14 April 1987	16 years
27 October 1987	25 years
16 February 1988	Life
20 June 1988	17 years
8 June 1990	30 years
6 December 1990	30 years
30 March 1993	Life
30 March 1993	18 years
19 July 1993	17 years
10 February 1994	16 years
10 February 1994	25 years
10 February 1994	35 years
13 May 1994	30 years
13 May 1994	30 years
22 August 1994	25 years
21 October 1994	25 years
20 January 1995	20 years

Mentally Ill Prisoners

Mr. Battle: To ask the Secretary of State for the Home Department how many people classified or registered with prison doctors as suffering from mental illness are at present in Her Majesty's prisons. [15287]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. John Battle, dated 20 February 1996:

The Home Secretary has asked me to reply to your recent Question about the number of people at present in prison who are mentally ill.

This information is not available in the form requested. Certain information is collected centrally about prisoners with mental disorders, a term which includes, in addition to prisoners with mental illnesses, those suffering from mental impairment, severe mental impairment and psychopathic disorder.

On 20 January, the most recent date for which such information is available, 163 prisoners were recorded as awaiting removal or transfer to a psychiatric hospital under provisions of the Mental Health Act 1983; 853 prisoners were recorded as being sufficiently mentally disordered to be occupying beds in prison health care centres; and 1,380 prisoners were recorded as requiring some form of mental health care but not transfer to hospital or in-patient treatment in a prison health care centre.

Female Fine Defaulters

Mr. Bayley: To ask the Secretary of State for the Home Department how many women have been sentenced to prison for non-payment of *(a)* a fine *(b)* a debt to a statutory body or *(c)* a debt to a public utility in each of the last 10 years. [15329]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Hugh Bayley, dated 20 February 1996:

The Home Secretary has asked me to reply to your recent Question asking, how many women have been sentenced to prison for non payment of (a) a fine, (b) a debt to a statutory body or (c) a debt to a public utility in each of the last 10 years.

The available information on the number of female fine defaulters and non-criminal prisoners received into Prison Service establishments in England and Wales from 1985—94 is published in "Prison statistics, England and Wales 1994", Cm 3087, Tables 6.3 and 7.3, a copy of which is available in the Library of the House.

Provisional information for 1995 shows that 1,401 female fine defaulters were received into Prison Service establishments in England and Wales. There were 85 receptions of females for non-criminal non payment offences, all for non payment of community charge, council tax or rates.

Information relating to debt to a statutory body (apart from persons committed to custody for non payment of community charge, council tax or rates) and to a public utility is not separately identified and is included with "Other debts" in 1995; there were no female receptions under this category.

Holloway Prison

Mr. Cohen: To ask the Secretary of State for the Home Department what action was taken following the reports of insect infestation at the mother and baby unit, Holloway prison, last year. [15207]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Harry Cohen, dated 20 February, 1996:

The Home Secretary has asked me to reply to your recent Question about what action was taken following reports of insect infestation in the mother and baby unit at Holloway prison last year.

Immediate action was taken by calling in pest control contractors who sprayed the identified areas with a safe residual pesticide.

HEALTH

Nurses

Mr. Cummings: To ask the Secretary of State for Health how many nursing staff were employed in Hartlepool, Sunderland and Durham hospitals in each of the last five years. [13216]

Mr. Malone: Comparable figures for the number of nursing staff employed in Hartlepool, Sunderland and Durham hospitals in each of the last five years are not centrally available.

The latest nursing and midwifery figures available from the Department of Health are for 1994 and relate to the national health service trusts in these three towns which all attained trust status in April 1994. Between 1991 and 1993 the nursing and midwifery staff figures were collected for each of the directly managed units—DMUs—which, after some reconfiguration, went on to form the trusts established in April 1994. For 1990, the information is available only at district health authority level; individual DMUs are not separately identifiable.

The number of nursing and midwifery staff is collected by the Department of Health's non-medical work force census. The census results are published at national level in a statistical bulletin, copies of which are available in the Library. Regional tables for the 1994 census will also be placed in the Library shortly. Results are not normally published below regional level but are available on request for 1994 at health authority, trust or DMU level. Only limited detailed figures are available for earlier years.

References:

DH Statistical Bulletin Non-medical Workforce Census: 95/18

DH Statistical Bulletin Non-medical Workforce Census: 1994/11

DH Statistical Bulletin Non-medical Workforce Census: 13/93

DH Statistical Bulletin Non-medical Workforce Census: 1/93

Nurses and Midwives

Mr. Gordon Prentice: To ask the Secretary of State for Health how many nurses and midwives there were *(a)* in 1979 and *(b)* in 1994. [13683]

Mr. Horam: The information is not centrally available. I refer the hon. Member to the United Kingdom Central Council for Nursing, Midwifery and Health Visiting annual statistical reports, copies of which are available in the Library.

External Consultancies

Ms Harman: To ask the Secretary of State for Health what was the total amount in each of the last five years spent on external consultancies by *(a)* the Department of Health, *(b)* regional health authorities, *(c)* district health authorities and *(d)* NHS management executives. [14808]

Mr. Horam: Running cost expenditure on external consultancy by the Department of Health, its agencies and the national health service executive—formerly the NHS management executive—in each of the last five years is as shown.

1990–91: £18,398,000[1] 1991–92: £24,258,000[1]
1992–93: £18,399,000[2]
1993–94: £15,933,037[3]
1994–95: £18,479,405[4]

Notes:
[1] Expenditure by the NHS Executive in the years 1990–91 and 1991–92 cannot be disaggregated.
[2] Includes expenditure of £6,675,821 by the NHS Executive.
[3] Includes expenditure of £4,975,579 by the NHS Executive.
[4] Includes expenditure of £4,339,752 by the NHS Executive.

Information about expenditure on external consultancy by regional and district health authorities is not available centrally.

Zergo Consulting

Mr. Cohen: To ask the Secretary of State for Health (1) what were the findings of the study carried out by Zergo Consulting for the NHS information management group into the feasibility of encrypting data on the NHS-wide network; and what plans he has to publish the report; [14939]

(2) what were the terms of reference for the study carried out by Zergo Consulting for the NHS information management group in to the feasibility of encrypting data on the NHS-wide network; [14938]

(3) what was the cost of the study carried out by Zergo Consulting for the NHS information management group into the feasibility of encrypting data on the NHS-wide network. [14940]

Mr. Horam: The terms of reference of the study carried out by Zergo Consulting for the national health service information management group into the feasibility of encrypting data on the NHS-wide network were as follows:

> In order to ensure that the network architecture is appropriate to future needs a study is required which explores the practical issues of using the following security services: Digital Signatures to provide strong authentication and integrity checking; Trusted Third Party facilities for certifying encryption keys; encryption for confidentiality.

The NHS executive seeks advice on the purposes for which these services can be used, the contexts and the extent to which they might be used in each context; the probable costs and benefits which would accrue in each context, and to which parties they would accrue; the most suitable standards and types of product to be used; the additional costs and implications of providing these services on a national NHS basis in such a fashion that they are available for use when those communicating NHS information think it appropriate.

The findings of the study will be published when the NHS executive and Ministers have had an opportunity to study them. A copy will be sent to the Library.

The quotation for the cost of the study was provided by Zergo Consulting in competition with two other expert firms. All quotations are classified restricted—commercial.

NHS Administrative Salaries

Ms Harman: To ask the Secretary of State for Health what was the total remuneration of NHS district health authorities' general managers for 1990. [15197]

Mr. Malone: The salaries and wages costs of general managers in district health authorities for 1990–91 was £11,363,000. This figure includes employers' national insurance and superannuation contributions.

Mr. Andrew Smith: To ask the Secretary of State for Health what were the running costs of the blood service in *(a)* 1993–94 and *(b)* 1994–95; what is the estimated outturn for 1995–96; and how much they are forecast to be in the next three financial years. [15651]

Mr. Horam: The costs of 1994–95 are estimated to be £153 million. Details of the expected out-turn of the national blood service for the years 1995–96 to 1998–99 are set out in the document "Plans for the Future of the National Blood Service" of November 1995, copies of which are available in the Library. The figure for 1993–94 is not available because the costs of the blood service were not identified separately in NHS summarised accounts.

Dioxin Emissions

Mr. Fisher: To ask the Secretary of State for Health what research he has *(a)* commissioned and *(b)* evaluated on the relationship between the emissions of dioxins from incinerators with levels of (i) cancer and (ii) infertility. [15655]

Mr. Horam: The Department of Health, with other Government Departments, funds the small area health statistics unit—SAHSU—located at the London school of hygiene and tropical medicine. The SAHSU has carried out a study of cancer incidence near municipal solid waste incinerators, although it did not include measures of exposure to dioxins. The report of this study will be published in the March 1996 issue of the *British Journal of Cancer*.

The health effects of dioxins are also regularly reviewed by expert committees which advise the Government. These include the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment, and the Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment.

Adrenoleukodystrophy

Mr. Peter Griffiths: To ask the Secretary of State for Health (1) what guidelines are currently issued by his Department to hospital trusts to ensure that blood relatives of persons diagnosed as suffering from adrenoleukodystrophy are informed and offered suitable advice; [15537]

(2) if he will issue guidelines to hospital trusts on the procedures for the notification of blood relatives when a case of genetic deficiency syndrome is first diagnosed. [15539]

Mr. Horam: Guidelines "Population Needs and Genetic Services" were issued to health authorities in June 1993 under the cover of a letter from the chief medical officer and chief nursing officer entitled "Services for Genetic Disorders". The guidelines set out the principles of good practice in respect of informing and offering suitable advice to relatives of persons diagnosed as suffering from heritable disorders such as adrenoleukodystrophy.

Mr. Peter Griffiths: To ask the Secretary of State for Health what are the most common genetic deficiency conditions; what are the known numbers of *(a)* carriers and *(b)* sufferers from subsequent diseases; and in each case what percentage is (i) female and (ii) male. [15538]

Mr. Horam: The most common genetic deficiency disease—genetic disorder—in the United Kingdom is cystic fibrosis. The disease occurs in one in 2,000 children born, and approximately one in 25 of healthy adults carry a defective gene concerned with this condition.

All other genetic disorders are rarer. There are some 4,000 different such disorders known. Those reported to have birth frequency of 1:5,000 or more, are:

Huntington's disease
Adult polycystic kidney disease
Familial hypercholesterolaemia
Neurofibromatosis
Retinitis pigmentosa
Sickle cell disease in Afro-Caribbeans
Thalassaemia in those of Cypriot, Indian, Pakistani origin
Fragile X syndrome

Information on the number of carriers and sufferers from subsequent diseases, and on the percentage of female and male in these categories is not available centrally.

Young Offenders

Mr. Nigel Jones: To ask the Secretary of State for Health what was the annual cost to each local authority social services department of placing young offenders in secure accommodation for each year since 1988. [15438]

Mr. Bowis: Data for 1994–95 are not yet complete; corresponding information for earlier years was not collected centrally.

High Voltage Power Lines (Cancer Risks)

Mr. Llew Smith: To ask the Secretary of State for Health (1) what assessment he plans to make of the research and conclusions of Professor Denis Henshaw's study on the potential cancer risks of high voltage power lines; [15973]

Mr. Marlow: To ask the Secretary of State for Health if he will make a statement on the report of Professor Denis Henshaw on the relationship between electromagnetic fields and cancers. [15844]

Mr. Horam: The National Radiological Protection Board—NRPB—considers that the suggested mechanism put forward in the report by which electromagnetic fields in interaction with radon leads to an increased risk of cancer is implausible. The board advises that the weight of the evidence would suggest that the presence of such fields would, if anything, slightly reduce human exposure to radon daughters. In addition, the board has advised that there is no convincing evidence that electromagnetic fields are a cause of cancer and that no biological mechanism has been established in support of this hypothesis.

The NRPB currently has an active programme on the possible effects of electromagnetic fields and health and is funding experimental work in United Kingdom universities and supporting the UK childhood cancer study, which is examining a range of factors that may be implicated in childhood cancer, including the possible effect of electromagnetic fields. The Department will continue to monitor the results of emerging research closely, and to maintain its support for research in these areas, consulting NRPB and the committee on medical aspects of radiation in the environment as necessary.

Dissolved NHS Trusts

Mr. Elletson: To ask the Secretary of State forn Health what financial arrangements are being made for the NHS trusts dissolved on 1 April 1995. [16610]

Mr. Dorrell: Pursuant to the dissolution of eight national health service trusts on 1 April 1995, and their reconfiguration with parts, or all, of other trusts or directly managed units, I propose to create new originating debt for the five new trusts equal to the net assets transferred to them and therefore to remit the outstanding debt on seven dissolved trusts. The eighth dissolved trust has merged with another trust and the debt associated with that dissolved trust has been transferred to the trust with which it has merged. These operations involve no loss to the Exchequer. Her Majesty's Treasury has today presented a minute to the House giving the particulars and circumstances of the proposed remission which it has approved in principle.

Health Authority Chairmen

Ms Coffey: To ask the Secretary of State for Health how many appointments have been made of chairmen of the new health authorities; and what percentage of those appointments are women. [15575]

Mr. Malone: Chairmen have been identified for 99 of the 100 proposed health authorities. Forty-two per cent. of the chairmen are women.

Beta Interferon

Mr. Tipping: To ask the Secretary of State for Health (1) what steps he has taken to ensure that beta interferon is available on a consistent basis nationally; [15637]

(2) what advice has been issued to health authorities about the prescribing of beta interferon; if he will place copies of correspondence on that advice in the Library; and if he will make a statement. [15636]

Mr. Malone: Executive letter (95)97 issued in November suggested that beta interferon should be prescribed by hospital neurologists to treat multiple sclerosis where clinically appropriate and within local agreements between health authorities and hospitals. The

guidance was accompanied by clinical advice from the Standing Medical Advisory Committee. Copies of both documents are available in the Library.

Mr. Tipping: To ask the Secretary of States for Health what extra resources he has made available to health authorities to enable beta interferon to be available to patients. [15638]

Mr. Malone: As with other hospital-prescribed drugs, the costs of prescribing beta interferon are expected to be met from within health authority general allocations, having regard to local priorities. These allocations take account of overall cost pressures and potential efficiency and other savings within the national health service.

Prescriptions

Mr. Tipping: To ask the Secretary of State for Health what percentage of prescription items have a cost of less than £5.50. [15639]

Mr. Malone: In 1995–96, it is estimated that 58 per cent. of all prescription items dispensed in England will have a total cost of less than £5.50. In the same year we estimate the average total cost of a single item to the national health service to be £8.80.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Health what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15599]

Mr. Horam: None. The Department's policy is to achieve best value for money—VFM—from all its procurements. It agrees contracts with suppliers, irrespective of size, in order to achieve this objective. Recording this information would not help improve VFM or competitiveness and would add an unnecessary burden on suppliers.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for Health if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15737]

Mr. Horam: The information is shown in the table.

Regulatory body	*Percentage of business people on the board*
Medicines Control Agency	50
Medical Devices Agency	40
Human Fertilisation and Embryology Authority	19

GP Fundholders

Mr. Milburn: To ask the Secretary of State for Health what information his Department maintains on the use of general practice fundholders' savings *(a)* by general practitioner fundholding practices and *(b)* by regional health authorities. [9034]

Mr. Malone *[pursuant to his reply, 16 January c. 555]:* The Department receives information from each family health services authority each year on the amount of savings used by general practitioner fundholders.

Monitoring of the detailed use of savings is a local responsibility. Information about this is not routinely collected centrally.

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 16 January, *Official Report*, column *555*, if he will list *(a)* by family health service authority, and *(b)* by region, the total savings made by general practitioners and the level of savings spent in each year since the inception of fundholding. [11108]

Mr. Malone: I refer the hon. Member to the replies I gave him on 24 November 1994, *Official Report*, column *321-22*, and on 14 March 1995, *Official Report*, column *545-46*, which provide the available information on savings made by general practitioner fundholders.

The available information on savings used by GP fundholders is given in the table.

Savings used by GP Fundholders—1993–94

FHSA name	*Amount used (£000)*
Northern Yorkshire	
Bradford	262
Calderdale	2
Cleveland	131
Cumbria	0
Durham	171
Gateshead	52
Humberside	90
Kirklees	0
Leeds	265
Newcastle	27
North Tyneside	0
North Yorkshire	405
Northumberland	75
South Tyneside	5
Sunderland	0
Wakefield	638
Trent	
Barnsley	0
Derbyshire	168
Doncaster	27
Leicestershire	319
Lincolnshire	150
Nottinghamshire	159
Rotherham	6
Sheffield	39
Anglia and Oxford	
Bedfordshire	43
Berkshire	737
Buckinghamshire	1,009
Cambridgeshire	155
Norfolk	266
Northamptonshire	199
Oxfordshire	272
Suffolk	98
North Thames	
Barking and Havering	1
Barnet	49
Brent and Harrow	8
Camden and Islington	107

Savings used by GP Fundholders—1993–94

FHSA name	*Amount used (£000)*
City and East London	32
Ealing, Hammersmith and Hounslow	153
Enfield and Haringey	21
Essex	438
Hertfordshire	524
Hillingdon	104
Kensington, Chelsea and Westminster	140
Redbridge and Waltham Forest	7
South Thames	
Bromley	27
Croydon	24
East Sussex	47
Greenwich and Bexley	37
Kent	109
Kingston and Richmond	74
Lambeth, Southwark and Lewisham	21
Merton, Sutton and Wandsworth	158
Surrey	78
West Sussex	148
South and West	
Avon	248
Cornwall and the Isles of Scilly	267
Devon	299
Dorset	151
Gloucestershire	26
Hampshire	263
Isle of Wight	18
Somerset	123
Wiltshire	37

Savings used by GP Fundholders—1993–94

FHSA name	*Amount used (£000)*
West Midlands	
Birmingham	468
Coventry	49
Dudley	0
Hereford and Worcestershire	676
Sandwell	228
Shropshire	203
Solihull	521
Staffordshire	522
Walsall	50
Warwickshire	23
Wolverhampton	0
North-west	
Bolton	0
Bury	0
Cheshire	649
Lancashire	89
Liverpool	304
Manchester	38
Oldham	913
Rochdale	39
Salford	0
Sefton	152
St. Helens and Knowsley	108
Stockport	0
Tameside	68
Trafford	0
Wigan	0
Wirral	148

Source:
Regional offices.

EDUCATION AND EMPLOYMENT

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Education and Employment when the Department began its investigation into allegations of irregularities in payments made by training and enterprise councils to a national training provider; if the investigation is now complete; how many TECs are involved; and what was the total sum of money involved. [15085]

Mrs. Gillan *[holding answer 13 February 1996]:* The Department's investigation started in April 1994 and has been completed. The investigation focused primarily on claims on one training and enterprise council. There has been no financial loss to the Department. Close liaison with the National Audit Office and the police was maintained throughout, and police inquiries are continuing.

Grant-maintained Schools

Mr. Lewis: To ask the Secretary of State for Education and Employment what will be the total cost to her Department of the "Going GM" conference to be held on 13 March in Huddersfield. [15192]

Mrs. Gillan: The cost of the "Going GM" conference on 13 March will not be known until after the event, as it is dependent on the number of delegates who attend on the day. The average cost per delegate as "Going GM" conferences is about £115, which compares favourable with the cost of any training day.

Schools (Outside Toilets)

Mr. Byers: To ask the Secretary of State for Education and Employment how many schools with outside toilets there are currently in each local education authority. [15571]

Mrs. Gillan: The information is not collected centrally.

Handicapped Young People

Mr. Tom Clarke: To ask the Secretary of State for Education and Employment how many individuals between the ages of 16 and 18 years who *(a)* are disabled or, *(b)* have learning difficulties are currently in (i) full-time education, (ii) Government-funded training courses, (iii) employment and (iv) none of (i) to (iii). [15209]

Mr. Paice: The information available is in the following table:

Principal activity of young people age 16–18[1] and whether they have a work limiting disability

UK, thousand

	All	*With a work limiting disability[2]*
All age 16–18[1]	1,997	130
In full time education	1,173	72
In employment or Government supported training[3]	605	32
None of the above	219	27

Source:

Labour Force Survey, winter 1994–95.

[1] Age at previous 31 August.

[2] People with a health problem or disability that affects the kind of paid work they can do.

[3] The Labour Force Survey is known to under count the number of people in Government supported training and so in this table estimates are not shown separately from those in employment.

Key Stage Results

Mr. David Nicholson: To ask the Secretary for Education and Employment what representations she has had from *(a)* Somserset local education authority, *(b)* other local education authorities in the southern examination group and *(c)* other local education authorities alleging (i) inadequacies and (ii) errors in the discs supplied by her Department on key stage 2 and key stage 3 results. [15451]

Mr. Paice: Representations have been received from a number of local education authorities, including Somerset, concerning the discs supplied. The data supplied to LEAs were collected for national analysis and are reliable for that purpose. LEAs were sent school level data in response to pressure from LEAs themselves but were warned that some of the data for individual schools were incomplete or had not satisfied the relevant national checks. Data collection procedures for 1996 are being amended and will be fully robust and suitable for providing school-by-school information for school performance tables.

Workstart

Sir Ralph Howell: To ask the Secretary of State for Education and Employment how many employers in the Margate travel-to-work area participate in the workstart scheme. [15830]

Mr. Forth: This information is not available for the town of Margate. Margate was included in the east Kent workstart pilot which ended in December 1994. It is estimated that over 400 employers had by then participated in east Kent.

Sir Ralph Howell: To ask the Secretary of State for Education and Employment (1) how many employers were involved in the north-east workstart pilot scheme; what was the average number of employees participating in the scheme in each firm; and what was the overall cost or saving to public funds in each case; [15825]

(2) how many employers were involved in the Devon and Cornwall workstart pilot scheme; what was the average number of employees participating in the scheme in each firm; and what was the overall cost or saving to public funds in each case; [15826]

(3) how many employers were involved in the south London workstart pilot scheme; what was the average number of employees participating in the scheme in each firm; and what was the overall cost or saving to public funds in each case; [15827]

(4) how many employers were involved in the east Kent workstart pilot scheme; what was the average number of employees participating in the scheme in each firm; and what was the overall cost or saving to public funds in each case. [15828]

Mr. Forth: The first workstart pilot took place in Devon and Cornwall, Kent, Tyneside and south west London between July 1993 and December 1994. Information on participating employees and employers at the end of September is as follows:

Pilot	*Participants*	*Employers*
Kent	418	380
Devon and Cornwall	475	309
Tyneside	222	130
South West and South London	210	144

By the end of December 1994, the total number of participating employees in the four pilots had reached 1,575, and it is estimated that over 1,000 employers had been involved. The total programme costs were £2.7 million. Savings to the Exchequer from any employment arise from long-term improvements in the functioning of the labour market and cannot be calculated in the terms requested.

Jobseeker's Allowance

Mr. Byers: To ask the Secretary of State for Education and Employment if the 16-hour limit for study under the jobseeker's agreement will apply to students on courses (i) funded by the European social fund and (ii) provided by the higher education sector; and if she will make a statement. [15572]

Mr. Forth: The 16 guided learning hours limit will apply only to courses which are funded or part-funded by the further education funding councils for England and Wales. The limit for courses of further education which are funded or part-funded by the Secretary of State for Scotland will be 16 hours of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by teaching staff up to a combined total of 21 hours. For all other courses the rule continues to be that the course must be part time, not full time.

Students (Social Fund)

Mr. Byers: To ask the Secretary of State for Education and Employment what is the number of students on courses funded by the European social fund who studied for (i) up to 16 hours a week, (ii) 16 to 21 hours and (iii) 21 hours and above in the latest year for which information is available. [15573]

Mr. Forth: The information required is provided in the following table and has been taken from the 1994 final claims. It is provided in a format slightly different from that requested to prevent any student from being counted twice. Of approximately 1.6 million beneficiaries, the following breakdown is available.

Hours studied	*Number of beneficiaries*[1]
Up to 16 hours per week	400,600
17–21 hours per week[2]	67,100
More than 21 hours per week[3]	923,300

[1] Figures rounded to nearest 100.
[2] Category does not include those studying for 16 hours per week.
[3] Category does not include those studying for 21 hours per week.

Approximately 200,000 beneficiaries are excluded from the table as the information on number of hours studied could be obtained only at disproportionate cost.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Education and Employment what plans she has to ensure that her Department identifies the size of its suppliers by the number of their employees. [15608]

Mr. Robin Squire: The Department for Education and Employment already identifies suppliers with fewer than 200 employees.

Teachers' Pensions

Mrs. Peacock: To ask the Secretary of State for Education and Employment what was the total amount paid in pension contributions *(a)* by employers of teachers in the public sector and *(b)* by teachers in Kirklees metropolitan council area. [15875]

Mr. Robin Squire: The total amounts paid in pension contributions to the teachers superannuation scheme during 1994–95 where £971,009,000 by teachers' employers in England and Wales and £4,166,542 by teachers in the Kirklees metropolitan borough council area.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for Education and Employment if she will list each regulatory body for which she is responsible indicating for each the percentage of business people on the board. [15739]

Mr. Forth: The Department does not have responsibility for any regulatory bodies.

Nursery Vouchers Scheme

Mr. Spearing: To ask the Secretary of State for Education and Employment, pursuant to her answer of Thursday 15 February *Official Report*, column *683*, concerning tenders for management of phase 1 of the voucher scheme for early years education, if she will name the two unsuccessful tenderers, and by what amount each tender was above or below that of the successful tender. [16227]

Mr. Robin Squire: The two unsuccessful tenderers were Childcare Vouchers Ltd. and Energy Action Grants Agency. The tender prices are commercially confidential.

Travel-to-interview Scheme

Mr. Garnier: To ask the Secretary of State for Education and Employment what plans she has to make changes to the travel-to-work interview scheme. [16300]

Mr. Forth: The Employment Service has completed a comprehensive review of the scheme and tested a number of beneficial rule changes. An evaluation has confirmed that the scheme is a cost-effective means of helping unemployed people.

The main changes, which take effect from 1 April, are:

the removal of the upper salary limit;

help with second and subsequent interviews;

a more realistic interpretation of the condition that the job must be expected to last for 12 months or more;

help for the majority of self-employed jobs;

the qualifying period will change from 4 to 13 weeks and people will need to show they are claiming benefit. This supports our aim under the jobseeker's allowance to encourage people still unemployed after this time to widen their job search activities.

I am confident that the changes better target the scheme on those it is meant to help, making it fairer and simpler to administer.

A copy of the evaluation report will be placed in the Library.

Unemployment Statistics

Mr. McAvoy: To ask the Secretary of State for Education and Employment how many times the method for calculating unemployment statistics has been changed since 1979; and what the current figure for unemployment would be if calculated by the method used in 1979. [14917]

Mrs. Angela Knight: I have been asked to reply.

Like many other countries, the UK produces two official measures of unemployment—an administrative measure, referred to as the monthly claimant unemployment count, based on the system for claiming unemployment-related benefits and a survey measure based on the internationally standard International Labour Organisation definition.

There have been nine changes affecting the coverage of the monthly unemployment claimant count which have been significant enough to warrant a recasting of the consistent seasonally adjusted series. Details are given in the November 1995 edition of "Labour Market Trends".

The ILO measure of unemployment has been compiled and published on the same definition since 1984—annually 1984 to 1991; quarterly 1992 to date.

Although the two measures of unemployment are different, they show broadly similar trends.

Schools (Repairs and Improvements)

Mr. Redmond: To ask the Secretary of State for Education and Employment (1) if she will give for 1995–96 the distribution of the moneys allocated for repairs and improvements to schools by education authority and opted-out schools; [15871]

(2) what amount *(a)* was made available in 1995–96 and *(b)* will be made available in 1996–97 to education authorities for repairs and improvements; and what this sum represents per pupil. [15870]

Mrs. Gillan: The amounts made available to authorities for improvement work not covered by other priority categories totalled £18.5 million in 1995–96 and £31 million in 1996–97. The 1995–96 amounts distributed by formula to each authority totalled £15 million and are given in the following table. In addition, almost £3.5 million has been allocated for specific projects by supplementary credit approval. For 1996–97, £10 million will be distributed by formula and at least a further £21 million will be available through the schools renewal challenge fund.

These sums represent over £3 per pupil in 1995–96 and an estimated £5 per pupil in 1996–97 and are additional to the amounts available from capital receipts and other sources of funding at authorities' disposal.

The distribution of moneys to opted-out schools is a matter for the Funding Agency for Schools. I have asked the chairman of the funding agency to write to the hon. Member.

1995–96 formula allocations for improvement work to local authorities

	£ 000
Barking	45
Barnet	53
Bexley	58
Brent	48
Bromley	60
Croydon	78
Ealing	298
Enfield	57
Haringey	111
Harrow	82
Havering	81
Hillingdon	56
Hounslow	79
Kingston	47
Merton	69
Newham	102
Redbridge	56
Richmond	47
Sutton	40
Waltham Forest	85
City	0
Camden	51
Westminster	13
Greenwich	96
Hackney	88
Hammersmith	32
Islington	80
Kensington	22
Lambeth	112
Lewisham	178
Southwark	56
Wandsworth	61
Tower Hamlets	88
Birmingham	370
Coventry	59
Dudley	82
Sandwell	101
Solihull	40
Walsall	81
Wolverhampton	106
Knowsley	113
Liverpool	124

1995–96 formula allocations for improvement work to local authorities

	£ 000
St. Helen's	65
Sefton	47
Wirral	72
Bolton	66
Bury	37
Manchester	313
Oldham	76
Rochdale	89
Salford	127
Stockport	52
Tameside	44
Trafford	57
Wigan	72
Barnsley	49
Doncaster	63
Rotherham	64
Sheffield	398
Bradford	271
Calderdale	48
Kirklees	110
Leeds	308
Wakefield	161
Gateshead	45
Newcastle	179
North Tyneside	78
South Tyneside	61
Sunderland	65
Isles of Scilly	0
Avon	226
Bedfordshire	109
Berkshire	158
Buckinghamshire	182
Cambridgeshire	174
Cheshire	291
Cleveland	132
Cornwall	152
Cumbria	190
Derbyshire	298
Devon	242
Dorset	190
Durham	394
East Sussex	149
Essex	734
Gloucestershire	331
Hampshire	353
Hereford	127
Hertfordshire	200
Humberside	279
Isle of Wight	52
Kent	425
Lancashire	383
Leicestershire	170
Lincolnshire	93
Norfolk	164
North Yorkshire	304
Northamptonshire	155
Northumberland	67
Nottinghamshire	271
Oxfordshire	233
Shropshire	80
Somerset	113
Staffordshire	336
Suffolk	181
Surrey	201
Warwickshire	84
West Sussex	157
Wiltshire	99

TRANSPORT

Selby By-pass

Mr. Alison: To ask the Secretary of State for Transport when he estimates contracts for site clearance and other relevant constructional phases for the projected Selby by-pass will be awarded. [16056]

Mr. Watts: The inspector's report on the inquiry into a side roads variation order and compulsory purchase order has been received recently and is under consideration. Once the scheme has completed the statutory procedures, it will be taken forward when funding is available for start of works.

Mr. Alison: To ask the Secretary of State for Transport if he will include the projected Selby by-pass in the category of roads to be funded under the private finance for roads initiative. [16055]

Mr. Watts: The A63 Selby by-pass is not included in the design, build, finance and operate projects announced by my hon. Friend the Secretary of State for Transport on 28 February 1995. However, the programme is kept under review. Schemes are considered for inclusion in the programme when they have completed their statutory procedures.

Mr. Alison: To ask the Secretary of State for Transport if he has received the report of the inspector appointed in 1995 to inquire into the proposed compulsory purchase orders for land required for building the Selby by-pass; and if he will make a statement. [16054]

Mr. Watts: The inspector's report has been received and is being considered. I cannot say what the outcome will be.

Public Transport (Privatisation)

Mr. Parry: To ask the Secretary of State for Transport if he will make a statement on the effects privatisation has had on public authority transport during the past three years. [15685]

Mr. Norris: In general, privatisation has led to a more efficient provision of public transport services, responsive through the marketplace to the needs of users.

Public Transport, Merseyside

Mr. Parry: To ask the Secretary of State for Transport if he will list subsidies made to Merseytravel for the 101 bus service over the last two years; if he will make a statement on the current running of the service; and if he will make a statement. [15776]

Mr. Norris: The 101 bus service is fully subsidised by Merseyside passenger transport executive—Merseytravel. Subsidy arrangements, service details and performance on the route are all matters for the PTE, but I understand that the service has recently been re-tendered following previous operating difficulties.

Mr. Parry: To ask the Secretary of State for Transport what plans he has to visit Merseyside to discuss the subject of bus services with Merseytravel; and if he will make a statement. [15777]

Mr. Norris: I have no such plans at present. I will, however, be discussing bus issues, along with other transport matters, with the North West and Merseyside regional annual consultative committee on 4 March. I understand that Merseytravel will be represented at that meeting.

Mr. Parry: To ask the Secretary of State for Transport what assessment he has made of the adequacy of bus services in *(a)* Liverpool *(b)* Merseyside at the latest available date; and if he will make a statement. [15744]

Mr. Norris: The provision of bus services in Liverpool and Merseyside is entirely a matter for bus operators acting commercially or Merseyside PTE—Merseytravel—using its subsidy powers. I believe that bus travellers there, as in the rest of the country, have benefited from the trend of more operators running more bus miles at lower cost, with new buses on many routes, and significantly less public subsidy than previously.

A40 (Hangar Lane)

Mr. Harry Greenway: To ask the Secretary of State for Transport when the works on the slipway from the east-bound A40 at Hangar lane are expected to be completed; at what cost; and if he will make a statement. [16226]

Mr. Norris: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Harry Greenway, dated 20 February 1996:

The Secretary of State for Transport has asked me to reply to your recent question about works on the slip road from the eastbound A40 to the Hangar Lane Gyratory Junction.

The eastbound slip road to this junction has become very congested in the past three years and vehicles often queue back onto the main carriageway of the A40. The works are to widen the slip road from two lanes to three at the junction which will ease the traffic flow through the junction.

Unexpected difficulties with the location and movement of electricity cables and works associated with gas mains have extended the duration of the works. To catch up time the contractor is now working sixteen hours a day. Night-time working is not viewed as a practical option as it would cause considerable noise and disturbance to local residents.

Unfortunately it is not possible to operate two lanes of traffic on the slip road alongside the works because of the need to provide a safety zone between the traffic and the contractor's workforce. However two lanes have been maintained at the traffic signals during peak periods to ensure that almost the same number of vehicles continue to move through the junction.

The estimated cost of the works is £80,000 and it is expected that the works will be completed on or very soon after the originally programmed date of 9 March.

A650

Mr. Rooney: To ask the Secretary of State for Transport (1) what are the implications for the A650 Bingley relief road of the withdrawal of the scheme for the A650 Saltaire relief road tunnel; [15919]

(2) what is the timetable of the private finance initiative for the A650 Bingley relief road with particular reference to tendering, construction and completion dates; [15917]

(3) what environmental conditions will attach to the contract for the A650 Bingley relief road; [15918]

(4) what savings he expects for his Department arising out of the A650 Bingley relief road falling under the private finance initiative. [15922]

Mr. Watts *[holding answer 19 February 1996]:* I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Terry Rooney, dated 20 February 1996:

The Secretary of State for Transport has asked me to reply to your recent questions on the A650 Bingley Relief Road.

You will have seen from the Secretary of State's announcement on the Road Programme on 28 November 1995 that this scheme has been included in the Private Finance Initiative as a further Design, Build, Finance and Operate project.

Tenders are expected to be invited this Summer with a start on site during the 1997/98 financial year. Completion of the project will be approximately 3 years later.

Although there are no funds available for the Saltaire Tunnel, the need to continue with the Bingley Relief Road is undiminished.

All commitments about environmental conditions given in the Environmental Statement, which was published in February 1989, and again at subsequent Public Inquiries, will be included within the contract.

Design, Build, Finance and Operate has thus far shown to offer value for money when compared with the public sector alternative. Private Finance and management expertise will enable this scheme to be provided more quickly and more efficiently than would have been possible if it had to wait its turn as a publicly financed scheme.

Mr. Rooney: To ask the Secretary of State for Transport what options are available to property owners suffering blight from the aborted A650 Saltaire relief road tunnel. [15921]

Mr. Watts *[holding answer 19 February 1996]:* The threat of blight has been removed by the withdrawal of the scheme from the trunk road programme.

Private Finance Initiative

Mr. Rooney: To ask the Secretary of State for Transport which road schemes under the private finance initiative are currently being constructed; and what was the time lag for each from offering for tender to commencement on site. [15923]

Mr. Watts *[holding answer 19 February 1996]:* No. Design, build, finance and operate road schemes are under construction. Tenders for the first four were invited in January 1995. Construction is expected to start this spring.

Shipley Eastern Bypass

Mr. Rooney: To ask the Secretary of State for Transport when he expects to allocate funding for the Shipley eastern bypass. [15920]

Mr. Watts *[holding answer 19 February 1996]:* Following the recent review of the trunk road programme, this scheme has been placed in the longer-term programme. This category comprises those schemes, which, although required, are not of the highest priority nationally. They will be taken forward only as the main programme is completed.

Cyclists (Reflective Belts)

Mr. Denham: To ask the Secretary of State for Transport if he will make it his policy to require cyclists to wear Sam Brown reflective belts. [16049]

Mr. Norris: My Department takes every opportunity to encourage cyclists to use conspicuity aids. However, I believe that their use should remain a matter of individual choice.

YAK 42 Aircraft

Mr. Allen: To ask the Secretary of State for Transport how many YAK 42s are currently registered to fly into United Kingdom airports; and what was the date of manufacture of each of these aircraft. [16081]

Mr. Norris: No YAK 42 aircraft are currently covered by the operating permits granted by the Department to foreign airlines.

Buses and Coaches

Sir Roger Moate: To ask the Secretary of State for Transport what assessment he has made of the level of investment in new buses and coaches since deregulation and privatisation; and what was the number of new vehicles ordered each year. [15838]

Mr. Norris: Decisions on the level of investment in new vehicles are a matter for bus and coach companies themselves. Information on the number of orders for new vehicles is not available, but the number of buses and coaches registered for the first time is available from data recorded by the Driver and Vehicle Licensing Agency. The list gives figures since 1985:

Number of buses and coaches with nine or more passenger seats registered for the first time.[1]

1985: 3,747
1986: 5,479
1987: 5,015
1988: 4,970
1989: 5,081
1990: 4,547
1991: 3,016
1992: 3,051
1993: 3,643
1994: 4,202
1995: 5,214

[1] Up to end June 1995 vehicles are those in taxation class 35—Hackney. From 1 July 1995 vehicles are those in taxation class 34—Bus. Both these taxation classes cover the use of vehicles for public transportation.

Rail Ticketing Agreement

Mr. Gordon Prentice: To ask the Secretary of State for Transport, pursuant to his answer of 14 February 1996, *Official Report*, column *574*, how many young people are employed by Rail Settlement Plan Ltd. to police the ticketing and settlement agreement. [15909]

Mr. Watts: Rail Settlement Plan Ltd. employs the equivalent of 95 full-time staff, under contract from British Rail Business Systems, to provide independent auditing and monitoring of compliance with the terms of the ticketing and settlement agreement.

Central Railway

Mr. Pawsey: To ask the Secretary of State for Transport what recent consultations have taken place between his Department and Central Railway plc; and what evaluation his Department has undertaken of its proposals. [15832]

Mr. Watts: My right hon. Friend the Secretary of State met Central Railway plc on 17 January as part of a continuing dialogue between the company and the Department on procedural aspects of the Transport and Works Act 1992. The Department has undertaken no evaluation of the proposals, but has made comments on initial drafts provided by the company of certain application documents in the context of the statutory requirements.

Newbury Bypass

Mr. Gapes: To ask the Secretary of State for Transport if the company Reliance employed by the Highways Agency for work on the Newbury bypass has carried out checks on staff for previous criminal convictions. [15295]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Mike Gapes, dated 20 February 1996:

The Secretary of State for Transport has asked me to reply to your recent question asking if the company Reliance Security Services Limited employed by the Highways Agency for work on the Newbury Bypass has carried out checks on staff for previous criminal convictions.

Reliance are not employed by the Highways Agency. They are employed by the site clearance contractor. It is a requirement of the Highways Agency that sub-contracted security companies are members of the British Security Industry Association and meet British Standard 7499 covering static guards and mobile patrols.

I understand that to comply with these requirements, Reliance policy is to make detailed checks for criminal convictions going back five years before they employ someone. A further check going back 10 years is then made within three months of employment.

Railway Franchises

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many persons are employed by the rail franchising director to check the bona fides of franchise applicants. [15161]

Mr. Watts: A number of staff at the Office of Passenger Rail Franchising and merchant bank advisers employed by the franchising director check the bona fides of franchise applicants through various procedures at the pre-qualification stage and throughout the tendering process.

Ashford Station (Wheelchairs)

Mr. Tom Clarke: To ask the Secretary of State for Transport what steps he has taken to ensure that the operators of Ashford international railway station provide *(a)* a ticket office window at a height convenient for wheelchair using passengers and *(b)* means of independent access by wheelchair users to the carriages of trains using the station. [14454]

Mr. Watts: We have no powers to require European Passenger Services to make modifications to Ashford international or to the trains which serve it. In the longer term, the Disability Discrimination Act 1995 will enable

us to set access standards for new rail vehicles and to address the accessibility of railway stations. We have already begun discussions with the rail industry.

In the meantime, I understand the EPS worked closely with disabled people and I think that is borne out by the generally high standard of access which is provided.

The company took advice specifically on the design of the ticket counter and concluded that the particular design of desk provided met the needs of both wheelchair users and other passengers. The arrangements for access to the trains at Ashford are the same as those provided at Waterloo international and on other parts of the InterCity network. They have been shown, over a number of years, to work satisfactorily.

Railway Group Safety Plan

Mr. Mark Robinson: To ask the Secretary of State for Transport if he has received the Railway group safety plan for 1996–97; and if he will make a statement. [16240]

Mr. Watts: The Railtrack board has now submitted a 1996–97 safety plan for Britain's national railway network. Copies have been placed in the Library.

The plan sets out strategic safety objectives for 1996–97, reports safety performance by British Rail and Railtrack in 1995–96, and gives details of the arrangements for managing safety on the railway.

All current train operators have had their railway safety cases accepted, a process which relies on an adequate demonstration of commitment and competence by the companies. New operators will need to satisfy the same rigorous scrutiny. The plan is an important companion to these safety cases. It sets a number of objectives designed to maintain safety performance and provide strategic direction to initiatives to improve safety.

NORTHERN IRELAND

Housing

Mr. Trimble: To ask the Secretary of State for Northern Ireland which corporate bodies have been specified as a relevant body under article 3(3) of the Housing (NI) Order 1986. [15147]

Mr. Moss: None.

Employment Tribunals

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many cases have been heard by fair employment tribunals. [15148]

Mr. Ancram: A total of 203 cases have been heard up to 31 January 1996.

Mr. Trimble: To ask the Secretary of State for Northern Ireland how many appeals there have been in respect of cases heard by fair employment tribunals. [15149]

Mr. Ancram: There have been 11 appeals up to 31 January 1996.

Agriculture Payments

Dr. Strang: To ask the Secretary of State for Northern Ireland (1) how many payments he expects to be made in Northern Ireland in 1995–96 for set-aside between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000 and *(f)* over £25,001; [15319]

(2) how many payments were made in Northern Ireland in 1994–95 under the arable area payments scheme *(a)* between £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000 and *(i)* £100,001 and over; [15337]

(3) how many payments were made in Northern Ireland in 1994–95 for set-aside between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000 and *(d)* over £15,001; [15318]

(4) how many payments he expects to be made in Northern Ireland in 1995–96 under the arable area payments scheme between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000, *(i)* £100,001 and £150,000, *(j)* £150,001 and £200,000, and *(k)* £200,001 and over. [15338]

Mr. Ancram: The information is as follows:

Set-aside scheme—Northern Ireland

£	*Set-aside*		*Arable-area payments*	
	1994–95	*1995–96*	*1994–95*	*1995–96*
0–5,000	194	184	2,767	2,828
5,001–10,000	16	14	96	62
10,000–15,000	—	1	47	55
15,001–20,000	—	—	10	34
20,001–25,000	—	—	6	22
25,001–50,000	—	—	8	18
50,001–75,000	—	—	—	2
75,001–100,000	—	—	—	—
100,000–150,000	—	—	—	—
150,001–200,000	—	—	—	—
200,001–and over	—	—	—	—

Students

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many higher education students who have temporarily withdrawn from their courses due to ill health have benefited from the revised guidelines issued by the Department of Education for Northern Ireland to the education and library boards in July 1995. [15293]

Mr. Ancram: None.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Northern Ireland what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15603]

Sir John Wheeler: The majority of suppliers in Northern Ireland are small and medium-sized enterprises.

However, any supplier seeking business through the Government purchasing service is asked to complete a supplier questionnaire as part of the tendering process. One of the requirements of the questionnaire is that all firms give details of the average annual manpower and number of managerial staff employed over the past three years.

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what strain typing studies his Department is currently funding into BSE cases; and what plans he has to extend them to cover cases of Creutzfeldt-Jakob disease. [7214]

Mrs. Browning: This Department is currently funding the following strain typing study of BSE, at the neuropathogenisis unit, Edinburgh:

> "Strain typing of BSE pathogen in mice and comparison with strains from natural sheep scrapie".

Responsibility for funding research into cases of CJD falls to the Department of Health.

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what research he has *(a)* commissioned and *(b)* evaluated into the possibility of domesticated animals other than bovines developing spongiform encephalopathy. [7233]

Mrs. Browning: The Department has commissioned a number of pieces of work to look at the transmission of BSE to other domesticated species; work has also been done independently. This work has shown that sheep, goats and mink develop spongiform encephalopathy when fed with brain from cattle clinically affected with BSE. Pigs have succumbed when BSE infected brain has been injected intra-cerebrally but not when fed infected brain. The only domesticated species in which BSE type disease has occurred naturally, rather than being experimentally induced, is the cat.

All species of animals and poultry are protected against the risk of infection with BSE by the ban on the use of specified bovine offals in feed, which was introduced in September 1990.

Animal Health Officers

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food how many animal health officers are paid for by his Department; what is their cost; and what was the equivalent figure in 1990. [15745]

Mrs. Browning: At 1 January 1996, the Ministry of Agriculture, Fisheries and Food employed 137.1 animal health officers and 29 senior animal health officers. Based on 1995–96 standard salary costs, this amounted to a total cost of £3,463,002 per annum.

At 1 January 1990, there were 135.5 animal health officers and 46 senior animal health officers. Applying Treasury GDP deflator dated November 1993 to the 1995–96 standard salary costs, this amounts to a total cost of £3,052,032 per annum.

Common Agricultural Policy Budget

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how much of the total *(a)* 1980, *(b)* 1985, *(c)* 1990 and *(d)* 1995 CAP budgets in ecus was spent on (i) export refunds, (ii) intervention buying and storage, (iii) arable area payment schemes, (iv) other direct payments, (v) production aids and (vi) removing produce from the market (1) in cash, (2) at 1996 prices and (3) as a percentage of the total CAP budget. [15341]

Mr. Douglas Hogg: The information is as follows:

(1) Cash (mecu[1])

	1980	*1985*	*1990*	*1995*
(i) Export refunds	5,695	6,716	7,798	7,803
(ii) Intervention buying and storage	1,631	4,440	5,477	338
(iii) Arable area payment schemes				(13,491)
(iv) Other direct payments[2] (to farmers)	1,252	3,694	9,038	23,009 (8,409)
(v) Production aids (paid via processors)				(1,109)
(vi) Removing produce from the market (withdrawals and similar operations)	298	894	648	564

Notes:
For expenditure prior to the CAP Reform of 1992, there is no breakdown of arable area scheme; payments, other direct payments and production aids and these have been group together.
[1] 1980 expenditure is in millions of European Units of Account.
[2] Excludes some direct payments to farmers which are subsumed under CAP programmes for remote regions.
Sources:
1980, 1985, 1990 Annual FEOGA Financial Reports, 1995 Commission Working document VI/72/95 (12 December 95).
1996 Prices calculated using deflator of private consumption. Source: European Economy—Annual Economic Report.
1995 No. 59 and European Economy (Supplement A) Economic trends No. 12 December 1995.

(2) At 1996 Prices (mecu[1])

	1980	*1985*	*1990*	*1995*
(i) Export refunds	13,463	10,363	9,810	8,037
(ii) Intervention buying and storage	3,856	6,851	6,890	348
(iii) Arable area payment schemes	—	—	—	(13,896)
(iv) Other direct payments[2] (to farmers)	2,960	5,700	11,370	23,699 (8,661)
(v) Production aids (paid via processors)	—	—	—	(1,142)

(2) At 1996 Prices (mecu[1])

	1980	1985	1990	1995
(vi) Removing produce from the market (withdrawals and similar operations)	704	1,379	815	581

Notes:
For expenditure prior to the CAP Reform of 1992, there is no breakdown of arable area scheme; payments, other direct payments and production aids and these have been group together.
[1] 1980 expenditure is in millions of European Units of Account.
[2] Excludes some direct payments to farmers which are subsumed under CAP programmes for remote regions.
Sources:
1980, 1985, 1990 Annual FEOGA Financial Reports, 1995 Commission Working document VI/72/95 (12 December 95).
1996 Prices calculated using deflator of private consumption. Source: European Economy—Annual Economic Report.
1995 No. 59 and European Economy (Supplement A) Economic trends No. 12 December 1995.

(3) As percentage of total CAP expenditure

	1980	1985	1990	1995
(i) Export refunds	50.3	34.0	28.8	22.6
(ii) Intervention buying and storage	14.4	22.5	20.3	1.0
(iii) Arable area payment schemes	—	—	—	(39.1)
(iv) Other direct payments[1] (to farmers)	11.1	18.7	33.4	66.7 (24.4)
(v) Production aids (paid via processors)	—	—	—	(3.2)
(vi) Removing produce from the market (withdrawals and similar operations)	2.6	4.5	2.4	1.8

Notes:
For expenditure prior to the CAP Reform of 1992, there is no breakdown of arable area scheme; payments, other direct payments and production aids and these have been group together.
[1] Excludes some direct payments to farmers which are subsumed under CAP programmes for remote regions.
Sources:
1980, 1985, 1990 Annual FEOGA Financial Reports, 1995 Commission Working document VI/72/95 (12 December 95).
1996 Prices calculated using deflator of private consumption. Source: European Economy—Annual Economic Report.
1995 No. 59 and European Economy (Supplement A) Economic trends No. 12 December 1995.

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how much of the total 1996 CAP budget, in ecus, will be spent on *(a)* export refunds, *(b)* intervention buying and storage, *(c)* arable area payment schemes, *(d)* other direct payments, *(e)* production aids and *(f)* removing produce from the market (i) in cash and (ii) as a percentage of the total CAP budget. [15340]

Mr. Douglas Hogg: The 1996 budget provisions are as follows:

1996	*(i) mecu*	*(ii) As percentage of total CAP budget*
(a) Export refunds	7,182	17.4
(b) Intervention buying and storage	1,278	3.1
(c) Arable area payments	15,545	37.6
(d) Other direct payments[1] (to farmers)	11,983	29.3
(e) Production aids (paid via processors)	1,139	2.8
(f) Removing produce from the market (withdrawals and similar operations)	790	1.9

Note:[1] Excludes some direct payments to farmers which are ubsumed under CAP programmes for remote regions.
Source:
1996 Adopted Budget of the European Union, (Official Journal L22, Volume 39 of 29 January 1996).

Arable Area Payments Scheme

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many payments *(a)* were made in England in 1994–95 and *(b)* he expects to be made in 1995–96 under the arable area payments scheme between (i) £0 and £5,000, (ii) £5,001 and £10,000, (iii) £10,001 and £15,000, (iv) £15,001 and £20,000, (v) £20,001 and £25,000, (vi) £25,001 and £50,000, (vii) £50,001 and £75,000, (viii) £75,001 and £100,000, (xi) £100,001 and £150,000, (x) £150,001 and £200,000, (xi) £200,001 and £250,000, (xii) £250,001 and £300,000, (xiii) £300,001 and £350,000, (xiv) £350.001 and £400,000, (xv) £400,001 and £450,000, (xvi) £450,001 and £500,000, (xvii) £500,000 and £999,999 and (xviii) £1 million and over. [15320]

Mr. Douglas Hogg: The distribution by size of total payments made against claims in 1994–95 under the arable area payments scheme is as follows. Similar figures are not yet available for 1995–96 as the final oilseeds payments and some payments on non-food set-aside for the year have not yet been made.

Total payments in England banded by size of payment

Size band	*Number of payments*
£0 and £5,000	19,078
£5,001 and £10,000	6,140
£10,001 and £15,000	4,761
£15,001 and £20,000	3,432
£20,001 and £25,000	2,496
£25,001 and £50,000	6,289
£50,001 and £75,000	2,200
£75,001 and £100,000	978
£100,001 and £150,000	694
£150,001 and £200,000	223
£200,001 and £250,000	95
£250,001 and £300,000	32
£300,001 and £350,000	15
£350,001 and £400,000	9
£400,001 and £450,000	12
£450,001 and £500,000	3
£500,000 and over	[1]13

[1] It is not possible to identify separately the number of payments above £1,000,000 for reasons of confidentiality.

Set-aside Payments

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how many payments *(a)* were made in England in 1994–95 and *(b)* he expects to be made in England in 1995–96 for set-aside of between (i) £0 and £5,000, (ii) £5,001 and £10,000, (iii) £10,001 and £15,000, (iv) £15,001 and £20,000, (v) £20,001 and £25,000, (vi) £25,001 and £50,000, (vii) £50,001 and £75,000, (viii) £75,001 and £100,000, (ix) £100,001 and £150,000, (x) £150,001 and £200,000, (xi) £200,001 and £250,000, (xii) £250,001 and £300,000, (xiii) £300,001 and £350,000, (xiv) £350,001 and £400,000, (xv) £400,001 and £450,000, (xvi) £450,001 and £500,000 and (xvii) over £500,000. [15334]

Mr. Douglas Hogg: The distribution by size of payments made against claims in 1994–95 for set-aside is as follows. Similar figures are not yet available for 1995–96 as not all payments have been made where non-food crops have been grown on set-aside land.

Total payments in England banded by size of payment

Size band	*Number of payments*
(i) £0 and £5000	17,738
(ii) £5,001 and £10,000	6,708
(iii) £10,001 and £15,000	2,284
(iv) £15,001 and £20,000	1,040
(v) £20,001 and £25,000	467
(vi) £25,001 and £50,000	564
(vii) £50,001 and £75,000	62
(viii) £75,001 and £100,000	24
(ix) £100,000 and over	[1]8

[1] It is not possible to identify separately the number of payments above £150,000 for reasons of confidentiality.

Sheep and Goats

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the number of eartags on sheep which are likely to *(a)* become illegible and *(b)* be lost in the space of a 12 month period. [15579]

Mrs. Browning: None. There was no need for such an estimate given our intention only to require sheep that are consigned for transport outside Great Britain to be either eartagged or tattooed.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number and percentage of sheep in the United Kingdom that are tattooed. [15577]

Mrs. Browning: None.

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the number of people who keep *(a)* sheep and *(b)* goats. [15622]

Mrs. Browning: We estimated that there are 92,398 sheep holdings and 7,730 goat holdings in England and Wales. This information is contained in the compliance cost assessment and is based on information contained in "The Digest of Agricultural Census Statistics" in 1992.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food what consultation he had with local authorities concerning the staffing and other resources that will have to be committed by them to enforce the Sheep and Goats (Records, Identification and Movement) Order 1996. [15582]

Mrs. Browning: A representative from the national animal health and welfare panel of the local authorities sits on the specially formed industry/Government working group which considered the proposals for the Sheep and Goats (Records, Identification and Movement) Order 1996.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food what consultations have taken place with organisations representing sheep and goat farmers about the assumptions his Department made in respect of the likely costs of complying with the Sheep and Goats (Records, Identification and Movement) Order 1996. [15757]

Mrs. Browning: We consulted the industry regularly on our proposals for the implementation of EC directive 92/102, including for sheep and goats. Views were specifically sought in June 1994 on a draft of the compliance cost assessment.

Mr. Prentice: To ask the Minister of Agriculture, Fisheries and Food for what reasons the statistical information used in the compliance costs assessment for the Sheep and Goats (Records, Identification and Movement) Order 1996 was drawn from 1992 publications. [15756]

Mrs. Browning: A draft compliance cost assessment was issued for comment in 1994 based on the latest complete statistical information available. It was not felt that circumstances had changed to such an extent that a revised CCA based on later figures would be justified.

Live Animal Exports

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many of his veterinary officers and technical assistants were involved on *(a)* 13 February and *(b)* 14 February in lairages near Dover in inspecting animals to ensure that they were fit to travel under the Welfare of Animals during Transport Order 1994 and to deal with other related matters. [16155]

Mrs. Browning: On 13 February there were three veterinary officers, one temporary veterinary inspector and eight technical staff present.

On 14 February there were five veterinary officers, one temporary veterinary inspector and nine technical staff present.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many consignments on 13 and 14 February were inspected by his veterinary officers and technical assistants; how many *(a)* sheep and *(b)* calves were inspected; how many hours were spent in carrying out the inspections; and if he will make a statement. [16156]

Mrs. Browning: On 13 February there were five consignments of sheep totalling 1,805 sheep and seven consignments of calves totalling 828 calves. Ministry staff were present at Dover lairages from 0900 on 13 February until 0130 on 14 February.

On 14 February there was one consignment of sheep totalling 405 sheep and eight consignments of calves totalling 1,165 calves. Ministry staff were present at lairages from 0730 on 14 February until 1700 on 14 February.

SOCIAL SECURITY

Private Pensions

13. **Mrs. Lait:** To ask the Secretary of State for Social Security how many people now have the rights to a private pension. [14363]

Mr. Heald: The latest estimates are that there are more than 20 million people in the country with rights to an occupational pension, and more than 8 million personal pensions. In 1993, the total value of funds in occupational and personal pensions was approaching £600 billion.

19. **Mr. Peter Atkinson:** To ask the Secretary of State for Social Security what is the total sum invested in funded private pensions in the United Kingdom; and what are the equivalent figures in other EU member states. [14369]

Mr. Heald: In 1993, the total value of funds in funded pension schemes in the United Kingdom was nearly £600 billion. This is substantially more than the latest estimate of £480 billion for all the other countries in the European Union.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what estimate he has made of *(a)* the savings to the Exchequer from the take-up of personal pension schemes and *(b)* the cost to the Exchequer of providing relief from employers' national insurance on contributions made by employers to pension schemes for their work force. [14668]

Mr. Heald *[holding answer 12 February 1996]:* The information is in the tables:

Table A: Estimated savings in SERPS expenditure in respect of appropriate personal pension scheme rebates for 1987–88 to 1992–93

£ million

Decade	Savings	Cumulative savings
2002–09	250	250
2010–19	2,350	2,600
2020–29	5,300	7,900
2030–39	7,200	15,100
2040–49	4,500	19,600
2050–59	1,900	21,500
2060–69	500	22,000

Source:
Government Actuary's Department.
Notes:
1. The estimated savings are expressed in 1993–94 price terms.
2. Appropriate personal pension—APPs—have been available since April 1988, but earners were allowed to backdate their minimum contributions based on earnings for the previous tax year, as 1987–88. The estimated savings in the table relate to the SERPS that would have become payable in respect of earnings between April 1988 and March 1993, if those who took out an APP between those dates had not done so.
3. An increase in real earnings of 1½ per cent. has been assumed in these calculations.

Table B: Rebates to appropriate personal pension schemes from 1988–89 to 1993–94

£ million

Year	Amount of rebate: Primary (Employee)	Secondary (Employer)	Total	Cumulative total
1988–89	99	190	289	289
1989–90	587	1,116	1,703	1,992
1990–91	504	958	1,462	3,454
1991–92	600	1,139	1,739	5,193
1992–93	654	1,243	1,897	7,090
1993–94	707	1,344	2,051	9,141

Notes:
1. 1993–94 is the latest year for which published audited accounts are available.
2. The table shows the cost of providing relief (rebates) from employers' national insurance contributions and for completeness, the cost of providing rebates on the employees' contribution as well as the overall total cost.
3. The figures showing the "Total" cost are taken from the published audited accounts of the national insurance fund, and show the amount of rebates paid over to providers of APPs in each of the relevant tax years up to and including 1993–94. The breakdown between the "Employee" and the "Employer" has been estimated by the Government Actuary's Department.
4. These rebates (along with any income tax relief, incentives and appropriate additions) are paid over to the pension providers in arrears following the end of the tax year in which the relevant earnings were paid.
Source:
Government Actuary's Department based on national insurance fund accounts.

Occupational and Private Pensions

14. **Mr. David Shaw:** To ask the Secretary of State for Social Security what assessment he has made of the effect that reduced equity investment yields would have on occupational and private pensions. [14364]

Mr. Heald: Around three fifths of the £600 billion invested in UK pension funds is held in domestic equities. The yield on those investments has been, on average, 10 per cent. in real terms since 1980. All things being equal, any reduction in yield would mean that members would retire with lower pensions or that they and their employers would have to contribute more.

Identity Cards

15. **Mr. Batiste:** To ask the Secretary of State for Social Security if the proposed Social Security identity card will bear a photograph of the owner and have a memory capacity. [14365]

Mr. Lilley: The social security benefit payment card will replace order books and girocheques.

We are still in the process of deciding which of the systems proposed by the shortlisted suppliers offers the best security and other features. It is unlikely that a photograph will be used since other features offer more satisfactory means of identification. The initial version of the card may not use microchip technology, but the service provider must provide for upgrading to smart cards in the future, if that is required.

Disabled People

16. **Dr. Michael Clark:** To ask the Secretary of State for Social Security what recent representations he has received about the Government's policies for disabled people. [14366]

Mr. Burt: I have received many representations by and on behalf of disabled people, particularly about the Disability Discrimination Act 1995. I recently received about 180 nominations for membership of the National Disability Council and I am indebted to a variety of individuals, as well as voluntary and business organisations, for providing such an impressive selection of candidates.

Cold Weather Payments

17. **Mr. Bennett:** To ask the Secretary of State for Social Security how many cold weather payments were made in January. [14367]

18. **Mr. Alan W. Williams:** To ask the Secretary of State for Social Security if he will make a statement on cold weather payments. [14368]

Mr. Roger Evans: More than 2 million payments were made in January. So far this winter, more than 7 million payments, worth more than £62 million, have been made.

The current arrangements are responsive and focused on the most vulnerable groups, with automatic payments when there is a sustained period of very cold weather.

In consultation with the Meteorological Office, postcode areas are linked to one of 55 weather stations throughout the country which are best judged to represent the local climate. The effectiveness of the weather station links are reviewed annually and changes made where appropriate.

Asylum Seekers

20. **Mr. Austin-Walker:** To ask the Secretary of State for Social Security what representations he has received from local authority associations regarding proposals to remove benefits from asylum applicants. [14370]

Mr. Roger Evans: The local authority associations were consulted about the benefit changes affecting asylum seekers. Responses were received from the Association of District Councils, the Association of Metropolitan Authorities and the Association of London Government.

Campbell's Soups

21. **Mr. Campbell-Savours:** To ask the Secretary of State for Social Security what data the Department retains as to the take up of benefits payable to claimants in Maryport arising out of the closure of the Campbell's Soups Homepride plant. [14372]

Mr. Roger Evans: None.

Housing Benefit Fraud

22. **Mr. Amess:** To ask the Secretary of State for Social Security what measures he is taking to tackle housing benefit fraud. [14373]

Mr. Heald: Later this year, I will introduce a central computer record to cross-check claims. I have earmarked £8 million for challenge funding to encourage innovation in fighting fraud, and in April I will strengthen the financial incentives for local authorities to pursue fraud. I have work in hand on a strategy to stop fraud getting into the system. We are already working with the Audit Commission on better checking of housing benefit applications.

Benefit Reforms

23. **Mr. Hendry:** To ask the Secretary of State for Social Security what reforms of the benefit system he is planning in order to help unemployed people back to work. [14374]

Mr. Evans: We are introducing three measures in April: a four-week extension of housing benefit to smooth the transition into work; a "holiday" from national insurance contributions for employers taking on those who have been unemployed for more than two years; and an increase in the childcare disregard in family credit and disability working allowance from £40 to £60 per week.

From October, the back-to-work bonus will provide a lump sum payment for those leaving job seekers allowance or income support who have worked part-time and we will be piloting the earnings top-up scheme to help those without dependent children.

Child Benefit

24. **Mr. Barry Field:** To ask the Secretary of State for Social Security when he plans to reform child benefit. [14375]

Mr. Andrew Mitchell: I have no plans to reform child benefit other than through legislation already announced in clause 10 of the Asylum and Immigration Bill, and in draft regulations to restructure child and one-parent benefit. The regulations are currently the subject of consultation. I would expect these proposals to become law later this year, subject to parliamentary approval.

Benefit Claims

26. **Mr. Bill Michie:** To ask the Secretary of State for Social Security what assessment he has made of how *(a)* income support and *(b)* other claims are assessed. [14377]

Mr. Roger Evans: There are many ways in which the handling of benefit claims are assessed for accuracy, quality and timeousness. The Secretary of State sets the

Benefits Agency targets for accuracy and speed of assessment which are reported annually in the agency business plan and accounts. There is independent monitoring of accuracy by the National Audit Office and of adjudication standards by the chief adjudication officer.

Child Support

28. **Mr. Dalyell:** To ask the Secretary of State for Social Security how many women currently receive less in child support than their husband or partners pay to the Child Support Agency; and if he will make a statement. [14379]

Mr. Andrew Mitchell: Payments of child maintenance made by absent parents to the Child Support Agency are passed on to parents with care unless retained to be offset against current or past payments of income support to the parent with care. Information on the total number of cases where payments are retained could be obtained only at disproportionate cost.

Mr. Michael Brown: To ask the Secretary of State for Social Security what provision is made to ensure that absent parents who have incurred a deduction from earnings order from the Child Support Agency are left with sufficient income on which to live. [14914]

Mr. Mitchell: The deduction from earnings order sent to an employer, in cases where there is either a full or an interim maintenance assessment, includes an amount below which earnings should not be reduced because of the child support payment.

Disability Living Allowance

Mr. Flynn: To ask the Secretary of State for Social Security how many people with *(a)* learning disabilities and *(b)* mental health problems are expected to have their disability living allowance mobility component (i) reduced or (ii) withdrawn when in hospital in *(x)* 1996–97, *(y)* 1997–98 and *(z)* 1998–99. [11997]

Mr. Andrew Mitchell *[holding answer 26 January 1996]:* The information is not available in the format requested. It is estimated that, between 1996 and 1999, some 20,000 to 25,000 people with a learning disability or mental health problem will have their disability living allowance mobility component reduced or withdrawn when in hospital.

Note:

These estimates are provisional and subject to change.

Mr. Allen: To ask the Secretary of State for Social Security what assessment he has made of the impact of his proposal for the removal of the mobility component of disability living allowance on the ability of long-stay patients in hospitals and homes for the mentally ill to re-establish themselves in the community; and if he will make a statement. [14072]

Mr. Mitchell: The proposals concern payability of, rather than entitlement to, the mobility component of disability living allowance. Provided the conditions of entitlement continued to be met, payment would be reinstated on a person's discharge from hospital. Payments would also be made at a daily rate for short periods of hospital leave.

Pension Miscalculations

Mr. Denham: To ask the Secretary of State for Social Security how many women he estimates will have their pension payments reduced as a result of the miscalculation of their entitlement to their deceased husband's private and state earnings-related pension; what estimate he has made of the overpayment to date; and if he will make a statement. [14754]

Mr. Heald: It is estimated that around 12,000 widows will have their benefits reduced. The total overpayment is estimated at £7.5 million. The exact figures will be known only when the examination of all cases is completed at the end of March.

We will not be seeking to recover the overpayment.

Note:

The estimates are derived from a 1 per cent. sample of the national insurance recording system database.

Income Support

Mr. Gapes: To ask the Secretary of State for Social Security how many men aged 55 to 64 years received income support at the present time; and what was the equivalent figure for supplementary benefit in 1979. [14348]

Mr. Roger Evans: The latest information shows that 334,000 men aged 55 to 64 receive income support. The equivalent figure for 1979 was 116,000.

Notes:

1. Source: Supplementary benefit annual statistical inquiry 1979 and the February 1995 income support quarterly inquiry.

2. All figures have been rounded to the nearest thousand.

Pensioner Couples

25. **Dr. Spink:** To ask the Secretary of State for Social Security what help from public funds is available to a pensioner couple with no outside income; and if he will make a statement. [14376]

Mr. Heald: We have a comprehensive structure of benefits to support pensioner couples. This ensures that they have access to an income of more than £100 a week.

We have comprehensive structure of benefits to support pensioner couples. It includes the state retirement pension, an attendance allowance for disabled pensioners and income-related benefits such as income support and housing benefit for pensioners on a low income. Our measures ensure that pensioner couples have access to income of more than £100 a week.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Social Security what plans he has to ensure that his Department identifies the size of its suppliers by the number of their employees. [15596]

Mr. Burt: The Department of Social Security's procedural guidelines on procurement require that potential suppliers to the Department are asked to provide information about the size of their work force.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for Social Security if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15738]

Mr. Roger Evans: The Department of Social Security has responsibility for only one regulatory authority—the Occupational Pensions Board, OPB. Under the terms of the Pension Schemes Act 1993, the OPB is required to consist of a chairman, a deputy chairman and not fewer than eight nor more than 12 other members, one of whom is required to be appointed after consultation with organisations representative of employers. Of the current total membership of 14, 12—85 per cent.—are business people.

Written Answers to Questions

Wednesday 21 February 1996

TRANSPORT

Railtrack

Ms Short: To ask the Secretary of State for Transport if he will make a statement on the outcome of W. S. Atkins's review of the investment needs of Railtrack. [15168]

Mr. Watts: W. S. Atkins has assisted Railtrack in the development of its asset maintenance plan for track and route structures to reflect the long-term maintenance that these assets require. The AMP forecasts expenditure requirements in respect of these assets over a 10-year period. An AMP charge representing a proportion of the forecast expenditure was reflected in Railtrack's accounts for 1994–95.

Royal Train

Mr. Gordon Prentice: To ask the Secretary of State for Transport what was the total cost of operating the royal train in 1995 per mile travelled with a member of the royal family on board. [15954]

Mr. Watts: The total cost to the Exchequer of royal travel by train in 1994–95 was £2.4 million, including train preparation, maintenance and British Transport police security. That sum includes payments in respect of some journeys made in 1993–94. The total cost for journeys made in 1995 is not yet available. The operating cost of the royal train during 1995, both when a member of the royal family was on board and for positioning journeys to and from the depot in Buckinghamshire, was £21.30 per mile in 1994–95 and a slightly lower rate of £20.36 per mile in 1995–96. This excludes costs of overheads, maintenance and security.

Traffic Flow (Marks Tey)

Mr. Jenkin: To ask the Secretary of State for Transport what measures (1) he intends to introduce on the A121 between Hatfield Peverel and Marks Tey on the A120 between Braintree and Marks Tey to ensure that traffic is kept freely flowing and safety standards are maintained; [16066]

(2) what are *(a)* the latest traffic flow figures and *(b)* the latest accident statistics for (i) the A12 between Hatfield Peverel and Marks Tey and (ii) the A120 between Braintree and Marks Tey. [16065]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Laurie Haynes to Mr. Bernard Jenkin, dated 21 February 1996:

The Secretary of State for Transport has asked me to reply to your recent questions about traffic flows, accident statistics and measures to keep traffic flowing freely and maintain safety standards on the A12 and A120.

The 1994 Annual Average Daily Traffic flow (AADT) for the A12 between Hatfield Peverel and Marks Tey was about 67,400 vehicles north of Chelmsford and 54,600 vehicles south of Colchester. On the A120 between Braintree and Marks Tey the 1994 AADT was about 15,000 vehicles.

The latest accident statistics for the twelve months from January 1995 to December 1995 on the A12 between Hatfield Peverel and Marks Tey are:

Fatal: 0

Seriously Injured: 19

Slightly Injured: 52

Total: 71

and on the A120 between Braintree and Marks Tey are:

Fatal: 0

Seriously Injured: 7

Slightly Injured: 25

Total: 32

Responsibility for maintaining the free flow of traffic and safety standard on the present A12 and A120 lies with the Highways Agency's Network Management and Maintenance Directorate. They monitor traffic and accidents and where appropriate promote small Network Enhancement Projects to address particular congestion or accident problems. In the current financial year, three such schemes to address accident problems have been promoted on the A12: one was completed in December and the other two are expected to start next month. Any other improvements that are identified will be taken forward when funds become available.

Land Compensation Act 1973

Mr. Jim Cunningham: To ask the Secretary of State for Transport what amount of compensation and in what category has been paid out to tenants since 1990 under section 52 of the Land Compensation Act 1973. [16039]

Mr. Watts: Where the Highways Agency, or its contractors, has taken entry on to land being compulsorily acquired, the agency has a statutory duty under section 52 of the Land Compensation Act 1973 to make, on receipt of a written application from a person or persons with a qualifying interest in the land, within the period specified in, and subject to the provisions of, that section of the Act, an advance payment equal to 90 per cent. of the agreed, or estimated, compensation payable. Information is not held separately on payments made to tenants under section 52.

Mr. Cunningham: To ask the Secretary of State for Transport how many appeals have been made against refusal of compensation claims under the Land Compensation Act 1973 in each of the last five years; and how many were successful. [16041]

Mr. Watts: This information could be provided only at disproportionate cost.

Mr. Cunningham: To ask the Secretary of State for Transport what percentage of compensation claims under section 52 of the Land Compensation Act 1973 have been refused since 1990. [16040]

Mr. Watts: A decision to refuse advance payment of compensation under section 52 of the Land Compensation Act 1973 may be taken only when the provisions of section 52(6) apply. No separate record is kept of such decisions.

Former Minelayer, MUL16

Mr. Allason: To ask the Secretary of State for Transport what steps he has taken to determine the ownership and current registration of the former minelayer, MUL16. [15556]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to my hon. Friend.

Letter from R. M. Bradley to Mr. Rupert Allason, dated 20 February 1996:

The Secretary of State for Transport has asked me to reply to your question about the former Swedish minelayer MUL 16.

As you know the ship was detained by surveyors from the Marine Safety Agency on 18 August 1995 at Poole Harbour. The ship was subsequently allowed to move to Southampton in order to rectify deficiencies. She remains under detention in Southampton. The ship will not be allowed to go to sea until the Agency is satisfied that it is safe to do so.

You asked what steps have been taken to determine her ownership and current registration. In my letter to you of 29 November I explained that the MSA had attempted, unsuccessfully, to confirm registry so as to establish which maritime administration, if any, was responsible for the ship.

An application has been made to register the vessel under the UK flag. The Registrar General of Seamen and Shipping is currently waiting for a number of documents, including proof of ownership, before proceeding. Checks will also be made to confirm that the vessel is not registered elsewhere.

DUCHY OF LANCASTER

Compliance Cost Assessments

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster (1) for what reasons compliance cost assessments are not prepared for regulations which concern the existing requirements of article 119 of the treaty of Rome in respect of equal treatment; [15953]

(2) if he will make it his policy to prepare a compliance cost assessment for regulations which implement judgments of the European Court of Justice notwithstanding the fact that they concern existing requirements of article 119 of the treaty of Rome; [15952]

(3) what categories of regulation do not require a compliance cost assessment to be prepared. [15951]

Mr. Freeman: The Government require a compliance cost assessment to be prepared for all regulations that have an impact on business, charities and voluntary organisations including those which concern article 119 of the treaty of Rome. The only circumstances in which an assessment need not be prepared would be if the regulation has no impact on business, charities and voluntary organisations.

Fire Safety

Mr. Cox: To ask the Chancellor of the Duchy of Lancaster when he expects to make his observations known on the report on the "Review of Fire Safety Legislation and Enforcement in the United Kingdom". [16036]

Mr. Willetts: The Government have been considering the findings of the review and the views expressed by interested parties, including the deregulation task force. They have also been further considering the fire safety aspects of the EC framework and workplace directives. An announcement on both will be made soon.

EU Legislation

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster if he will list the EC directives which have been subject to a United Kingdom compliance cost assessment for 1993, 1994, 1995 and 1996, together with the date each compliance cost assessment was completed and the date each directive was voted on by the Council of Ministers. [15613]

Mr. Freeman: Details of compliance cost assessments on EC directives, including the date on which each was issued, are set out in the following Command Papers:

1 November 1993 to 30 June 1994: Cm 2719

1 July 1994 to 31 December 1994: Cm 2881

1 January 1995 to 30 June 1995: Cm 3075.

Details of compliance cost assessments issued during the second half of 1995 and during 1996 will be included in further Command Papers which are published at approximately six-monthly intervals.

Details of compliance cost assessments issued before November 1993 and information about the date on which each directive was agreed by the Council of Ministers are not centrally held.

LORD CHANCELLOR'S DEPARTMENT

"Judicial Appointments"

Mr. Carrington: To ask the Parliamentary Secretary, Lord Chancellor's Department how many copies of the information pack "Judicial Appointments" have been produced; and what was the total cost of this exercise. [15210]

Mr. Jonathan Evans: Some 15,000 copies of the information package have been produced at a total cost for design, production and distribution of £47,869.70

Judiciary (Ethnic Awareness Courses)

Mr. Carrington: To ask the Parliamentary Secretary, Lord Chancellor's Department how many judges, recorders and assistant recorders have attended ethnic minority awareness courses organised by his Department; and what has been the cost of these courses. [15211]

Mr. Jonathan Evans: To date, 424 judges, 762 recorders and 345 assistant recorders have attended seminars on ethnic minority issues organised by the Judicial Studies Board. The cost of these seminars has been £645,000.

Statutory Instruments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will cause to be printed on the face of statutory instruments in those instances where no compliances cost assessment has been made, the reasons no such assessment has been made. [15581]

Mr. Freeman: I have been asked to reply.

The Government require a compliance cost assessment to accompany all statutory instruments that have an impact on business, charities and voluntary organisations when they are presented to Parliament. The only circumstances in which a compliance cost assessment is not required would be if the statutory instrument has no adverse impact on business, charities and voluntary organisations. I do not believe there is any necessity to state this in each case.

ENVIRONMENT

Home Energy Efficiency Scheme

Mr. Gordon Prentice: To ask the Secretary of State for the Environment how many people benefited from the home energy efficiency scheme in each parliamentary constituency or other area by which data are collected for the last years for which figures are available. [15863]

Mr. Robert B. Jones: The numbers of grants paid under the home energy efficiency scheme by region of England and in Scotland and Wales for the last three financial years are as follows:

	1993–94	*1994–95*	*1995–96 (Up to 19 February 1996)*
East Midlands	33,321	53,399	57,579
London	23,337	52,829	62,668
North East	21,821	36,876	36,807
North West	43,545	80,475	85,025
Yorkshire and Humberside	26,267	41,977	42,236
South East	30,713	60,142	71,764
South West	12,921	25,197	32,316
West Midlands	36,075	54,722	54,943
Scotland	29,566	41,820	45,848
Wales	11,582	22,784	26,319
Total	269,148	470,221	515,505

Empty Buildings

Dr. Lynne Jones: To ask the Secretary of State for the Environment, pursuant to his answer of 13 February, *Official Report*, column *479*, if he will give the total cost to the common user (office) estate of service, security and other charges associated with empty Government buildings. [16003]

Sir Paul Beresford: Property Holdings has kept a record of the overall costs of vacant accommodation on the common user estate since 1993–94. The figures are aggregate costs of vacant leasehold and freehold accommodation, excluding rents and contributions in lieu of rates. They will include service charges, fuel and utilities, maintenance, professional fees, and settlement of dilapidations claims.

1993–94: £13.1 million

1994–95: £19.7 million

1995–96: £32.9 million (estimated).

The increase in vacant space is due to the fall in the civil service numbers combined with rationalisation and relocation out of London.

Housing (Newcastle)

Mr. Cousins: To ask the Secretary of State for the Environment what resources to date have been applied by his Department to *(a)* the Cowgate estate action scheme, Newcastle, *(b)* Y. V. Lovell plc, *(c)* North British Housing, *(d)* other housing associations in the area and *(e)* the city of Newcastle upon Tyne. [16084]

Sir Paul Beresford: Since 1990, the Department has provided resources to a number of bodies involved in the renewal scheme at Cowgate estate, Newcastle upon Tyne as follows:

(a) Estate Action: £4.500 million

(b) Y.V. Lovell plc: £1.300 million
(City Grant)

(c) City of Newcastle: £3.200 million
(Urban Programme)

In addition, the Housing Corporation has provided the following housing association grant:

(a) Anchor Housing: £1.500 million

(b) North British: £3.700 million.

There has also been some £6 million private investment in the Cowgate renewal scheme.

Altogether, over 900 homes have been improved or created on the estate, together with significant environmental improvements.

Mr. Cousins: To ask the Secretary of State for the Environment if he will list the estate action schemes in the city of Newcastle and in the case of each show the *(a)* number of dwelling units (i) cleared, (ii) improved and (iii) built and *(b)* number of dwelling units transferred from the ownership of Newcastle upon Tyne city council to (i) housing association ownership and (ii) other owners. [16095]

Sir Paul Beresford: The information requested is provided in the table.

Estate Action Schemes—Newcastle

		(a) Number of dwelling units			*(b) Number of dwellings transferred*	
Scheme	*Year Started*	*(1) Cleared*	*(2) Improved*	*(3) Built*	*(1) To Housing Association*	*(1) To Other*
Leazes Estate	1987–88	0	30	0	0	0
Rye Hill Central	1987–88	60	70	0	0	0
N. Kenton Ph 3	1988–89	21	21	0	0	0
E. Garth, Newbiggen Hall	1988–89	0	80	0	64	343
Loadman St. Ph 2A	1989–90	0	26	0	0	0
Dorrington Road	1989–90	0	105	0	0	220
Cruddas Park Ph 1	1989–90	0	450	0	0	0
Cruddas Park Ph 2	1989–90	0	414	0	0	0
Buddle Road	1989–90	27	366	0	0	38

Estate Action Schemes—Newcastle

Scheme	Year Started	(a) Number of dwelling units (1) Cleared	(2) Improved	(3) Built	(b) Number of dwellings transferred (1) To Housing Association	(1) To Other
Loadman St. Central Area	1990–91	92	14	0	0	0
Loadman St. Ph 3	1990–91	0	124	0	0	0
Cowgate Ph. 1,2,3	1990–91	61	278	96	47	81
North Kenton Ph 4	1991–92	20	140	0	60	80
Bentinck Road Ph 3	1991–92	0	54	0	0	0
Rye Hill East	1992–93	51	27	0	0	0
Newbiggen Hall	1992–93	0	72	0	0	75
Cowgate Ph 4	1992–93	0	371	0	0	104
Jubilee Estate	1993–94	0	212	0	86	0
Ferquson Lane Ph 3	1994–95	32	94	100	0	0
Newbiggin Hall Ph 2	1994–95	39	141	32	21	0
Lower Scotswood Ph 2	1994–95	43	243	0	0	0

Mr. Cousins: To ask the Secretary of State for the Environment when the city of Newcastle upon Tyne applied under section 195 of the Housing Act 1988 for funds to support the purchase of properties in the Cowgate estate action area; and when he expects to give a decision. [16096]

Sir Paul Beresford: City of Newcastle upon Tyne council applied to the Secretary of State on 20 December 1995 for consent under section 129 of the Housing Act 1988 to run a cash incentive scheme for current council tenants buying owner-occupied properties on the Cowgate estate. The application is under consideration and a decision will be made shortly.

Mr. Cousins: To ask the Secretary of State for the Environment what sums were spent by Y. V. Lovell plc with estate action fund support on the purchase of land and buildings in the Cowgate estate action area; and how many housing units were so purchased. [16085]

Sir Paul Beresford: Y. V. Lovell plc received no estate action fund support for the purchase of land and buildings in the Cowgate estate. It did, however, receive city grant of £1.3 million for the improvement of 192 former council houses for sale on the open market. Information about the purchase of land and buildings by Lovell plc from the city council is commercially confidential.

Integrated Pollution Control

Ms Ruddock: To ask the Secretary of State for the Environment how many processes are authorised for integrated pollution control by Her Majesty's inspectorate of pollution under part A of the Environmental Protection (Prescribed Processes and Substances) Regulations 1991; how many are authorised for local authority air pollution under part B of the regulations; how many authorisations remain to be determined; and what is his estimate of the additional number of processes that will require authorisation under the requirements of the integrated pollution prevention and control directive. [15845]

Mr. Clappison: The number of IPC authorisations under regulation by Her Majesty's inspectorate of prisons under part A of the Environmental Protection (Prescribed Processes and Substances) Regulations 1991 is 1,863, as at 12 February 1996 and 17 part B authorisations are regulated by HMIP.

A further 246 applications have been received. Of these, 177 meet the requirements of the regulations and are in the process of determination. The remaining 69 have yet to be examined in detail.

Under part B of the regulations up to 31 March 1994, 10,535 processes were authorised for local authority air pollution control and 1,726 were on hand to be determined.

I estimate that the integrated pollution prevention and control directive will cover between 3,500 to 4,000 processes which are not covered by IPC. Of these, approximately 1,600 are already covered by local authority air pollution control. The remaining processes consist of between 1,000 and 1,500 intensive farms, a number of large food and drink processing plants, plus small numbers of other processes not covered by either IPC or LAAPC.

Nitrogen Deposits

Ms Ruddock: To ask the Secretary of State for the Environment when his Department will publish the critical load maps for nitrogen deposition in the United Kingdom. [15846]

Mr. Clappison: United Kingdom maps of critical loads for total acidity, to which nitrogen deposition contributes, have been published in the current digest of environmental statistics. Critical loads maps for nutrient nitrogen have been published in the INDITE report—impacts of nitrogen deposition in terrestrial ecosystems—which was published at the request of the Department in October 1994. Copies of both the digest and the INDITE report have been placed in the House of Commons Library. The nutrient nitrogen maps have recently undergone revision and copies are freely available from my Department on request.

Non-carbon Dioxide Emissions

Ms Ruddock: To ask the Secretary of State for the Environment when he will publish a progress report on the United Kingdom climate change programme relating to non-carbon dioxide emissions. [15847]

Mr. Clappison: An update of the United Kingdom climate change programme covering emissions of all greenhouse gases will be published in March 1997.

Local Government Reorganisation

Mr. Rendel: To ask the Secretary of State for the Environment when he expects to lay before the House the orders for structural change for those local authorities for which he has decided to accord unitary status. [16092]

Sir Paul Beresford: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for the Environment to the hon. Member for Hereford (Mr. Shepherd) on 13 February, *Official Report*, columns *482–83*.

Education Authority Funding

Mr. Blunkett: To ask the Secretary of State for the Environment (1) what are the total amounts of rate support grant, national non-domestic rates and standard spending assessment reduction grant and, as appropriate, community care and metropolitan rail grants provided in *(a)* 1996–97 and *(b)* 1995–96 for each local authority responsible for education in 1996–97 (i) by class and (ii) in total allowing for changes in functions; [15676]

(2) what are the total amounts of rate support grant, national non-domestic rates and standard spending assessment reduction grant, the 1995–96 notional calculation being consistent with the calculation of notional 1995–96 SSAs and council taxes set out in statutory instrument 1996/176 and including 1995–96 community care and metropolitan rail grants treated as part of RSG in 1996–97, and allowing for other changes in function provided in *(a)* 1996–97 and *(b)* 1995–96 for new local authorities assuming responsibility for education in 1996–97 (i) for each authority and (ii) in total. [15675]

Mr. Curry *[holding answer 19 February 1996]:* The information is shown in the tables.

PQ 15676

£ million

	Notional 1995–96			*Actual 1996–97*			
Local authority	*RSG*	*NNDR*	*1995–96 SSA reduction grant*	*RSG*	*NNDR*	*SSA reduction grant*	*1996–97 STG*
Total inner London boroughs including City	1,899.599	504.815	86.284	1,771.381	566.587	75.189	33.942
Total outer London boroughs	1,861.229	939.168	42.759	1,792.205	1,054.969	20.476	39.273
Total Metropolitan districts	4,767.745	2,334.076	12.087	4,603.092	2,604.277	2.978	103.294
Total Shire counties	6,908.355	5,050.302	—	6,534.490	5,715.567	—	219.448
Total Shire unitary authorities	900.070	585.944	1.162	861.611	656.801	—	22.029
Isles of Scilly	1.805	0.445	—	1.682	0.486	0.023	0.014
Total all education authorities	16,338.804	9,414.750	142.292	15,564.462	10,598.687	98.666	418.000
Total England	18,986.076	11,354.000	261.417	18,001.406	12,736.000	219.756	418.000

1. Notional figures for 1995–96 include as amounts of RSG community care special transitional grant and metropolitan rail grant estimated to be payable for that year. This takes account of changes in functions between years and local government reorganisation.
2. For 1996–97 STG is payable in respect of responsibilities additional to those for which STG was payable for 1995–96.

PQ 15675

£ million

	Notional 1995–96			*Actual 1996–97*		
Local authority	*RSG*	*NNDR*	*1995–96 SSA reduction grant*	*RSG*	*NNDR*	*1996–97 SSA reduction grant*
Bath and North East Somerset	40.650	35.254	—	37.703	39.549	—
Bristol	126.487	85.710	—	118.560	96.151	—
South Gloucestershire	49.897	49.599	0.221	47.755	55.990	—
North Somerset	41.778	39.265	—	39.358	44.003	—
Hartlepool	41.090	19.829	—	39.599	22.212	—
Middlesbrough	72.988	31.440	—	70.689	35.386	—
Redcar and Cleveland	59.989	31.012	—	58.323	34.390	—
Stockton-on-Tees	70.292	38.328	—	67.489	42.907	—
East Riding of Yorkshire	83.357	65.068	—	77.313	73.634	—
Kingston upon Hull	119.690	57.750	0.941	118.575	64.819	—
North East Lincolnshire	61.572	34.924	—	60.160	38.867	—
North Lincolnshire	51.826	32.934	—	49.609	36.892	—
York City	38.424	37.931	—	36.598	41.981	—
North Yorkshire CC	127.422	99.632	—	123.309	113.378	—
Total—new/reorganised authorities	985.463	658.678	1.162	945.040	740.160	—
Total England	18,986.076	11,354.000	261.417	18,001.406	12,736.000	219.756

1. Notional figures for 1995–96 include as amounts of RSG community care special transitional grant and metropolitan rail grant estimated to be payable for that year. This takes account of changes in functions between years and local government reorganisation.
2. For 1996–97 STG is payable in respect of responsibilities additional to those for which STG was payable for 1995–96.

Campbells Soups

Mr. Campbell-Savours: To ask the Secretary of State for the Environment how many incidents of scalding at the Campbells Soups factory in King's Lynn have been reported to the Health and Safety Executive in the last five years. [15360]

Sir Paul Beresford *[holding answer 19 February 1996]:* HSE has obtained Campbells Soups' permission to provide the following date which would not otherwise have been released.

Five incidents of scalding at the Campbells Soups factory in King's Lynn have been reported to the Health and Safety Executive in the five-year period between 1 April 1990 and 31 March 1995.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment how many incidents of scalding at the Campbells Soups factory in Stratford-on-Avon have been reported to the Health and Safety Executive in the last five years. [15361]

Sir Paul Beresford *[holding answer 19 February 1996]:* HSE has obtained Campbells Soups' permission to provide the following data which would not otherwise have been released.

One incident of scalding at the Campbells Soups factory in Stratford-upon-Avon has been reported to the Health and Safety Executive between 1 April 1990 and 31 March 1995.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment how many deaths have been notified to the Health and Safety Executive in respect of persons involved in food manufacturing in plants owned by Campbells Soups in the last five years. [15364]

Sir Paul Beresford *[holding answer 19 February 1996]:* One fatal accident at Campbells Soups has been reported to the Health and Safety Executive in the last five years.

Construction Industry

Mr. David Nicholson: To ask the Secretary of State for the Environment what assessment he has made of the consequences for the construction industry in the United Kingdom of *(a)* a minimum wage at a level of £4 an hour and *(b)* implementation of the social chapter. [15442]

Mr. John M. Taylor: I have been asked to reply.

The introduction of a statutory minimum wage and the implementation of the social chapter in the United Kingdom would impose substantial extra costs on British business, which, in turn, would destroy jobs. This would be a double disaster damaging employment and prosperity across the economy, including the construction industry.

TREASURY

North Sea Oil (Tax Revenues)

Mr. Khabra: To ask the Chancellor of the Exchequer what is his estimate of the amount of extra tax revenues that Her Majesty's Treasury would have received from North sea oil companies if no changes had been made in 1983 to the tax regime. [14760]

Mr. Jack: Estimated revenue effects of the changes to petroleum revenue tax in 1983–84 were given in table 4.2 of the "Financial Statement and Budget Report" for that year. No separate estimates were made of the impact on North sea companies of the corporation tax changes in that year.

Public Bodies

Dr. Wright: To ask the Chancellor of the Exchequer if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16025]

Mrs. Angela Knight: There are no executive non-departmental public bodies sponsored by the Treasury.

Euro

Mr. Wilkinson: To ask the Chancellor of the Exchequer (1) what budgetary allocations he is making for the financial years *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99 for preparations by the Royal Mint to produce coins and banknotes for circulation in the United Kingdom denominated in euros; [16058]

(2) what expenditure he has approved to date for officials of the Royal Mint to attend meetings of European Commission working parties in Brussels to prepare for the introduction of a single European currency; and if he will continue to approve such expenditures for this purpose in the future. [16059]

Mr. Kenneth Clarke: No specific provision has been made for expenditure by Her Majesty's Treasury on preparations for single currency coins by the Royal Mint. The Royal Mint operates as a trading fund and takes budgeting decisions on a commercial basis. Preparations for single currency notes are the responsibility of the European Monetary Institute, and involve the national central banks of EU member states, including the Bank of England. The Government are committed to playing a full role in preparations for economic and monetary union, given the implications for the UK—including possible commercial opportunities for the Royal Mint—whether or not we participate in the single currency.

Arms (Iraq)

Mr. Llew Smith: To ask the Chancellor of the Exchequer what request Customs and Excise has received from the United States Customs Department since 1989 for assistance in information on involvement of United Kingdom companies with the Atlanta branch of the Banca Nationale del Lavoro in funding arms purchases for Iraq. [16006]

Mr. Heathcoat-Amory *[holding answer 19 February 1996]:* Requests from the United States Customs Department to Customs and Excise are made under the basis of a memorandum of understanding dated 6 July 1989. Requests and information provided are confidential exchanges solely for the purpose of mutual assistance set out in the memorandum.

Customs and Excise

Mr. Llew Smith: To ask the Chancellor of the Exchequer what plans he has to review Customs and Excise prosecution policy. [15987]

Mr. Heathcoat-Amory *[holding answer 19 February 1996]:* In the light of lessons learnt from the super-gun, Matrix Churchill and other cases, Customs and Excise has already made improvements in the way in which it handles major prosecutions. Sir Richard Scott makes several further recommendations for improvement; these will be carefully considered as a part of the Government's response to the report.

Value Added Tax

Ms Primarolo: To ask the Chancellor of the Exchequer how much value added tax is collected annually from the national health service. [15907]

Mr. Heathcoat-Amory *[holding answer 20 February 1996]:* Assuming that the hon. Lady is referring to the total cost to the NHS of VAT, HM Customs and Excise calculates from the data produced by the Central Statistical Office that it is about £1.5 billion.

If the hon. Lady is referring to actual VAT collected from health authorities, output tax in the year ending 31 March 1995 was £69 million. This was offset by repayments of £381 million in respect of input tax and refunds relating to contracted-out services.

VAT paid is taken into account in the allocation of funds to NHS trusts.

Ms Primarolo: To ask the Chancellor of the Exchequer how much value added tax is collected annually from the sale of pharmaceutical products to the national health service. [15902]

Mr. Heathcoat-Amory *[holding answer 20 February 1996]:* The information requested is not available.

HOME DEPARTMENT

Young Offenders

Mr. Nigel Jones: To ask the Secretary of State for the Home Department (1) if he will make a statement on funding of secure accommodation for young offenders; and what plans he has to transfer responsibility for the funding to the Home Office; [15428]

(2) what is the recidivism rate for young offenders who have been placed in secure accommodation for *(a)* one month, *(b)* three months, *(c)* six months and *(d)* one year and longer; and what assessment he has made of the effectiveness of secure accommodation placements; [15436]

(3) what is the weekly cost of placement per young offender in each approved secure accommodation venue; and if he will make a statement. [15437]

Miss Widdecombe: Responsibility for these matters has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Nigel Jones, dated 21 February 1996:

The Home Secretary has asked me to reply to your recent Questions about the funding of secure accommodation for young offenders, the effectiveness of secure accommodation, and the cost of the various secure accommodation units.

The Department of Health is responsible for the capital funding of secure accommodation and for its approval and inspection. However, revenue funding for the placement in secure accommodation of offenders convicted under section 53 of the Children and Young Persons Act 1933 is a Home Office responsibility having been transferred from the Department of Health on 1 April 1995. There are no plans to change these arrangements.

The information requested on recidivism rates is not available. Limited research on recidivism is contained in Home Office Research and Planning Unit Paper 66, "Juveniles sentenced for serious offences: a comparison of regimes in young offender institutions and local authority community homes", published by the Home Office in 1992. This small scale study found some evidence that section 53 offenders released from secure accommodation did better in terms of reconviction than section 53 offenders released from young offender institutions.

The attached table shows the weekly charge per head for those secure accommodation units in which section 53 offenders have been detained since April 1995.

Unit	*Charge* £
Amberdale	2,198.00
Atkinson Unit	1,973.16
Aycliffe	2,289.00
Barton Moss	1,879.50
Briars Hey	1,873.55
Dyson Hall	2,151.31
East Moor	1,941.80
Fairfield Lodge	2,434.18
Glenthorne	2,530.01
Market Street	2,162.09
Middlesex Lodge	2,849.98
Orchard Lodge	2,919.98
Red Bank	2,177.00
Red Sands	1,974.00
Salters	2,177.00
St. Johns, Birmingham	2,359.00
St. Catherines	2,074.80
Stamford House	2,919.98
Sutton Place	2,197.30
Stoke House	2,419.97
Vinney Green	1,981.00

Children Certificates

Mr. Hawksley: To ask the Secretary of State for the Home Department if his Department has completed the review of the conditions being put on children certificates by magistrates; and if he will make a statement. [15717]

Mr. Kirkhope: We are continuing to monitor the attaching of conditions to children certificates and expect shortly to be in a position to decide what action is required. I regret that it has not proved possible to move as quickly as originally hoped.

Crime Statistics (Nottinghamshire)

Mr. Alexander: To ask the Secretary of State for the Home Department what is the clear-up rate in

Nottinghamshire for *(a)* 1991, *(b)* 1992, *(c)* 1993, *(d)* 1994 and *(e)* 1995 for (i) burglary, (ii) theft and (iii) crimes of violence. [15720]

Mr. Maclean: The available information is given in the table. Information for 1995 is not yet available.

Clear-up rate for notifiable offences recorded in the Nottinghamshire police force area 1991–1994

Percentages

Year	*Burglary*	*Theft and handling stolen goods*	*Crimes of Violence*[1]
1991	22	24	71
1992	22	24	68
1993	29	26	68
1994	29	26	67

[1] Offences of violence against the person, sexual offences and robbery.

Detention Centres (Immigration)

Mr. Cohen: To ask the Secretary of State for the Home Department how many people are currently held in detention centres in respect of immigration. [16002]

Mr. Kirkhope: Information is available on all persons, excluding non-asylum cases in detention for less than a month, held in immigration service detention centres solely under Immigration Act powers. The number of such persons was 295 on 31 January 1996. This figure excludes persons detained in Prison Service establishments or police cells. Information on non-asylum cases in detention for less than a month is not available centrally.

Carl Bridgewater

Mr. Mullin: To ask the Secretary of State for the Home Department what assessment *(a)* he and *(b)* his predecessors made of the evidence of prison officer Kenneth Mann about statements alleged to have been made by Patrick Molloy while awaiting trial for the murder of Carl Bridgewater. [16075]

Mr. Kirkhope: A statement by this officer is one of a number of statements recording admissions by Mr. Molloy, which were taken into account both in the previous consideration of this case and in reaching the provisional conclusions notified on 7 December 1995.

Mr. Mullin: To ask the Secretary of State for the Home Department if he will disclose to solicitors acting for the men convicted of murdering Carl Bridgewater, the statements of the education officer at HMP Gartree relating to Patrick Molloy. [16076]

Mr. Kirkhope: A statement made by a former education officer at Gartree prison was disclosed on 9 June 1995 to the convicted men's solicitor.

Mr. Mullin: To ask the Secretary of State for the Home Department between which dates Patrick Molloy was detained at HMP Winson Green while awaiting trial for the murder of Carl Bridgewater. [16074]

Mr. Kirkhope: The statements of two witnesses indicate that Mr. Molloy was detained in Winson Green prison at some point while awaiting trail, but it has not been possible to find any prison records which confirm this, or to establish the dates.

Political Refugees

Mr. Parry: To ask the Secretary of State for the Home Department how many political refugees from Nigeria are settled in the United Kingdom at the latest available date; and if he will make a statement. [15688]

Mr. Kirkhope: The information requested is not available. However, between 1992 and 1994, three Nigerian nationals were granted settlement after having been in the United Kingdom for four years as refugees. During the same period two Nigerian nationals were recognised as refugees and granted asylum. They may apply for settlement after four years.

Mr. Parry: To ask the Secretary of State for the Home Department how many political refugees have been accepted into the United Kingdom in each of the last five years at the latest date. [15689]

Mr. Kirkhope: During 1995, 1,295 asylum seekers were granted refugee status. Information on the number of grants of asylum in earlier years is given in table 3.1 of the Home Office statistical bulletin "Asylum Statistics United Kingdom 1994", issue 15/95, a copy of which is available in the Library.

Citizenship

Mr. Hicks: To ask the Secretary of State for the Home Department under what legislative provisions the spouse of a United Kingdom subject working overseas on a permanent basis may satisfy the criteria for eligibility for naturalisation as a British citizen; and if he will make a statement. [15878]

Mr. Kirkhope: The provisions governing naturalisation of the spouse of a British citizen are set out in sections 6(2) of and schedule 1 to the British Nationality Act 1981. Applicants are required to be:

aged 18 or over and not of unsound mind;

of good character;

married to a British citizen at the time of application;

free of any time limit on their stay in the United Kingdom under the immigration laws on the date of application;

and to meet certain conditions regarding residence.

Except where the British citizen is in Crown or designated service, the spouse is required to have lived in the Untied Kingdom during the three years prior to application.

Fire Service College

Mr. Roy Hughes: To ask the Secretary of State for the Home Department what steps he is taking to prevent the closure of the Fire Service College. [15855]

Mr. Sackville: The Fire Service College will continue as a next steps agency operating as a trading fund.

Fire Brigades

Mr. Roy Hughes: To ask the Secretary of State for the Home Department what measures he proposes to take to ensure that fire brigades throughout the country are adequately funded in 1996–97. [15854]

Mr. Sackville: It is up to each fire authority, in the light of the proposed criteria for council tax capping, to set a budget for 1996–97 which will enable it to comply with its statutory duties under the Fire Services Act 1947.

Prison Education

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what research has been conducted into the relative effectiveness of *(a)* prison education and *(b)* behaviour modification courses; and if he will make a statement. [16091]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 21 February 1996:

The Home Secretary has asked me to reply to your recent Question about research conducted into the relative effectiveness of (a) prison education and (b) behaviour modification courses.

The available research evidence indicates that programmes can be effective in reducing the risk of re-offending if they are: relevant to the offending of those involved; use methods to which offenders are responsive; provide enough treatment to produce sustained effects; are properly implemented and managed; and are reinforced by compatible work after release. Both prison education and behaviour modification programmes can meet these criteria.

Metropolitan Police

Mr. Merchant: To ask the Secretary of State for the Home Department what will be the total cost to public funds of the Metropolitan police in 1996–97; and if he will make a statement. [17034]

Mr. Howard: As police authority for the Metropolitan police district. I have approved estimates which provide for net revenue expenditure of £1,716.995 million in 1996–97.

The receiver for the Metropolitan police district is issuing, with my approval, a precept of £49.84 per property in band D of the council tax valuation band for Metropolitan police purposes.

I have discussed the estimates for the Metropolitan police expenditure in 1996–97 with representatives of the London local authority associations.

Mr. Paul Malone

Mr. Miller: To ask the Secretary of State for the Home Department on what authority records in the Home Office, relating to the case of Mr. Paul Malone between the years of 1982 and 1984, were destroyed; and if he will make a statement. [14770]

Miss Widdecombe *[holding answer 12 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Andrew Miller, dated 21 February 1996:

The Home Secretary has asked me to reply to your recent Question about records relating to Mr. Paul Malone and under what authority they were destroyed.

Generally Home Office files are selected for retention or destruction in accordance with criteria agreed with the Public Record Office. Papers which are needed on a long term basis for administrative purposes, or because they may be selected for permanent preservation in the Public Record Office, may be kept in the Department for up to 30 years; however in the interest of efficiency, papers which are likely to be of only ephemeral interest are destroyed when they are around 5 years old.

Specific instructions about locally held prison records are set out in Circular Instructions 44/1978 and 23/1990, copies of which are available in the Library of the House.

HEALTH

Parliamentary Questions

Mr. Kirkwood: To ask the Secretary of State for Health how many written parliamentary questions were passed for answer to executive agencies and non-governmental departments in each of the last five years; and if he will make a statement. [14994]

Mr. Horam: Parliamentary questions are not transferred to non-departmental public bodies. The Department's first agency was established on 1 April 1991.

No parliamentary questions were referred to agencies in the 1991–92 parliamentary Session. Five were referred in the 1992–93 parliamentary Session, two in the 1993–94 Session and 17 in the 1994–95 Session.

Six questions have been referred to date in the 1995–96 Session.

Hospitals (Patient Deaths)

Mr. Sheerman: To ask the Secretary of State for Health how many cases have been reported in each health authority in each of the last five years of patients dying after hospital admission but before being found a bed. [15895]

Mr. Horam: The information is not available centrally.

Senior Mangers

Mr. Redmond: To ask the Secretary of State for Health (1) if he will investigate the extent of the practice of NHS trusts and health authorities raising senior management salaries before making them redundant; [15859]

(2) if he will instruct NHS trusts and health authorities that managers on fixed-term contracts should not be made redundant for the purpose of management savings unless this can be done at nil cost. [15908]

Mr. Malone: These are local matters. All national health service boards are required to establish a remuneration and terms of service committee to exercise proper control of executive board members' remuneration. Trust boards are accountable for the proper appointment, appraisal and remuneration of their senior executives and, as in all their functions, boards must have regard to the public service values of accountability, probity and openness enshrined in the codes of conduct and accountability issued to all NHS boards in April 1994.

Mr. Redmond: To ask the Secretary of State for Health what action he is taking to ensure the cost of management staff reductions at NHS health authorities does not exceed the annual savings. [15872]

Mr. Malone: It is for individual health authorities to keep their costs within agreed limits and so deliver their contribution to the overall planned savings.

Patient Transfers

Mr. Sheerman: To ask the Secretary of State for Health what guidelines his Department issues to health authorities regarding the transfer for treatment in another area of patients advised against treatment in one authority. [15893]

Mr. Horam: None. This is a clinical matter and it is for doctors to determine.

NHS Trust Directors

Mr. Redmond: To ask the Secretary of State for Health (1) if he will stop payments of salary to NHS trust directors for a calendar month during which they fail to attend any scheduled meetings; [15869]

(2) what action he plans to take about NHS trust non-executive directors who claim the full salary while attending only a minority of meetings. [15860]

Mr. Malone: There are no plans to make any change to the circumstances in which remuneration is payable to non-executive directors of national health service trusts.

Mr. Salya Narcein Bansal

Mr. Sheerman: To ask the Secretary of State for Health if he will institute an independent inquiry into the death of Mr. Salya Narcein Bansal in Wythenshawe hospital. [15897]

Mr. Horam: South Manchester University Hospitals national health service trust has already investigated this case under the standard NHS complaints procedures.

Children Act 1989 (Contact Orders)

Mr. Gapes: To ask the Secretary of State for Health what information he collects centrally on the effects or operation of section 8 orders under the Children Act 1989. [15963]

Mr. Bowis: None.

Wansbeck NHS Trust

Mr. Redmond: To ask the Secretary of State for Health if he will call for a report in to the cost to Wansbeck NHS trust of terminating the services of its chief executive. [15864]

Mr. Malone: This is a matter for Cheviot and Wansbeck national health service trust. The hon. Member may wish to contact Mr. Baker, chairman of the trust, for details.

Child Labour (Britain)

Mr. Corbyn: To ask the Secretary of State for Health (1) what recent representations he has received on child labour in Britain; and if he will make a statement. [14699]

Mrs Clwyd: To ask the Secretary of State for Health what representations he has received on illegal child employment in the United Kingdom. [14706]

Mr. Bowis: A variety of views have been expressed in response to our recent consultation on proposals for some changes to the law on children's employment.

DEFENCE

Asbestosis

Sir Peter Lloyd: To ask the Secretary of State for Defence how many service personnel *(a)* have been obliged to retire because of asbestos or allied conditions and *(b)* have developed asbestosis or allied conditions after leaving the services in the last 10 years. [16225]

Mr. Soames: Five service personnel—two Army, two Royal Navy and one RAF—have retired in the last 10 years because of asbestosis or allied conditions. Figures for those who have developed asbestosis or allied conditions after leaving the services are not available.

Commanding Officers (Territorial Army)

Mr. Brazier: To ask the Secretary of State for Defence how many commanding officers of regiment and battalion sized units in the Territorial Army are *(a)* territorials and *(b)* regulars; and if he will break down the figures by (i) regiment, (ii) corps and (iii) officer training corps, indicating the equivalent figures for 1990. [15746]

Mr. Soames: See following table:

Summary of TA Commanding Officers

Arm or service	*Total TA Regt's*	*TA CO*	*Reg. CO*
RAC			
1990	5	3	2
Now (20 February 1996)	7	3	4
RA			
1990	6	3	3
Now	6	5	1
RE			
1990	8	3	5
Now	9	3	6
R Signals			
1990	11	3	8
Now	11	4	7
Infantry			
1990	39	10	29
Now	36	4	32
RAMC			
1990	8	5	3
Now	8	6	2
RLC			
1990	8	2	6
Now	8	3	5
REME			
1990	1	—	1
Now	5	2	3

Summary of TA Commanding Officers

Arm or service	*Total TA Regt's*	*TA CO*	*Reg. CO*
UOTC			
1990	19	5	14
Now	19	7	12
Totals			
1990	105	34	71
Now	109	37	72

HMY Britannia

Mr. Tony Banks: To ask the Secretary of State for Defence what measures have been taken to reduce the annual operating cost of Her Majesty's yacht, Britannia; and if he will make a statement. [16263]

Mr. Soames: The demands on Britannia, and hence her operating costs, have varied from year to year, depending on the number and location of countries she has been required to visit. A number of measures have, however, been taken to reduce operating costs. Over the last two years these have included a reduction of 5 per cent. in the size of the ship's complement, and the regrading of the commanding officer's post from rear admiral to commodore.

Type 23 Frigates

Mrs. Ewing: To ask the Secretary of State for Defence what representations he has received on the timing of the announcement of the contract for type 23 frigates; and if he will make a statement. [15779]

Mr. Arbuthnot: Representations have been received from various Members of Parliament as well as from representatives of the management and the work force of both tenderers. An announcement will be made as soon as the decision has been taken.

OVERSEAS DEVELOPMENT ADMINISTRATION

Refugees (Rwanda and Zaire)

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of the situation of Rwandan refugees in Zaire. [16169]

Mr. Hanley: We are in regular contact with the Zairean and Rwandan Governments and the United Nations High Commissioner for Refugees about the situation of the Rwandan refugees. The assessment of UN agencies is that levels of food and other basic requirements for the refugees remain sufficient for the time being. Agencies have also made provision for the large-scale voluntary return of the refugees to Rwanda, which is important for the long-term stability of the Great Lakes region.

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made and what discussions he has held with *(a)* the Zairean Government and *(b)* the UNHCR about the situation in refugee camps on the border between Rwanda and Zaire. [16170]

Mr. Hanley: Our ambassador in Kinshasa has discussed the situation in the refugee camps with Zairean Ministers, reminding them of our opposition to the forcible repatriation of refugees. The ambassador visited the camps on 16 February, and discussed the situation with the local administration and UNHCR officials. Our mission to the UN in Geneva is also in regular contact with UNHCR headquarters staff about this.

Burundi

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the stocks of arms available to different factions in Burundi. [16172]

Mr. Hanley: We have made no such assessment.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions representatives of Her Majesty's Government have had with the Burundian Government. [16191]

Mr. Hanley: The British ambassador in Kigali visited Bujumbura from 24 to 26 January, when she met a number of Minister and political leaders. Baroness Chalker is due to meet the Burundi Minister in London on 22 February.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held *(a)* bilaterally and *(b)* through the European Union regarding the situation in Burundi with (i) the Secretary-General of the Commonwealth, (ii) the Secretary-General of the Organisation of African Unity and (iii) the Secretary-General of the United Nations. [16173]

Mr. Hanley: We have maintained close contact with the UN Secretary-General about the situation in Burundi and have played an active part in discussions in the UN Security Council. We have also supported EU efforts, including the appointment of an EU special representative for the Great Lakes region, and a further visit to Burundi by the EU troika on 12 February. Additionally, we have kept in touch with the Organisation of African Unity secretariat, bilaterally and through the EU troika. There have been no recent discussions with the Commonwealth Secretary-General about Burundi, although we are in close touch with a number of Commonwealth leaders in the region who have an important role to play.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of and what steps he has taken to monitor the situation in Burundi. [16171]

Mr. Hanley: We continue to monitor closely the fragile situation in Burundi. We are giving full support to the efforts of the UN, OAU, regional leaders and the EU to promote political progress.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to ensure that the Overseas Development Administration identifies the size of its suppliers by the number of their employees. [15677]

Mr. Hanley: ODA and its procurement agents have instigated arrangements for asking suppliers bidding for work whether they have fewer than 200 employees.

HOUSE OF COMMONS

Legislation (Complexity)

Mr. Gordon Prentice: To ask the Lord President of the Council what steps he is taking to eliminate unnecessary complexity in primary and secondary legislation. [15765]

Mr. Newton: It is the Government's settled policy that neither primary nor secondary legislation should contain unnecessary provisions, and that provisions should be drafted as simply as is consistent with certainty.

Westminster Hall

Mr. Peter Bottomley: To ask the Chairman of the Accommodation and Works Committee if the southern floor of Westminster Hall is sinking; and if he will make a statement. [15405]

Mr. Ray Powell: Over a period of years there has been some slight movement of the floor at the south end of Westminster Hall. A firm of structural engineers specialising in historic buildings has been appointed to investigate and is expected to produce an interim report in April 1996. Levels and other measurements are monitored regularly. Investigations already made over the Christmas period suggest that major work will not be required.

Security Turnstiles

Mr. Corbett: To ask the Chairman of the Accommodation and Works Committee on what date the security turnstiles were installed at the subway entrance to the House; on how many days since repair and maintenance staff have had to be called to them; and what was the estimated cost to parliamentary funds of that maintenance. [13205]

Mr. Ray Powell *[holding answer 1 February 1996]:* The security turnstiles were installed on 1 September 1993. It is not the practice to publish details of the costs of security measures which have been implemented. Maintenance staff were called out on 66 occasions between November 1993 and December 1995 and the cost of that was borne by the manufacturers of the turnstiles.

Mr. Jaques Arnold: To ask the Chairman of the Accommodation and Works Committee what has been spent on the provision and maintenance of the turnstiles at the pedestrian entrance by Westminster bridge. [13053]

Mr. Powell *[holding answer 12 February 1996]:* The security turnstiles were installed on 1 September 1993. It is not the practice to publish details of the costs of security measures which have been implemented. Maintenance staff were called out on 66 occasions between November 1993 and December 1995 and the cost of that was borne by the manufacturers of the turnstiles.

Palace of Westminster Terrace

Sir Sydney Chapman: To ask the Chairman of the Accommodation and Works Committee what plans there are to restore the Terrace of the Palace of Westminster to its original level. [13048]

Mr. Ray Powell *[holding answer 12 February 1996]:* It would be feasible to restore the Terrace to its original level. When the 10-year rolling programme is next reviewed, the Accommodation and Works Committee will be able to consider whether it would be good value for money to do so.

New Parliamentary Building

Mr. Caborn: To ask the Chairman of the Accommodation and Works Committee which company was awarded the roofing contract for the new parliamentary building; and what was the price at which it was awarded. [14673]

Mr. Ray Powell *[holding answer 14 February 1996]:* I am pleased to announce that, after competitive tendering, the contract for the manufacture and erection of the roof has been awarded to Watson Steel Ltd., Bolton, but regret that it is not the practice to divulge commercially sensitive financial information.

PRIME MINISTER

Kashmir

Mr. Cox: To ask the Prime Minister if he will support the setting up of an eminent persons group to seek to discuss a possible settlement to the conflict in Kashmir; and if he will make a settlement. [16035]

The Prime Minister: I am not aware of any plans to set up an eminent persons group. We continue to believe that the best way forward on Kashmir should involve simultaneous progress on dialogue between India and Pakistan; improvement in human rights in Kashmir and a genuine political process there; and a clear cessation of support for violence in Kashmir.

Naturalisation

Mr. Alton: To ask the Prime Minister on how many occasions in 1993 Government Whips submitted written statements or were consulted on individual applications for naturalisation as a British citizen; and if he will make a statement. [15563]

The Prime Minister *[holding answer 16 February 1996]:* In 1993, Home Office Ministers and officials in the immigration and nationality department received 10 letters from six hon. Members who were Government Whips about individual applications for naturalisation as a British citizen, all of which were constituency cases.

Correspondence from the hon. Member for Gedling (Mr. Mitchell) cannot be located immediately. My right hon. Friend the Home Secretary will write to the hon. Member shortly.

No Government Whips were consulted about any individual cases for naturalisation.

Scott Inquiry

Mr. Hall: To ask the Prime Minister (1) how many civil servants have been assigned to work on the Government's response to the Scott report as of 13 February; [15704]

(2) if he will list the grades and job titles of all civil servants who have worked on the preparation of the Government's response to the Scott report. [15706]

The Prime Minister *[holding answer 16 February 1996]:* The information is not held centrally and could therefore be assembled only at disproportionate cost. Access to the report itself prior to publication was, however, restricted to a small number of officials in the main Departments concerned.

Mr. Llew Smith: To ask the Prime Minister if he will place in the Library a copy of his written statement and replies to written questions posed by Sir Richard Scott to the inquiry into trade with Iraq. [15694]

The Prime Minister *[holding answer 16 February 1996]:* I understand that Sir Richard Scott will be publishing these documents as soon as practicable.

Mr. Smith: To ask the Prime Minister if he will now list the titles of each of the papers his office made available to the Scott inquiry. [15701]

The Prime Minister *[holding answer 16 February 1996]:* I understand that Sir Richard Scott will be making available the source documents referred to in his report and responses to requests for written evidence as soon as possible.

Iraq (Equipment Exports)

Mr. Llew Smith: To ask the Prime Minister if he will list the companies or individuals which made the representations referred to in his answer to the hon. Member for Amber Valley (Mr. Oppenheim) on 24 November 1992, *Official Report*, column *583*. [15702]

The Prime Minister *[holding answer 16 February 1996]:* No. The names of companies or individuals who have corresponded with my Department is confidential unless they give their permission for this information to be disclosed.

Chile (Armaments Production)

Mr. Llew Smith: To ask the Prime Minister what communications *(a)* he and *(b)* other Ministers received from Dr. Carlos Cardoen of Chile since 1985 over the procurement of British machine tools for the production of armaments in Chile. [16000]

The Prime Minister: As far as I am aware, we have no record of any such communications having been received from Dr. Carlos Cardoen.

FOREIGN AND COMMONWEALTH AFFAIRS

Register of Conventional Arms Transfers

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost of compiling the latest United Kingdom submission to the United Nations register of conventional arms transfers; to whom it was circulated; and what responses he has received in respect of the submission. [15961]

Mr. David Davis: We strongly support the UN register of conventional arms which was set up following a personal initiative of my right hon. Friend the Prime Minister at the European Council in April 1991, and are committed to its success.

No study has ever been made into the cost of compiling the UK submission to the register.

The UK's return for each calender year is submitted to the United Nations by 30 April of the following year. Copies are also made available to partners in the Organisation for Security and Co-operation in Europe and placed in the Libraries of the House. Members of the public can also request copies of the UK return from the Foreign and Commonwealth Office or the Ministry of Defence.

No responses have been received, although independent studies have been made by universities and organisations such as the Stockholm International Peace Research Institute.

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom security and intelligence services provided information to their United States counterparts in regard to Iraqi attempts to procure components towards the construction of nuclear weapons between 1987 and 1990. [15978]

Mr. David Davis: Intelligence reporting on Iraqi procurement intentions is covered in the report of Sir Richard Scott's inquiry. It is not our practice to comment on the intelligence relationship with a close ally.

Mr. Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will now reconsider publication of the report received from the UN special commission on Iraq, listing the names of military and dual-use equipment suppliers to Iraq, given to UNSCOM by the Iraqi Government on 26 January 1993. [15972]

Mr. Davis: It is not our practice to comment on information passed to us by the UN special commission. We understand that no such list was passed by the Iraqi Government to the UN special commission on the date in question.

Uranium Sales

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 9 February, *Official Report*, column *389*, regarding the selling of weapons-grade enriched uranium by Russia to Euratom for use in European research reactors, what countries this material is going to; what special security

arrangements are in place to avoid unauthorised diversions; what representations have been made about this sale by the United States authorities; and what was his response. [15980]

Mr. David Davis: Negotiations are still continuing between Euratom and Minatom over the possibility of acquiring highly enriched uranium—HEU—for use in European research reactors. It is for the countries concerned to comment on their own prospective involvement. The UK's role would be limited to possible processing of the HEU at Dounreay for use elsewhere in Europe. The material in question would be subject to Euratom and International Atomic Energy Agency safeguards and to stringent security arrangements in line with international requirements and recommendations. The UK has not received any representations on this subject from the US authorities.

Turkey

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultation took place with Her Majesty's Government over the revised EC document COM(95) 389 final "The Implementation of a Special Financial Co-operation Measure for Turkey"; what agreement was reached regarding provisions for human rights and democracy in Turkey as part of the EU aid package for that Government; what reasons were given for not extending the consultation upon the revised document to the United Kingdom Parliament; and if he will make a statement. [16001]

Mr. David Davis: We welcome this financial co-operation measure, which supports the customs union with Turkey which came into force at the beginning of this year.

The draft measure was subject to the usual procedures for parliamentary scrutiny in the UK. The UK has been fully involved in subsequent discussion of this measure in the Council and working groups. We do not believe that the final text, which we hope will be adopted in the Foreign Affairs Council on 26 February, was sufficiently different from the original draft to require further parliamentary scrutiny.

The measure makes provision for the Council to take appropriate action if democratic principles, the rule of law and basic human rights are violated.

East Timor

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make urgent representations to his French counterpart to retain discussion of the situation in East Timor on the agenda of the EU-Association of South-East Asian Nations meeting on south-east Asian affairs to be held in Bangkok. [15957]

Mr. David Davis: We remain in close touch with France, and our other EU partners, on the topics for discussion at the Asia-Europe meeting in Bangkok.

South Africa

Mr. Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Cynon Valley (Mrs. Clwyd) on 13 February, *Official Report*, column *490*, if contact has been made between his Department and other authorities in South Africa *(a)* before and *(b)* since Mr. Grecian's departure for South Africa. [16152]

Mr. David Davis: Officials have frequent contacts with the South African authorities in the course of their duties. However, they had no contacts concerning Mr. Grecian prior to his arrival and arrest in South Africa. Since his arrest, officials have been in touch with the South African prison authorities and the Ministry for Foreign Affairs in the course of their consular duties.

Public Bodies

Dr. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16014]

Mr. David Davis: The information is in the table.

Subject to:

	Investigation by Parliamentary Commissioner	*Scrutiny by Audit Commission*	*Scrutiny by HAO*	*Statutory provisions for open government*	*Performance indicators*	*Provisions under citizens charter*
British Council	Yes	No	Yes	No	Yes	Yes
Britain-Russia Centre	Yes	No	Yes	No	Yes	Yes
British Association for Central and Eastern Europe	No	No	Yes	No	Yes	Yes
Commonwealth Institutes in London and Edinburgh	No	No	Yes	No	Yes	Yes
Great Britain-China Centre	Yes	No	Yes	No	Yes	Yes
Marshall Aid Commemoration Commission	No	No	Yes	No	No	Yes
Westminster Foundation for Democracy	No	No	Yes	No	No	No
Commonwealth Scholarship Commission	No	No	Yes	No	No	No
Crown Agent's Holding and Realisation Board	No	No	Yes	No	No	No

Dr. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs which of the executive non-departmental public bodies sponsored by his Department have a statutory base and which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public; and whether in each case this is (i) under a statutory requirement or (ii) voluntarily. [16032]

Mr. Davis: The information is in the following table:

Name of body	*Statutory base*	*Admit members of the public to all board or committee meetings*	*Hold open meetings for the public*
Britain–Russia Centre	Yes	No	No
British Association for Central and Eastern Europe	Yes	No	No
British Council	No	No	No
Commonwealth Institutes, London and Edinburgh	Yes	No	No
Great Britain–China Centre	Yes	No	No
Marshall Aid Commemoration Commission	Yes	No	No
Westminister Foundation for Democracy	Yes	No	No
Commonwealth Scholarship Commission	Yes	No	No
Crown Agents Holding and Realisation Board	Yes	No	No

Sex Tourism

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Commonwealth countries who suffer from the abuse of young children in their countries by sex tourists as to what help or advice his Department can give to such countries. [16045]

Sir Nicholas Bonsor: We regularly raise our concerns with Commonwealth and other countries where child prostitution is prevalent. We are always willing to co-operate with such countries in their efforts to eradicate the abhorrent practice of child sex tourism.

Algeria

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards and what steps he is taking to promote trade between Algeria and the United Kingdom. [16158]

Mr. David Davis: Algeria is not one of the United Kingdom's top 80 export markets—UK exports were £64 million in 1995. Therefore, it has not been the subject of a sustained promotional campaign.

The current security situation in Algeria has meant that our efforts have been modest. It is not realistic to encourage new exporters into a market which they cannot visit safely and whose potential is not easy to access. However, we are aware of the long-term promise of this market and follow developments there closely.

Mr. Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs how much economic aid has been provided by the United Kingdom to Algeria in each of the last five years for which information is available. [16159]

Mr. Davis: Over the last five years, the UK has provided the following bilateral aid:

1990–91: £399,000

1991–92: £336,000

1992–93: £377,000

1993–94: £192,000

1994–95: £140,000

In addition, the latest figures for the estimated UK share of total multilateral disbursements of official development assistance are:

1989: £2.5 million

1990: £1.3 million

1991: £1.8 million

1992: £1.2 million

1993: £5.7 million

Mr. Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions since the general election of 1979 Ministers have *(a)* visited Algeria and *(b)* met (i) the Foreign Minister of Algeria and (ii) one of his deputies. [16160]

Mr. Davis: Although there was a visit to Algeria by the Minister for Industry and Energy, my right hon. Friend the member for Enfield, North (Mr. Eggar), a meeting with the Foreign Minister or one of his deputies was not part of the programme.

There have been no visits to Algeria by Government Ministers since 1993.

To ascertain whether there have been visits in the period 1979 to 1992 would require considerable research which would incur disproportionate cost.

Mr. Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he discussed democratic progress when he last met the Foreign Minister of Algeria. [16162]

Mr. Davis: My right hon. and learned Friend the Foreign Secretary discussed democratic progress with the Algerian Foreign Minister when they met in October 1995.

Scott Inquiry

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs how much has been spent on external legal advice for Ministers and civil servants in relation to the Scott inquiry and report since the period covered by his answer of 17 January, *Official Report*, column *589*. [15925]

Mr. David Davis *[holding answer 19 February 1996]:* £89,417.96 has been spent on external legal advice for Ministers and civil servants since the answer given by the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Richmond and Barnes (Mr. Hanley), on 17 January, column *589*. The total figure for this Department now stands at £407,583.42.

WALES

Health Service (Management Costs)

Mr. Rogers: To ask the Secretary of State for Wales what were the management costs for the Rhymney Valley health unit for each of the years from 1990 to 1995 expressed as an actual figure and as a percentage of total budget. [15529]

Mr. Richards: The cost for 1994–95 was £0.775 million, or 4.13 per cent. The information is not available centrally for earlier years.

Mr. Rogers: To ask the Secretary of State for Wales what were the management costs for the Pembrokeshire NHS trust for the years *(a)* 1992–93, *(b)* 1993–94 and *(c)* 1994–95 expressed as an actual figure and as a percentage of total budget. [15527]

Mr. Richards: Pembrokeshire NHS trust became operational from 1 April 1992. Management cost information is not available centrally for 1992–93. The cost for 1993–94 and 1994–95 was £2.053 million, or 4.95 per cent., and £1.873 million, or 4.46 per cent. respectively.

Mr. Rogers: To ask the Secretary of State for Wales what were the management costs for the Llanelli/Dinefwr NHS trust for the years *(a)* 1992—93, *(b)* 1993–94 and *(c)* 1994–95 expressed as an actual figure and as a percentage of total budget. [15526]

Mr. Richards: Llanelli/Dinefwr NHS trust became operational on 1 April 1993. The management cost for 1993–94 and 1994–95 was £1.024 million or 3.38 per cent., and £0.812 million, or 2.62 per cent., respectively.

Mr. Rogers: To ask the Secretary of State for Wales what were the management costs for the Merthyr and Cynon Valley health unit for the years *(a)* 1990–91, *(b)* 1991–92, *(c)* 1992–93, *(d)* 1993–94 and *(e)* 1994–95 expressed as an actual figure and as a percentage of total budget. [15530]

Mr. Richards: The cost for 1994–95 was £1.478 million, or 2.62 per cent. The information is not available centrally for earlier years.

Mr. Rogers: To ask the Secretary of State for Wales what were the management costs for the Heusol health unit for the years *(a)* 1990–91, *(b)* 1991–92, *(c)* 1992–93, *(d)* 1993–94 and *(e)* 1994–95 expressed as an actual figure and as a percentage of total budget. [15528]

Mr. Richards: The cost for 1994–95 was £0.489 million or 3.51 per cent. The information is not available centrally for earlier years.

Housing Starts

Mr. Alan W. Williams: To ask the Secretary of State for Wales if he will list the number of housing starts *(a)* by local authorities, *(b)* by housing associations and *(c)* in the private sector in each year from 1970. [15532]

Mr. Gwilym Jones: The requested information has been published in table 5 of Welsh housing statistics No. 7 1987—pre-1975—and table 2.1 of Welsh housing statistics No. 15 1995, post-1975; copies of both are in the Library of the House.

Business Link, Clwyd

Mr. Barry Jones: To ask the Secretary of State for Wales when he expects there will be a business link one-stop shop in Clwyd; and if he will make a statement. [15763]

Mr. Richards: My right hon. Friend launched the new business connect service on 15 January. Businesses throughout Wales, including in Clwyd, can access the service through a single telephone number: 0345 96 97 98.

Health Authority General Managers

Mr. Barry Jones: To ask the Secretary of State for Wales what was the total pay bill for NHS health authorities' general managers for 1994–95. [16188]

Mr. Richards: The total pay bill for NHS health authorities chief executives or general managers for 1994–95 amounted to £935,000.

Welsh Language

Dr. Howells: To ask the Secretary of State for Wales (1) what is the projected funding by the Arts Council of Wales to support *(a)* Welsh language publications and *(b)* English language publications in the Principality in 1996–97; [16161]

(2) if he will list, by individual publication, the average circulation figures for those Welsh language publications which received financial assistance from the Arts Council of Wales in each year since 1991; [16163]

(3) if he will list, by individual publication, the average circulation figures for those English language publications which received financial assistance from the Arts Council of Wales in each year since 1991; [16164]

(4) what was the total amount of Arts Council of Wales funding to English language publications in the Principality in each year since 1989; [16165]

(5) what was the total amount of Arts Council of Wales funding to Welsh language publications in the Principality in each year since 1989. [16166]

Mr. Richards: This is an operational matter for the Arts Council of Wales and I will ask the chief executive to write to the hon. Member with the information. A copy of the letter will be placed in the Library of the House.

TRADE AND INDUSTRY

Export Controls

Mr. Llew Smith: To ask the President of the Board of Trade if he will update his answer to the hon. Member for Blaenau Gwent of 19 January 1994, *Official Report*, column *749*, in regard to changes made in the Export of Goods (Control) Order 1989. [15624]

Mr. Larg: The Export of Goods (Control) Order 1989 was amended seven times between its entry into force on 14 February 1990 and 31 December 1991, when it was replaced by the Export of Goods (Control) Order 1991, amended three times. Since then, two further Export of Goods (Control) Orders have been made—one in 1992, amended seven times, and its replacement in 1994, amended five times to date.

Following the implementation of Council regulation (EC) No. 3381/94 on the export of dual-use goods on 1 July 1995, the 1994 order was partially revoked in respect of dual-use goods and the Dual-Use and Related Goods (Export Control) Regulations 1995 introduced.

It would not be possible other than at disproportionate cost to describe all the changes made by these orders, regulations and associated amendments. Changes introduced since 1989 have included relaxations of controls agreed by COCOM before its demise, the implementation of agreements reached in the three non-proliferation regimes referred to in the previous answer, the introduction of an end-use control and the implementation of a new EC regulation on the export of dual-use goods.

Disability Discrimination Act 1995

Mr. Wigley: To ask the President of the Board of Trade what is the estimated cost during 1997 of industrial tribunal proceedings under the Disability Discrimination Act 1995. [16080]

Mr. John M. Taylor: The average cost to public expenditure of an industrial tribunal application in 1994–95 was £377. Current estimates are that there will be some 3,000 claims per annum made under the Disability Discrimination Act 1995. On this basis, the cost during 1997 will be around £1,131,000.

Energy Council

Mrs. Ewing: To ask the President of the Board of Trade if he will list the names and status of those who attended an informal EU Energy Council held in February 1996; what references were made to the energy White Paper on the basis for the future framework of EU energy policy; who will represent Her Majesty's Government at the Energy Council set for 7 May; and if he will make a statement. [15778]

Mr. Eggar: I represented the United Kingdom at the informal Council in Bologna which was chaired by Professor Clo, the Italian Minister for Industry and Foreign Trade. Other member states were mostly represented at ministerial level and Commissioner Papoutsis also attended.

Other diary commitments permitting, I also intend to represent the United Kingdom at the formal Council in May. As regards the discussion on the Commission's energy policy White Paper, I have nothing to add to the answer I gave to the hon. Member for Gateshead, East (Ms Quin) on 19 February 1996, *Official Report*, columns *46–47*.

National Homecare Servicing and Warranties Company

Mr. Nigel Griffiths: To ask the President of the Board of Trade when he expects the Director General of Fair Trading to report on the activities of the National Homecare Servicing and Warranties Company. [15423]

Mr. John M. Taylor: This is a matter for the Director General of Fair Trading.

Insolvency Convention

Mr. David Shaw: To ask the President of the Board of Trade what plans he has to consult interested parties in the United Kingdom on the EC convention on insolvency proceedings. [16896]

Mr. Oppenheim: The EC convention on involvency proceedings aims to simplify the administration of insolvency cases which have cross-border aspects by providing a framework within which the different insolvency regimes of member states can interact with more predictable consequences and more efficiently and effectively than is currently the case. It would apply only in European Union member states and then only if a debtor's centre of main interests was situated in one of those states. It is not a harmonisation measure.

The Government wish to ascertain the views of insolvency practitioners and other interested parties on the likely practical consequences if the convention were implemented in the United Kingdom. Therefore, I have today issued a consultative document on the convention and copies of the document have been placed in the Libraries of both Houses. The closing date for the submission of comments is 12 April 1996.

The convention was opened for signature on 23 November 1995 and 12 member states have already signed. It will remain open for signature until 23 May 1996.

Digital Audio Broadcasting

Mr. David Shaw: To ask the President of the Board of Trade what further plans he has to promote digital audio broadcasting. [16895]

Mr. Ian Taylor: The provisions in the Broadcasting Bill are designed to give terrestrial digital audio broadcasting its best chance of success. The Government are committed to play their full part by creating the most favourable environment for the rapid introduction of new digital broadcasting technologies and, in reply to a question from my hon. Friend the Member for Romford (Sir M. Neubert) on 19 January 1994, at column *647*, the Government announced that certain frequencies would be made available to allow the introduction of DAB services. However, the Government were unable at the time to give any commitment that DAB services would remain in this band once it became possible to free up spectrum in the FM band by closing down analogue services. I am pleased to announce that the frequencies 217.5 to 230 MHz will now be the long-term home for DAB. This removes a major uncertainty for the industry and will give broadcasters, multiplex operators and transmission providers the confidence to invest in new transmission networks and equipment in the knowledge that a move back to the FM band involving further costs will not be required.

Together with the other measures we are taking, this will give further encouragement to the development of DAB which offers the prospect of high-quality reception, even in cars, more services, as well as novel data transmissions involving text, or even pictures, that will enhance the listening experience.

Scott Inquiry

Mr. Llew Smith: To ask the President of the Board of Trade if he will list in the *Official Report* the titles of each of the papers his Department provided to the Scott inquiry. [15697]

Mr. Lang *[holding answer 16 February 1996]:* I have no plans to list the titles of the 28,290 pages of papers which my Department provided to the Scott inquiry. The inquiry will be publishing a substantial number of these documents in the annexe to the report.

Mr. Alan Williams: To ask the President of the Board of Trade how much has been spent on external legal advice for Ministers and civil servants in relation to the Scott inquiry and report since 18 January. [15928]

Mr. Lang *[holding answer 20 February 1996]:* The amount paid since 18 January 1996 by my Department to external legal advisers for advice given to Ministers and civil servants in relation to the Scott inquiry and report is £64,066.

Iraq (Military Equipment)

Mr. Llew Smith: To ask the President of the Board of Trade if the export of Cymbeline radar systems to Iraq prior to August 1990 complied with *(a)* stated export guidelines and *(b)* existing UN embargoes. [14903]

Mr. Lang *[holding answer 16 February 1996]:* Under the usual interdepartmental consultation procedures, applications for the export of Cymbeline mortar-detecting radar to Iraq were deemed to supply an insignificant enhancement of military capability. The supply of this equipment therefore complied with the stated guidelines and, accordingly, the applications were approved.

There was no UN embargo affecting Iraq prior to August 1990.

Mr. Smith: To ask the President of the Board of Trade if he will list for the periods *(a)* 1985 to 1988 and *(b)* 1989 to August 1990 the number of occasions his Department refused an export licence for military or defence equipment orders to Iraq. [14899]

Mr. Lang *[holding answer 16 February 1996]:* Volume V of Lord Justice Scott's report of his inquiry into the export of defence equipment and dual-use goods to Iraq and related prosecutions contains a schedule of export licence applications from 1984 to 1990, submitted by my Department. This schedule contains details of what goods export licences were applied for, who the goods were destined for, the value of the order and whether the licence was granted or refused.

World Trade (UK Share)

Mrs. Beckett: To ask the President of the Board of Trade, pursuant to his answer of 20 December 1995, *Official Report,* column *1266,* what was the United Kingdom's percentage share of world trade in manufactured goods for *(a)* the second half of 1974, *(b)* the second half of 1979 and *(c)* what was the latest available figure. [11058]

Mr. Lang: According to estimates derived from OECD data, the UK share of world exports of manufactures was 7.2 per cent. in the second half of 1974, 7 per cent. in the second half of 1979 and 5.5 per cent. in the second half of 1994—the latest available period.

AGRICULTURE, FISHERIES AND FOOD

Environmental Assessment Regulations (Uncultivated Land)

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food when the Ministry will issue a consultation paper on the environmental assessment regulations for the use of uncultivated land. [15848]

Mr. Boswell: Consultations will be undertaken in due course.

Ms Ruddock: To ask the Minister of Agriculture, Fisheries and Food what is the reason for the delay in issuing the consultation paper on the environmental assessment regulations for the use of uncultivated land. [15849]

Mr. Boswell: We need to ensure that the measures which we propose balance carefully the need to provide for environmental assessment in the small number of cases where this may be required by the EC directive with the minimum regulatory and administrative burden. Consultations will be undertaken when proposals have been developed further.

Night Shooting Licences

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food who is responsible for authorising and signing night shooting licences; what applications and for what areas have been *(a)* made and *(b)* granted since 1994; and if he will place a copy of the terms and conditions of the licences in the Library. [16157]

Mrs. Browning *[holding answer 20 February 1996]:* Section 98 of the Agriculture Act 1947 provides the authority for the Minister to issue notices requiring night shooting for the purposes of preventing damage to crops, pasture, animal or human foodstuffs, livestock, trees, hedges, banks or any works on land. Any such notices are authorised by and signed on behalf of the Minister.

Since 1994, two applications for notices to shoot at night have been received. Both were for areas within the county of Somerset and both were issued. As requested, a copy of the terms and conditions of the notices has been placed in the Library of the House.

Regulatory Bodies

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15735]

Mr. Douglas Hogg *[holding answer 20 February 1996]:* The information requested is as follows:

Body	*Percentage of business people on board*
Agricultural Wages Board	38
UK Register of Organic Food Standards	55
Wine Standards Board	67

In addition, I am responsible for 101 appointments to 11 sea fisheries committees, 92 per cent. of whom are business people.

ATTORNEY-GENERAL

Royal Family (Private Law Rights)

Mr. Mackinlay: To ask the Attorney-General (1) on what basis he concluded that the proposed publication of the memoir of a former employee of the royal household at Buckingham palace constituted a deliberate attempt to interfere with the administration of justice; and if he will make a statement; [15853]

(2) in what circumstances he is able to act on behalf of members of the public in order to restrain newspapers from publishing reports or articles written by or relating to their former employees; [15857]

(3) for what reasons he sought from the editor of *The People* an undertaking that the paper would not publish the memoir of a former employee of the Buckingham palace household; [15851]

(4) what special responsibilities he has in relation to representing *(a)* Her Majesty the Queen and *(b)* other members of the royal family in matters relating to their private lives. [15852]

The Attorney-General: As Her Majesty's Attorney-General, I bring proceedings on behalf of Her Majesty in her private capacity to enforce her private law rights. This includes proceedings against employees or former employees of her household in respect of breach of confidence or breach of contract. I do not have the same function in respect of other members of the royal family or members of the public.

It is a contempt of court for a person who is not a party to proceedings to take steps which are intended to interfere with or impede the administration of justice by subverting the purpose of the proceedings. The contempt is criminal in nature. I can take proceedings for criminal contempt against that person. I take them not on behalf of the Government or the parties to the original proceedings but in my capacity as guardian of the public interest.

On 8 February it became apparent that *The People* intended to publish a story concerning a former employee of the royal household who was the subject of an injunction obtained from the High Court in 1983.

The next day, a letter was sent to the newspaper and its publisher enclosing a copy of the injunction and seeking an undertaking not to publish material of the kind referred to in it. Such publication would have been a criminal contempt of court.

Having considered the response of the editor I concluded that, on the information that she had provided as to the scope of the proposed story, it was not clear that it contravened the terms of the injunction, and it would not be in the public interest to take criminal contempt proceedings against the editor or the publisher. The newspaper was so informed on 15 February.

Mr. Mackinlay: To ask the Attorney-General on how many occasions he has taken action to restrain *(a)* newspaper publishers and *(b)* other publishers from publishing details of the private lives of (i) members of the royal family and (ii) other individuals in the last three years. [15856]

The Attorney-General: There is no record of any proceedings brought by me in the last three years for these purposes.

NORTHERN IRELAND

Probation Work

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what is his assessment of the needs and circumstances in Northern Ireland that prevent his instructing the probation board from bringing policy into line with England and Wales by ending its rule of recruiting only those with a social work qualification for probation work. [12822]

Sir John Wheeler: I refer the hon. and learned Gentleman to my reply of 11 January to the right hon. Member for Strangford (Mr. Taylor) *Official Report*, columns *298–99*. Any change to the current Northern Ireland arrangements will be made in the light of experience in England and Wales, and after full consultation with all interested parties in Northern Ireland.

Meningitis

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland have contracted meningitis in the past 10 years; how many people in Northern Ireland have died of meningitis in the past 10 years; what programme the Government have in place to inform residents of Northern Ireland about the programmes on meningitis and its prevention; what is the financial cost of the programme in Northern Ireland; and if he will make a statement. [15180]

Mr. Moss: The information on notifications of and deaths from meningitis is given in the table. Vaccination of pre-school children against Hib meningitis was introduced in Northern Ireland from October 1992 with a campaign to inform professionals and the public. The campaign cost £50,000 and the cost of the vaccination programme is in excess of £600,000 per annum. A further public awareness campaign about meningitis was mounted in February 1994 at a cost of £1,000.

Year	*Notifications*[1,2]	*Deaths*[3]
1985	150	12
1986	167	6
1987	104	11
1988	156	4
1989	131	13
1990	160	16

Year	Notifications[1,2]	Deaths[3]
1991	195	14
1992	145	13
1993	166	11
1994	183	10
1995	158	n/a

Source:
[1] Returns submitted by Health and Social Services Board.
[2] Notifications since 1990 include meningococcal Septicaemia.
[3] General Register Office Northern Ireland.
n/a=Not yet available.

Nursery Voucher Scheme

Mr. Worthington: To ask the Secretary of State for Northern Ireland (1) how his nursery voucher scheme will address the needs of the most deprived children in the most deprived areas; [15455]

(2) what powers *(a)* the education and library boards and *(b)* the private sector will have to top up the value of nursery vouchers; [15453]

(3) if he will make a statement about progress made on the introduction of the nursery voucher scheme in Northern Ireland and the time scale of the next steps to be taken; [15457]

(4) what estimates he has made of the costs of introducing a nursery voucher scheme in Northern Ireland; [15452]

(5) what discussions he has had with private providers of pre-school care about the nursery voucher scheme; and what was the outcome of those discussions; [15456]

(6) what is *(a)* the cost of providing a full-time nursery education place in each of the education and library boards in Northern Ireland and *(b)* the intended value of a voucher; and what proposals he has to meet the difference between *(a)* and *(b)*. [15454]

Mr. Ancram: Nursery vouchers will be introduced in Northern Ireland in 1997. The scheme will operate on similar lines to that in other UK regions, with all children being eligible for a voucher in the term after their fourth birthday. Details of the proposed arrangements in Northern Ireland will be made available for comment as soon as possible. New legislation will be required and this will be the subject of consultation later this year. The Government have provided an additional £8 million to meet the costs of the scheme in Northern Ireland, based on a voucher value of £1,100 for a full year.

School Travel

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement about the relative costs of school travel in Northern Ireland and other parts of the United Kingdom. [15459]

Mr. Ancram: Comparative expenditure figures on school transport in Northern Ireland and other parts of the United Kingdom over the period 1989–90 to 1993–94 are provided in the table:

£000

	1989–90	1990–91	1991–92	1992–93	1993–94
England	229,046	259,385	283,382	293,108	288,411
Scotland	37,133	39,119	44,246	47,996	53,443
Wales	25,100	27,400	31,700	32,500	34,500
Northern Ireland	20,602	23,229	27,447	30,015	32,199

Free School Transport

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will make a statement about the costs of free school transport in real and constant price terms in each year since 1979. [15461]

Mr. Ancram: The information is as follows:

	Net expenditure £	Constant prices £
1979–80	7,842,838	19,238,236
1980–81	10,437,504	21,638,179
1981–82	11,418,080	21,583,266
1982–83	12,478,738	22,020,061
1983–84	13,146,436	22,170,014
1984–85	13,757,835	22,090,944
1985–86	15,240,425	23,308,242
1986–87	15,443,247	22,923,740
1987–88	17,918,092	25,138,700
1988–89	19,056,271	25,058,616
1989–90	20,602,261	25,323,091
1990–91	23,229,059	26,432,779
1991–92	27,447,462	29,397,769
1992–93	30,015,832	30,891,680
1993–94	32,199,782	32,804,032
1994–95[1]	35,000,000	35,000,000

[1] Estimate.

Mr. Worthington: To ask the Secretary of State for Northern Ireland how many pupils have benefited from free school transport in each year since 1979; and if the pupils were in primary or secondary education. [15462]

Mr. Ancram: The information is set out in the table. Details by school sector are available only from 1984–85:

	Primary	Post primary	Special	Total
1979–80	—	—	—	83,556
1980–81	—	—	—	87,560
1981–82	—	—	—	89,039
1982–83	—	—	—	91,408
1983–84	—	—	—	91,663
1984–85	22,038	69,514	—	91,552
1985–86	22,307	70,456	—	92,763
1986–87	22,627	68,768	—	91,395
1987–88	22,930	71,140	494	94,564
1988–89	22,896	71,218	1,278	95,392
1989–90	23,215	72,835	1,281	97,331
1990–91	22,261	73,491	3,737	99,489
1991–92	20,958	76,523	4,619	102,100
1992–93	23,569	78,513	4,951	107,033
1993–94	24,683	80,015	5,015	109,713
1994–95	25,445	82,367	5,556	113,368
1995–96	25,931	84,225	5,799	115,955

Mr. Worthington: To ask the Secretary of State for Northern Ireland what limits there are on the financial assistance that is given to parents for free school transport for their children. [15460]

Mr. Ancram: Free home-to-home transport is currently provided where a pupil gains admission to a school outside statutory walking distance from home—defined as two miles for pupils under 11 and three miles for other pupils, measured by the nearest available route—and provided that a public or board transport service to or in the vicinity of the school is already available.

Child Care

Mr. Worthington: To ask the Secretary of State for Northern Ireland what contributions he is seeking from the European Union for the extension of pre-five child care in Northern Ireland. [15458]

Mr. Moss: The Government are not currently seeking funding from the European Union for the extension of pre-five child care in Northern Ireland. There is, however, scope under several of the European structural funds programmes already approved for Northern Ireland to support the extension of pre-five child care, most notably measure 2 of sub-programme 4 of the European Union special support programme for peace and reconciliation in Northern Ireland. This measure aims to prevent the future social and labour market exclusion of children and young people by funding, for example, pre-school child care and education projects. The total European fund available under this measure is about £7 million over the period 1996 to 1999.

Rate Collection Agency

Mr. McGrady: To ask the Secretary of State for Northern Ireland what work has been contracted out to *(a)* public and *(b)* private sector employers by the Rate Collection Agency offices; what assessment he has made of the cost of contracting out; and if he will make a statement. [15710]

Mr. Moss: Responsibility for the subject in question has been delegated to the Rate Collection Agency under its chief executive, Mr. D. W. Gallagher. I have asked him to arrange for a reply to be given.

Letter from D. W. Gallagher to Mr. Eddie McGrady, dated 16 February 1996:

I have been asked to reply to your recent Parliamentary Question about contracting out of work by the Rate Collection Agency.

The Agency contracts out all printing work, together with the handling procedures required to issue communications to ratepayers. There are 2 elements to this: the annual billing exercise and the daily round of revised rate accounts, refunds, Housing Benefit information, instalment reminders, etc.

The annual billing exercise involves the issue of around 450,000 accounts at 1 April each year. It would be neither cost effective nor practicable for the RCA to be resourced in terms of staff and equipment to handle work volumes of this magnitude on a once a year basis. The task must of necessity be contracted out. After an open competition conducted under EC regulations, open to both public and private sectors, a 3 year contract has recently been awarded to a private sector firm. Costs are commercial in confidence, but I can assure you that value for money was an important factor in deciding the successful bidder.

Handling the daily round of output from the RCA requires sophisticated printing, collating, and enveloping machinery. Although the RCA could do this work internally, at roughly the same cost as the private sector, transfer of the risk associated with back up for the machinery, staffing, etc, swung the balance in favour of contracting out. This contract was also awarded through competition where value for money was a key factor. Again, costs are commercial in confidence. To date the contractors have proved more than satisfactory in service delivery.

Like many businesses, the Agency has to deal with peaks and troughs of work. Recently, it was decided to seek outside help in opening 7,600 replies from ratepayers received as a result of a special exercise. As this proved cost-effective and allowed staff to concentrate on other duties the Agency will continue to examine how this sort of approach might be used to manage future workload peaks.

The Rate Collection Agency is conscious that the cost of collecting the rates is ultimately borne by the ratepayers of Northern Ireland and will continue to seek the most cost effective means of carrying out its functions while at the same time providing a good quality service to its ratepayer customers.

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is his estimate of expenditure on all forms of hospitality and entertainment by *(a)* his Department, *(b)* his Department's agencies and *(c)* non-departmental public bodies, for (i) 1979–80, (ii) 1989–90, (iii) 1991–92, (iv) 1993–94, (v) 1994–95, (vi) 1995–96 and (vii) 1996–97. [11423]

Sir John Wheeler *[holding answer 30 January 1996]:* The information is as follows:

£ thousand

Year	*NI Departments and NI Office*	*Agencies*
1979–80	[2]11	—
1989–90	[3]35	—
1991–92	476	27
1993–94	512	[5]44
1994–95	461	38
1995–96[1]	515	59
1996–97[1]	[4]337	[6]22

[1] Estimated.
[2] Figures available for DHSS and DENI only.
[3] Figures not available for DFP.
[4] Budgets not yet decided in DED, DOE and DHSS.
[5] Figures not available for Valuation and Lands Agency.
[6] Figures available for VLA and NI Prison Service only.

Information on non-departmental public bodies could be obtained only at disproportionate cost.

Housing Rents

Mrs. Bridget Prentice: To ask the Secretary of State for Northern Ireland what is the average rent for *(a)* privately rented, *(b)* council and *(c)* housing association housing in Belfast. [15578]

Mr. Moss: The present average rent paid by Northern Ireland Housing Executive tenants in Belfast is £30.64 per week. Statistics on rental levels in the private housing sector are not collected. Statistics on rental levels in the housing associations are collected by each individual association but are not available by location.

NATIONAL HERITAGE

Demonstration Sites

Mrs. Dunwoody: To ask the Secretary of State for National Heritage if she list the sites managed by her Department which she has permitted to be used for demonstrations and events for each of the last five years, together with the dates and the organisations involved. [14655]

Mr. Sproat: I am able to provide information for the last three years. The following demonstrations and events were held in Trafalgar Square:

Date	*Organisation*
11/02/96	AWAMI League UK Branch—Rally
28/01/96	Motorforce Group—Event
23/01/96	The Royal Veterinary College—Event
21/01/96	What a Circus Limited—Event
20/01/96	The National Gulf Veterans and Families Association—Vigil
19/11/95	Midlands Co-operative Society Ltd—Event
18/11/95	International Federation of Tamils—March/Rally
11/1195	Asian Music Circuit—Event
03–05/11/95	The British Royal Legion—Event
28/10/95	World Kashmir Freedom Movement—March/Rally
21/10/95	Gospel Outreach Ministry—Religious Meeting
14/10/95	Cuba Solidarity Campaign—March/Rally
24/09/95	Bosnia Solidarity Campaign—Rally
23/09/95	United Evangelistic Mobile Units—Religious Meeting
16/09/95	Walk/Rally To Promote Walking—Event
09/09/95	Campaign for Rights for Survivors of Sexual Abuse—Rally
03/09/95	Taqaddal-Ul-Harmen Sharifen Movement of London—Rally
02/09/95	Hammersmith Morris Men—Event
28/08/95	The Scripture Text Carriers Association—Religious Meeting
27/08/95	Universal Pentecostal Church—Religious Meeting
26/08/95	SOFEL and TGWM—Religious Meeting
18/08/95	Newham Healthcare NHS Trust—Dispersal after a march
13/08/95	Hizb ut-Tahrir—Rally
12/08/95	London City Mission—Religious Meeting
06/08/95	Workers Aid for Bosnia—March/Rally
05/08/95	Torchlight Vigil—No more Hiroshimas—Vigil
29/07/95	Jesus Fellowship Church—Religious Meeting
23/07/95	National Federation of Cypriots in Great Britain—March/Rally
22/07/95	United Tamils Organisation—Event
16/07/95	Campaign for Nuclear Disarmament—March/Rally
15/07/95	Club Europe Holiday Limited—Event
08/07/95	Respect for Animals—Rally
02/07/95	The Big Pink Adventure—Event
20/06/95	The Royal British Legion—Event
17/06/95	The Open Air Mission—Religious Meeting
11/06/95	Awareness UK—Demonstration
10/06/95	SOFEL and TGWM—Religious Meeting
03/06/95	United Evangelistic Mobile Unit—Religious Meeting
28/05/95	Fireman's Relief Aid—Rally
27/05/95	African Liberation Support Campaign—March/Rally
21/05/95	London Light House—Vigil
21/05/95	Turkish Youth Day Committee—Event
20/05/95	All Parties International Kashmir Coordinating Committee—March/Demo
17/05/95	Friends of the Finnish Forest—Event
13–14/05/95	DAY-MER (Turkish group)—Demonstration
26/04/95	National Cancer Alliance—Event
22/04/95	The Armenian Community Church Council of Great Britain—March/Rally
17/04/95	The Script Text Carriers Association—Religious Meeting
16/04/95	The UPC Youth Fellowship—Religious Meeting
09/04/95	Islamic Union of Iraqi Students and Youth—March/Rally
02/04/95	Guys Hospital—Event
01/04/95	New Covenant (Pentecostal) Church—Religious Meeting
25/03/95	Democratic League of Kosova—Demonstration
21/03/95	Commission for Racial Equality—Event
18/03/95	Coalition Against Animal Exports—March/Demonstration
12/03/95	The Express Lift Co Ltd-Sponsored Wheel Chair Push—Event
04/03/95	The Coalition of Ethiopian Democratic Forces—Demonstration
25/02/95	The Muslim Parliament Of Great Britain—Rally
11/02/95	Jammu Kashmir Liberation Front—Rally
10/02/95	University College Rag Week—Event
08/02/95	Royal Veterinary College Rag Week—Event
26/11/94	Women Of Nigeria International—Human Rights Rally
06/11/94 to 07/11/94	The Royal British Legion—Event
29/10/94	Campaign For Nuclear Disarmament—March/Rally
15/10/94	ATD Fourth World—Rally
01/10/94	The New Covenant (Pentecostal) Church—Religious Meeting
25/09/94	IFWA (animal group)—Rally
24/09/94	Count Down On Spanner—March/Rally
17/09/94	SOFEL And TGWM—Religious Meeting
11/09/94	Campaign For Rights For Survivors Of Sexual Abuse—March/Rally
10/09/94	United Evangelistic Mobile Units—Religious Meeting
04/09/94	Anti Meat/Fish Peace Vigil—Event
03/09/94	Movement For Democracy In Nigeria—March/Rally
29/08/94	The Text Carriers Association Religious Meeting
28/08/94	Universal Pentecostal Church—Religious Meeting
27/08/94	International Sufism—Event
20/08/94	The United Day Project—March/Rally/Vigil
13/08/94	International Left-Handers Day—Event
07/08/94	London City Mission—Religious Meeting
06/08/94	National Anti-Hunt Campaign—March/Rally
24/07/94	The Coalition Against The Criminal Justice Bill—March/Rally
23/07/94	Motor Cycle Action Group—Meeting
17/07/94	National Federation of Cypriots In Great Britain March/Rally
16/07/94	Jesus Fellowship Church—Religious Meeting
10/07/94	Procession In Honour Of Our Lady—Religious Meeting
09/07/94	Rights Now Rally—Rally
02/07/94	The Fellowship Of Hackney Carriage Drivers—Event
26/06/94	Melodians Stell Orchestra (UK)—Event
18/06/94	SOFEL and TGWM—Religious Meeting
11/06/94	The Open-Air Mission—Religious Meeting
04/06/94	United Evangelistic Mobile Units—Religious Meeting
30/05/94	Mission West Evangelistic Association—Religious Meeting
29/05/94	Residents Action Group—March/Rally
28/05/94	Amnesty International—Rally
27/05/94	St. Martin In The Fields—Event
22/05/94	The Terrence Higgins Trust—Vigil
19/05/94 to 20/05/94	Break Through—Event
14/05/94	Westminster Morris Men—Event
01/05/94	Advance Party—March/Demonstration
30/04/94	Anti-Apartheid Movement—Event
30/04/94	Amnesty International—Rally
23/04/94	Blackhorse And Standard North West Morris Dancers—Event
18/04/94 to 22/04/94	The National Children's Charities Trust—Event
17/04/94	Appeals Office—Marathon Collection—Event
10/04/94	Palestine Solidarity Campaign—Rally
09/04/94	The Islamic Union Of Iraqi Students And Youth—March/Rally
04/04/94	The Scripture Text Carriers Association—Religious Meeting
03/04/94	UPC Youth Fellowship—Religious Meeting

Date	Organisation
02/04/94	New Covenant (Pentecostal) Church—Religious Meeting
27/03/94	Kurdistan Information Centre—Rally/Vigil
27/03/94	Burson-Marsteller Ltd.—Event
19/03/94	The Solidarity With The Iraqi People—March/Rally
13/03/94	Democratic League Of Kosova—March/Rally
05/03/94	The Muslim Parliament Of Great Britain—March/Rally
15/02/94	Great Ormond Street Children's Hospital Fund—Event
14/02/94	Virgin Management Ltd.—Event
12/02/94	Alliance To Defend Bosnia-Herzegovina—Rally
05/02/94	Stonewall—Rally
25/01/94	Royal Veterinary College—Event
21/11/93	Newham Needs Campaign—Event
20/11/93	TUC—Rally
06/11/93	Inside Out—March/Rally
30/10/93	Countdown On Spanner—March/Rally
24/10/93	The Sea Cadets—Annual service
23/10/93	Unveiling Of Rebellion Statute—Event
23/10/93	Campaign For The Preservation of May Day—Rally
17/10/93	ATD Fourth World—Religious Meeting
16/10/93	Anti-Racist Alliance—Rally
10/10/93	Anti Meat/Fish Peace Vigil—Event
09/10/93	Free Reg Kray—March/Demonstration
08/10/93	XACT—Religious Meeting
03/10/93	Royal Marsden Hospital—Event
02/10/93	United Evangelistic Mobile Units—Religious Meeting
02/10/93	Children's Day Flag Day—Event
30/09/93	Satire—Rally
25/09/93	Bracknell Pentecostal Church—Religious Meeting
18/09/93	Jesus Fellowship Church—Religious Meeting
11/09/93	Campaign For Rights Of Survivors Of Sexual Abuse—Rally
05/09/93	Al-Shaika Sufi Mohammad Khan Mohessani—Rally
04/09/93	SOFEL And TGWM—Religious Meeting
30/08/93	The Scripture Text Carriers Association—Religious Meeting
29/08/93	Universal Pentecostal Church—Religious Meeting
28/08/93	Act-up—March/Rally
21/08/93	Nigerian Citizenship—March/Rally
14/08/93	Mission To London—Religious Meeting
11/08/93	Fiti-Tifi—Event
08/08/93	St. Peter's Independent School—Vigil
07/08/93	National Democratic Front Of Nigeria—Rally
31/07/93	Charity of Deprived Children—Event
25/07/93	Apostolic Church—Religious Meeting
24/07/93	International Federation of Tamils—March/Rally
18/07/93	National Federation of Cypriots—March/Rally
11/07/93	Our Lady's Procession Committee—Religious Meeting
04/07/93	Democratic League of Kosova—March/Rally
03/07/93	National Democratic Alliance—March/Rally
29/06/93	NSPCC—Event
29/06/93	Shaftesbury Society—Event
27/06/93	Melodians Steel Orchestra—Event
26/06/93	United Evangelistic Mobile Units—Religious Meeting
20/06/93	Anti-Apartheid Movement—Rally
19/06/93	SOFEL And TGWM—Religious Meeting
12/06/93	The Open Air Mission—Religious Meeting
05/06/93	John Grooms Charity Collection—Event
04/06/93	Campaign Against The Arms Trade—Rally
01/06/93	St. Martin's School Of Art—Event
31/05/93	The Scripture Text Carriers Association—Religious Meeting
30/05/93	Endangered Dogs Association—Rally
29/05/93	Kurdistan Workers Association—March/Rally
27/05/93	St. Martin's School Of Art—Event
25/05/93	International Run For World Peace—Meeting
23/05/93	The Terrence Higgins Trust—Vigil
19/05/93	Christian Aid—Event
16/05/1993	Methodist Association of Youth Clubs—Rally
15/05/1993	Jesus Fellowship Church—Religious Meeting
09/05/1993	Coalition for Peace in Bosnia—Rally
08/05/1993	N.O.W. Against Live Exports—Rally
24/04/1993	National Anti-Vivisection Society—Rally
18/04/1993	Guy's Hospital Charity Collection—Event
14/04/1993	Petrak Docksider Ltd.—Event
12/04/1993	Bosnia Hertzegovina Information Centre—Rally
11/04/1993	UPC Youth Fellowship—Religious Meeting
10/04/1993	Bracknell Pentecostal Church—Religious Meeting
03/04/1993	Islamic Union of Iraqi Students—March/Rally
31/03/1993	British Red Cross—Event
31/03/1993	The Macmillan Nurse Appeal—Event
23/03/1993	NUPE—Demonstration
23/03/1993	Tour De France—Event
21/03/1993	World Circuit Arts/Kurdish Workers Association—Rally/Vigil
13/03/1993	Homeless Action Group—Rally
07/03/1993	Women Against War Crimes—Rally/Demonstration
06/03/1993	Coalition Against the Fur Trade—Rally/Demonstration
03/03/1993	St. Mary's Hospital Medical School—Event
27/02/1993	Union Pour La Democratie et Le Progres Social—Demonstration
20/02/1993	Kurdish Community in the UK—Rally
24/01/1993	Iraqi People Plight Campaign—Rally
17/01/1993	Campaign for a British Referendum—Demonstration

The following major rallies and events were held on sites managed by the Royal Parks agency:

Date	Organisation
26/11/95	London Grand Christmas Parade
5/11/95	RAC Veteran Car Run
30/09/95	Fight Against Education Cuts
19–20/08/95	VJ Day Event
06/08/95	Bosnia Solidarity Campaign
05/08/95	Justice for Joy Gardner Campaign
29/07/95	UNISON Health Care
23/07/95	National Federation of Cypriots in GB
15/07/95	Challenge Anneka
24/07/95	Lesbian and Gay Pride
06,07,08/05/95	VE Day Event
23/03/95	Fight Against Education Cuts
18/03/95	Coalition Against Animal Exports
23/03/95	The Muslim Parliament of GB
27/11/94	Grand Christmas Parade
09/11/94	National Union of Students
06/11/94	RAC Veteran Car Run
05/11/94	Network Against Child Support
09/10/94	Coalition Against Criminal Justice Bill
28/08/94	Network Against Child Support
13/08/94	25th Anniversary Committee—Troops Out
06/08/94	National Anti Hunt Campaign
24/07/94	Coalition Against Criminal Justice Bill
17/07/94	Cadbury's Strollerthon
17/07/94	National Federation of Cypriots
25/06/94	March for Jesus
18/06/94	Lesbian and Gay Pride
4–5/06/94	Names Project Quilt
24/05/94	Pensioners' Rights Campaign
23/04/94	National Anti-Vivisection Society
17/04/94	London Marathon
13/04/94	D Day Event—Grosvenor Square
20–28/03/94	Marble Arch Competition Exhibition
29/01/94	Committee for British Withdrawal
07/11/93	RAC Veteran Car Run
10/10/93	Crusaid Sponsored Walk
26/09/93	The National Fun Run
04/09/93	Scotland in Hyde Park
18/07/93	National Federation of Cypriots
11/07/93	Cadbury's Strollerthon
20/06/93	Anti-Apartheid Movement
19/06/93	Lesbian and Gay Pride
23/05/93	Muslim Solidarity Committee
24/04/93	National Anti-Vivisection Society
18/04/93	London Marathon

There are, in addition many minor events held in the royal parks on a regular basis.

The following major events were held at the sites managed by the Historic Royal Palaces agency:

	Event
Each year:	
April	London Marathon (Tower of London)
June	IMG Music Festival (Hampton Court)
July	Hampton Court Flower Show
One-off events:	
August 1995	VJ Day Event (Tower of London)
1994	National Lottery Launch (Tower of London)

There are, in addition, many smaller events which do not impact on the operation of the historic royal palaces.

Tourism

Mr. Pendry: To ask the Secretary of State for National Heritage if she will list the United Kingdom's share of the world tourism market in each year since 1979. [15369]

Mr. Sproat: Complete figures for each year are not available, but the latest world tourism organisation yearbook shows that the UK share of the world total for international tourism receipts was 4.4 per cent. in 1993 and 6.7 per cent. in 1980. Provisional figures published by the British Tourist Authority show a 1994 UK share of 4.5 per cent. All these calculations are based on amounts converted into US dollars.

Mr. Pendry: To ask the Secretary of State for National Heritage what estimate she has made of the number of people employed in the tourism industry; and how many of these workers are *(a)* full time, *(b)* part time and *(c)* women. [15368]

Mr. Sproat: There were 1,545,000 employees in employment in tourism-related industries in Great Britain in September 1995, and a further 186,000 self-employed. The latest available estimate is therefore total employment of 1,731,000.

Of the employees in employment *(a)* 705,000 are full time, *(b)* 841,000 are part time and *(c)* 911,000 are women.

Mr. Pendry: To ask the Secretary of State for National Heritage if she will list the United Kingdom's tourism balance of trade for each year since 1979. [15370]

Mr. Sproat: Figures for the travel account in the UK balance of payments, published by the Central Statistical Office, are as follows:

UK Balance of Payments: Travel Account

£ million current prices

	Credits (earnings from overseas visitors to UK)	*Debits (expenditure by UK residents going abroad)*	*Balance*
1979	2,797	2,109	688
1980	2,961	2,738	223
1981	2,970	3,272	–302
1982	3,188	3,640	–452
1983	4,003	4,090	–87
1984	4,614	4,663	–49
1985	5,442	4,871	571
1986	5,553	6,083	–530
1987	6,260	7,280	–1,020
1988	6,184	8,216	–2,032
1989	6,945	9,357	–2,412
1990	7,785	9,916	–2,131
1991	7,168	9,834	–2,666
1992	8,076	11,283	–3,207
1993	9,375	12,707	–3,332
1994	9,920	14,500	–4,580
1995[1]	8,480	11,507	–3,027

[1] Q1-Q3 only; seasonally adjusted.

Mr. Pendry: To ask the Secretary of State for National Heritage what is the most recent estimate she has made of the value of tourism to the United Kingdom's economy. [15371]

Mr. Sproat: Tourism makes a significant contribution to our economy. Spending by tourists in the UK was more than £36 billion in 1994, which is equivalent to more than 5 per cent. of total GDP. The number of jobs in tourism-related industries increased by nearly 4 per cent. in the year to last September, to reach nearly 1.75 million. The total economic and employment impact of travel and tourism is even greater than these figures show because of the indirect benefits of tourism spending across the economy.

Public Bodies

Dr. Wright: To ask the Secretary of State for National Heritage if she will list the executive non-departmental public bodies sponsored by her Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16011]

Mr. Sproat: The information is as follows:

(a) Bodies subject to the jurisdiction of the Parliamentary Commissioner for Administration are listed in schedule 2 of the Parliamentary Commissioner Act 1967, as amended. This includes:

Arts Council of England

British Film Institute

British Library Board

Crafts Council

English Tourist Board

English Heritage

Museums and Galleries Commission

Trustees of the National Heritage Memorial Fund

Register of the Public Lending Right

Sports Council.

(b) None.

(c) All of my Department's executive NDPBs are subject to scrutiny by the Comptroller and Auditor General with the exception of the National Film Development Fund.

(d) None. But all bodies falling within the jurisdiction of the PCA are subject to the Code of Practice on Open Government. Lord Nolan's report on Standards in Public Life recommended that all executive NDPBs should develop their own codes of openness.

(e) My Department monitors the performance of its NDPBs as part of the Corporate Planning process, through which targets and performance indicators are set.

(f) The principles of the Citizen's Charter apply to all the Department's NDPBs.

Public Service Broadcasters

Mr. Fabricant: To ask the Secretary of State for National Heritage (1) on what basis she has not offered to all public service television broadcasters guaranteed capacity in the digital environment sufficient to enable them to provide new services; what steps she plans to take to ensure parity of treatment for such public service broadcasters; and if she will make a statement; [16167]

(2) if she will make a statement on her policy on the role that additional and teletext services can play in stimulating consumer demand for digital broadcast services; and what steps she plans to take to ensure that adequate capacity is available to existing public service broadcasters to fulfil this role. [16168]

Mr. Sproat: The Government judge that a quarter of a multiplex should be more than sufficient for a television broadcaster to reproduce an existing programme service to an acceptable level of picture quality in digital form. This minimum capacity will be offered to S4C and Channel 4 in Wales, so that both might have the widest possible coverage there. The BBC will be offered a whole multiplex, on which it would be required to broadcast its existing two channels. Channel 3, Channel 5 and, outside Wales, Channel 4 will be offered half a multiplex each; again, they would be required to broadcast their existing services on that capacity.

Digital broadcasting also offers new opportunities for data and other additional services, including "super teletext" services, business information services and home shopping. The Government recognise that these services will be attractive to consumers and the Broadcasting Bill provides that such services may occupy up to 10 per cent. of the capacity of any multiplex.

Teletext, holder of the public service teletext licence, has been offered capacity on the multiplex to be shared between Channel 3, Channel 4 and S4C. The Secretary of State recently met Teletext to discuss its digital service and is considering further its request for increased guaranteed capacity so that it, like the broadcasters mentioned, would have sufficient guaranteed capacity also to provide new services. No decision has yet been made on that request.

Yvonne Arnaud Theatre, Guildford

Mr David Howell: To ask the Secretary of State for National Heritage what correspondence she has received concerning the future of the Yvonne Arnaud theatre in Guildford. [14826]

Mr. Sproat *[holding answer 14 February 1996]:* In addition to my right hon. Friend's own letters on the subject, correspondence has been received from my hon. Friend the Member for Esher (Mr. Taylor), the chairman and members of the theatre's appeals committee and the theatre's director and a number of members of the public. My right hon. Friend the Secretary of State has also received a large number of letters in a constituency capacity.

Royal Fine Art Commission

Mr. Fisher: To ask the Secretary of State for National Heritage when she will place a copy of Sir Geoffrey Chipperfield's report on the Royal Fine Art Commission in the Library. [15731]

Mr. Sproat *[holding answer 19 February 1996]:* We are finalising with DOE some detailed points relating to planning guidance. We will place the report and our conclusions in the Library as soon as consultations within government have been completed.

Windsor Castle

Mr. Tony Banks: To ask the Secretary of State for National Heritage how much has been spent to date from public funds for the restoration of Windsor castle; and what is the expected timetable for completion of the restoration. [15926]

Mr. Sproat *[holding answer 19 February 1996]:* By 31 March 1995 £5.7 million had been spent on the restoration from public funds; this is expected to increase to approximately £7.2 million by 31 March 1996.

The restoration is expected to be complete by the spring of 1998.

Gibraltarian Flag

Mr. Tony Banks: To ask the Secretary of State for National Heritage in what circumstances the Gibraltarian flag may be flown at the Gibraltar Government office in London; and if he will make a statement. [15914]

Mr. Sproat *[holding answer 19 February 1996]:* The Government guidelines issued by my Department cover only the flying of the Union flag on central Government buildings in the UK.

Departmental Suppliers

Mrs. Roche: To ask the Secretary of State for National Heritage what plans she has to ensure that her Department identifies the size of its suppliers by the number of their employees. [15611]

Mr. Sproat *[holding answer 20 February 1996]:* In view of the relatively small expenditure on goods and services by my Department and its two agencies, we have no plans to identify the size of suppliers by the number of their employees.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for National Heritage if she will list each regulatory body for which she is responsible indicating for each the percentage of business people on the board. [15732]

Mr. Sproat *[holding answer 20 February 1996]:* The information is provided below. The figures exclude the Office of the National Lottery which is responsible for

regulating the national lottery but does not have board members.

English Heritage: 33 per cent.

Football Licensing Authority: 25 per cent.

Independent Television Commission: 40 per cent.

Radio Authority: 42 per cent.

S4C: 42 per cent.

SCOTLAND

GP Fundholding

Mr. Donohoe: To ask the Secretary of State for Scotland what were the findings of the study of general practitioner fundholding commissioned by his Department and carried out by John Howie of the department of general practice at Edinburgh university during 1995. [13250]

Lord James Douglas-Hamilton: The findings of the project were reported as follows:

"SUMMARY OF CONCLUSIONS"

In relation to prescribing

1. Both holding a fund and being subject to the constraints of an indicative prescribing budget are associated with a reduced volume of prescribing;
2. fund-holders may be more cautious than non fund-holders in introducing new and more expensive preparations to their repertoire. (This is not itself necessarily a 'quality' issue);
3. the quality of prescribing has been maintained in that prescribing volume has risen in three clinical areas where this has been generally recommended by consensus thinking; and
4. budgets should be set on a per capita rather than on an historical basis, and that research aiming to identify what that per capita basis should be needs to be based on more sensitive measures of volume (for example,'DDD's') and not simply on formulae derived from 'prescribed-items.'

In relation to referral

5. Fund-holding has been associated with a significant change in the pattern of use of hospital services; the downward trend in most areas of activity has been matched by an upward trend in the use of direct access services;
6. the changes in waiting time and outcome have not been dramatic but are generally favourable; and
7. development of the process of setting capitation-based allocations will be difficult.

In relation to clinical care

8. The clinical care of patients at consultations has remained generally stable; however,
9. patients in some groups have done well in relation to others when consultation length and enablement are considered together. These include patients with angina, diabetes, chronic bronchitis and difficulties with seeing. They have in common that they are low prevalence problems, are associated with lower levels of social problems, affect older patients and (in the case of diabetes, angina and chronic bronchitis) belong to categories whose care has been subject to 'new contact' incentives.'
10. Patients in the other eight clinical groups (we studied) have done less well in relation to the above in that they report falling enablement and generally higher levels of increase in social morbidity. In the three most prevalent categories (pain, skin disorders, digestive problems) the falls in satisfaction have reached statistical significance;
11. patients with social problems which they wish to discuss have done well (receiving generally longer consultations and reporting sustained and average levels of satisfaction); and
12. patients with social problems they do not state they wish to discuss and who have high GHQ scores receive only average length consultations and report low enablement while those with low GHQ scores receive below average length consultations but report average enablement. Both these groups could be regarded as having done less well than others. Each is more prevalent than all but four of the clinical categories we studied.

In relation to administration

13. The process of negotiating the nature of specialist care between practitioners and specialists has been novel, has shifted ownership of care significantly and appropriately from secondary to primary care, and has been conceptually beneficial to general practitioners and patients; and
14. that further thought needs to be given to the evolution of fund-setting both for the prescribing and hospital services components of funds.

About perceptions of cost and benefit

15. Patients are generally very satisfied with the quality of the services they receive from general practitioners and the level of satisfaction has been maintained over the period in the fund-holding practices we studied and;
16. being the 'lead' doctors in a fund-holding practice has time and perhaps other costs which are higher than those experienced by other doctors. Their perceptions of benefits are also higher. Fund managers perceive higher costs than benefits. Non-lead doctors perceive both costs and benefits at a lower level than do the other groups.

Amongst respondents from fund-holding practices in March 1994

17. Sixty two per cent. are positive or very positive about fund-holding, 24 per cent. are neutral and 15 per cent. are negative; and more generally;
18. the concept of centrally funded evaluative work by independent researchers has been a strength of the 'shadow' experiment; it has worked acceptably (probably on both sides), and it could be a repeatable model in the future.

We finally conclude

19. That discussion of the possible benefits which might follow if the investments in management and in information technology given to fund-holders were also given to non fund-holders should be encouraged".

Lingerbay Inquiry

Mr. Galbraith: To ask the Secretary of State for Scotland what was the cost to Scottish Natural Heritage of the Lingerbay inquiry. [14611]

Mr. Kynoch: Scottish Natural Heritage estimates that it has spent £530,985 on the inquiry to date. This excludes an estimate of staff time, which could be provided only at disproportionate cost.

Departmental Publications

Dr. Wright: To ask the Secretary of State for Scotland which of his Department's administrative manuals and internal guidance are now made public; and which remain private. [14022]

Mr. Michael Forsyth: My Department's record of making publicly available internal guidance documents and administrative manuals is extremely good. The following examples give a good indication of the wide range of information that is available or will be made available:

The Scottish Office Staff Handbook.

Staff guidance: Implementation of the Code of Practice on Access to Government Information.

The Coast Protection Act 1949: A summary guide to legislative powers, definitions and Grant Assistance.

The Crofting Counties Agricultural Grants (Scotland) Scheme Handbook (available from Spring 1996).

The Farm Woodland Premium Scheme Guidance Notes for Area Office Staff (available from Spring 1996).

Grants paid under section 10(1) of the Social Work (Scotland) Act 1968. Desk instructions/procedure manual.

NHS Employers Code of Procedure on the NHS Superannuation Scheme (Scotland).

Confidentiality of Personal Health Information: Code of Practice.

Access to Health Records Act 1990—A guide for the NHS.

Teachers Employers Code of Practice on the Teachers Superannuation Scheme (Scotland).

Departmental Instructions relating to changes in fisheries licensing arrangements and quota management.

The Scottish Fisheries Protection Agency: Code of Enforcement Practice.

The Scottish Prison Service Operating Standards.

Historic Scotland: Nature Conservation and Management Manual.

Historic Scotland: Policy on the Preservation of Monuments in State Care.

The following are examples of material which is not available for public inspection:

The Scottish Office Security Handbook.

Scottish Prison Service Security Manual.

Departmental Instruments relating to fisheries enforcement matters.

Village Shops

Mr. Macdonald: To ask the Secretary of State for Scotland what estimate he has made of the total amount of rates currently payable by village shops in Scotland.[15073]

Mr. Kynoch: This information is not held centrally.

Set-aside Payments

Dr. Strang: To ask the Secretary of State for Scotland how many payments were made in Scotland in 1994–95 for set-aside of between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and 25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000 and *(h)* over £75,000. [15336]

Mr. Raymond S. Robertson: Set-aside payments which have been made to farmers in Scotland under the 1994 arable area payments scheme are as follows:

	Number
(a) £0–£5,000	3,090
(b) £5,001–£10,000	1,036
(c) £10,001–£15,000	275
(d) £15,001–£20,000	106
(e) £20,001–£25,000	41
(f) £25,001 and over	[1]42

[1] It is not possible to identify separately the number of payments above £50,000 for reasons of confidentiality.

Arable Area Payments Scheme

Dr. Strang: To ask the Secretary of State for Scotland how many payments were made in Scotland in 1994–95 under the arable area payments scheme between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000 *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000, *(i)* £100,001 and £150,000 and *(j)* £150,001 and over. [15321]

Mr. Raymond S. Robertson: Payments which have been made to farmers in Scotland under the 1994 arable area payments scheme are as follows:

	Number
(a) £0–£5,000	5,122
(b) £5,001–£10,000	1,090
(c) £10,001–£15,000	804
(d) £15,001–£20,000	653
(e) £20,001–£25,000	399
(f) £25,001–£50,000	990
(g) £50,001–£75,000	257
(h) £75,001–£100,000	96
(i) £100,001–£150,000	52
(j) £150,001 and over	17

Electoral Register

Mr. Donohoe: To ask the Secretary of State for Scotland (1) how many electors were on the electoral register in each year since 1979 for each district council and island council; [15407]

(2) how many electors were on the electoral register in each year since 1979 in each regional council and island council and in each sub-division in Strathclyde regional council. [15408]

Lord James Douglas-Hamilton: The information for 1979 and 1980 is not held centrally. The electorate figures for 1981 to 1984 are set out in the table. The figures for 1985 to 1994 are detailed in the electoral statistics publications, compiled annually by the Office of Population Censuses and Surveys and published by Her Majesty's Stationery Office, which are available in the House of Commons Library. Figures for 1995 are also available in this series, although they refer to the new unitary authorities. Information on each sub-division within Strathclyde regional council is not held centrally.

Area	*1981*	*1982*	*1983*	*1984*
Borders Region	78,878	79,456	79,686	80,119
Berwickshire	14,246	14,397	14,424	14,454
Ettrick and Lauderdale	25,894	26,085	26,179	26,252
Roxburgh	27,659	27,749	27,742	27,975
Tweeddale	11,079	11,225	11,341	11,438
Central Region	204,207	206,392	207,703	209,056
Clackmannan	35,535	35,980	36,022	36,254
Falkirk	108,082	108,935	109,331	109,721
Stirling	60,590	61,477	62,350	63,081
Dumfries and Galloway Region	108,276	109,534	110,738	111,961
Annandale and Eskdale	26,881	27,274	27,678	27,950
Nithsdale	41,618	42,133	42,481	42,910
Stewartry	17,587	17,750	17,997	18,304
Wigtown	22,190	22,377	22,582	22,797
Fife Region	254,545	257,088	259,816	262,459
Dunfermline	91,813	92,704	93,993	95,240
Kirkcaldy	112,942	113,737	114,820	115,732

Area	1981	1982	1983	1984
North-east Fife	49,790	50,647	51,003	51,487
Grampian Region	359,151	365,445	371,288	376,890
Aberdeen City	162,825	165,494	167,085	169,297
Banff and Buchan	59,404	60,321	61,191	61,714
Gordon	46,004	47,326	48,804	50,402
Kincardine and Deeside	30,969	31,673	32,556	33,306
Moray	59,949	60,631	61,652	62,171
Highland Region	140,922	142,964	144,332	146,046
Badenoch and Strathspey	7,426	7,547	7,715	7,756
Caithness	20,295	20,434	20,580	20,696
Inverness	41,306	42,043	42,309	42,957
Lochaber	14,186	14,174	14,292	14,508
Nairn	7,449	7,565	7,702	7,678
Ross and Cromarty	31,916	32,649	33,045	33,623
Skye and Lochalsh	7,858	7,948	8,063	8,261
Sutherland	10,486	10,604	10,625	10,567
Lothian Region	580,283	586,116	591,445	594,584
East Lothian	61,741	62,599	63,270	63,874
Edinburgh City	361,022	364,037	366,664	367,756
Midlothian	60,247	60,664	61,144	61,180
West Lothian	97,273	98,816	100,367	101,774
Strathclyde Region	1,809,773	1,813,832	1,814,780	1,820,204
Argyll and Bute	47,743	48,159	48,066	48,473
Bearsden and Milngavie	29,910	30,400	30,758	31,163
Clydebank	39,296	39,570	39,583	39,419
Clydesdale	42,472	42,816	43,182	43,598
Cumbernauld and Kilsyth	43,635	43,996	44,868	45,255
Cumnock and Doon Valley	33,757	34,004	34,060	34,070
Cunninghame	101,641	102,753	103,237	104,682
Dumbarton	57,439	57,971	58,092	58,521
East Kilbride	61,656	62,042	62,456	62,824
Eastwood	41,091	41,510	42,126	42,495
Glasgow City	595,615	590,606	586,526	584,472
Hamilton	79,622	79,890	80,261	80,451
Inverclyde	76,193	76,378	76,626	76,693
Kilmarnock and Loudoun	62,131	62,289	62,243	62,555
Kyle and Carrick	87,422	88,150	88,540	89,176
Monklands	79,742	80,328	80,145	80,634
Motherwell	110,069	110,512	110,315	111,328
Renfrew	158,679	159,605	160,147	159,631
Strathkelvin	61,660	62,853	63,549	64,764
Tayside Region	297,116	299,708	301,135	302,241
Angus	69,040	69,703	69,865	70,760
Dundee City	139,965	140,295	140,364	139,507
Perth and Kinross	88,111	89,710	90,906	91,974
Orkney Islands Area	14,142	14,310	14,507	14,697
Shetland Islands Area	15,600	15,835	15,892	16,057
Western Isles Islands Area	22,695	22,830	23,020	23,076

School Meals

Mr. Donohoe: To ask the Secretary of State for Scotland what was the average number of students who took school meals in each academic year since and including 1979–80 in each education authority area in Scotland and in each sub-division in Strathclyde regional council; what percentage those taking school meals represented of the total number of pupils; how many students were in receipt of free school meals; and what percentage this represented of the total number of students taking school meals. [15409]

Mr. Raymond S. Robertson: The information requested is given in the tables.

Table 1: Number of pupils taking school meals on census day: education authority schools

Session (at January)

Education Authority	1979–80	1980–81	1981–82	1982–83	1983–84	1984–85	[1]1985–86	[1]1986–87
Scotland	381,945	329,667	316,212	311,370	311,790	318,924	316,495	329,385
Borders	7,968	5,882	5,508	5,277	5,198	5,095	4,701	4,995
Central	18,626	17,615	17,691	16,556	15,976	16,160	14,859	17,271
Dumfries and Galloway	13,623	13,031	11,807	12,196	12,077	11,381	11,683	11,610
Fife	25,799	23,551	22,488	21,484	20,815	21,862	20,587	22,430
Grampian	36,019	29,429	28,292	28,462	28,603	29,193	27,199	27,944
Highland	17,170	13,941	14,832	15,470	16,202	15,973	16,133	14,633
Lothian	49,783	42,810	44,094	37,420	38,365	42,172	43,122	48,240
Strathclyde	177,508	155,329	143,657	146,058	145,174	146,796	149,940	153,800
Tayside	26,867	19,631	20,042	20,470	21,448	22,645	20,833	21,288
Orkney	2,035	1,928	1,597	1,922	1,895	1,964	1,706	1,724
Shetland	2,965	3,025	2,925	2,887	2,778	2,705	2,788	2,687
Western Isles	3,582	3,495	3,279	3,168	3,259	2,978	2,944	2,763
Strathclyde Divisions:								
Argyll and Bute	5,838	5,232	5,232	5,412	5,359	5,094	5,510	5,527
Ayr	33,819	28,259	23,901	24,692	25,178	25,936	25,314	26,751
Dunbarton	22,487	19,841	19,718	20,416	21,464	22,588	24,361	25,919
Glasgow	51,433	47,744	44,998	46,072	43,042	42,956	43,766	43,380
Lanark	34,884	30,046	27,352	27,011	27,110	26,885	27,279	27,861
Renfrew	29,047	24,207	22,456	22,455	23,021	23,337	23,710	24,362

[1] Contains some estimated data.

Session (at January)

Education Authority	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95
Scotland	329,999	328,688	329,713	332,293	334,926	346,202	351,793	352,683
Borders	5,328	5,019	5,116	5,355	5,545	5,712	5,024	5,229
Central	16,446	15,456	16,758	17,379	17,777	20,017	19,533	19,621
Dumfries and Galloway	11,724	10,946	11,982	12,520	11,814	12,848	13,000	13,617
Fife	22,888	22,060	23,894	25,800	25,086	26,842	27,644	28,579
Grampian	26,667	27,766	29,184	31,243	31,693	33,194	32,094	31,634
Highland	14,674	13,055	12,821	13,056	14,278	14,495	14,360	15,310

							Session (at January)	
Education Authority	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Lothian	48,019	43,265	45,176	43,793	40,793	42,892	42,945	42,358
Strathclyde	153,819	162,911	156,719	153,924	157,725	159,151	164,483	164,764
Tayside	22,805	20,872	20,540	21,997	23,018	23,496	24,932	23,864
Orkney	2,051	1,891	1,992	1,942	2,065	2,244	2,232	2,177
Shetland	2,684	2,899	2,895	2,733	2,707	2,777	2,896	3,040
Western Isles	2,894	2,548	2,636	2,551	2,425	2,534	2,650	2,490
Strathclyde Divisions:								
Argyll and Bute	5,406	5,781	5,535	5,395	5,437	5,768	5,629	5,668
Ayr	26,382	26,019	25,754	25,213	26,954	26,830	26,388	26,754
Dunbarton	25,031	28,839	23,987	23,354	24,529	24,275	24,941	24,283
Glasgow	44,380	43,577	42,889	42,497	43,144	40,537	44,801	44,404
Lanark	28,201	29,984	29,724	31,176	30,366	33,708	34,997	34,969
Renfrew	24,419	28,711	28,830	26,289	27,295	28,033	27,727	28,686

Table 2: Total number of pupils present on census day: education authority schools

							Session (at January)	
Education Authority	*1979–80*	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*[1]1985–86*	*[1]1986–87*
Scotland	876,816	867,786	823,646	814,506	756,735	752,073	735,543	729,869
Borders	16,256	16,063	14,941	15,005	14,707	14,060	13,834	13,768
Central	47,697	47,857	45,144	44,494	42,314	41,643	40,898	41,200
Dumfries and Galloway	24,232	23,925	22,383	22,553	21,995	20,809	21,428	20,074
Fife	60,168	59,574	57,290	56,698	52,425	52,610	52,911	53,517
Grampian	79,318	79,341	74,608	73,910	72,821	72,102	71,000	70,398
Highland	35,160	34,578	33,369	33,482	31,916	32,410	32,540	30,882
Lothian	115,863	114,149	108,808	106,588	99,041	99,931	96,280	96,063
Strathclyde	420,433	414,295	391,392	386,914	351,577	348,738	340,794	339,673
Tayside	64,755	64,928	63,336	62,070	57,148	57,388	53,915	52,382
Orkney	3,232	3,163	2,846	3,273	3,201	3,124	2,891	3,043
Shetland	3,939	4,089	4,065	4,044	3,977	3,926	3,906	3,891
Western Isles	5,763	5,824	5,464	5,475	5,613	5,332	5,146	4,978
Strathclyde Divisions:								
Argyll and Bute	10,650	10,584	10,377	10,233	9,714	9,624	9,397	9,220
Ayr	68,408	66,537	61,347	62,767	59,701	57,611	56,642	56,576
Dunbarton	57,961	56,890	54,734	53,873	48,748	52,011	50,671	51,626
Glasgow	121,049	121,580	113,796	110,487	96,488	94,663	92,961	90,171
Lanark	96,668	95,022	90,451	89,465	82,119	79,942	77,028	78,050
Renfrew	65,697	63,682	60,687	60,089	54,807	54,887	54,095	54,030

[1] Contains some estimated data.

							Session (at January)	
Education Authority	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Scotland	729,505	713,034	704,357	698,554	695,201	687,081	727,101	729,089
Borders	13,890	13,643	13,729	13,717	13,690	13,814	14,258	14,700
Central	40,869	38,747	39,027	38,198	37,781	38,130	40,127	39,602
Dumfries and Galloway	20,683	19,895	20,418	20,196	20,082	20,401	21,566	21,441
Fife	52,749	51,802	51,036	51,211	51,389	50,691	53,401	54,471
Grampian	72,044	71,892	77,143	71,850	69,346	71,594	73,923	75,764
Highland	31,467	30,569	31,148	30,805	30,905	31,287	32,478	32.748
Lothian	95,108	94,183	91,212	90,369	91,586	90,802	97,914	96,956
Strathclyde	337,929	328,610	317,740	318,507	316,568	305,428	329,648	325,988
Tayside	53,073	52,553	51,515	52,245	52,462	53,491	52,090	55,587
Orkney	2,978	2,933	3,024	2,977	3,004	3,214	3,145	3,349
Shetland	3,850	3,801	3,716	3,883	3,734	3,822	3,887	4,006
Western Isles	4,865	4,406	4,649	5,596	4,654	4,407	4,664	4,477
Strathclyde Divisions:								
Argyll and Bute	9,496	9,171	8,988	9,093	8,991	8,505	8,846	8,978
Ayr	57,206	55,055	53,625	53,895	54,079	50,520	53,565	53,184
Dunbarton	51,399	50,455	49,090	47,906	47,315	48,582	48,808	48,640
Glasgow	89,301	85,249	81,637	83,409	83,551	77,773	88,041	85,636
Lanark	77,406	74,952	72,932	73,262	71,601	69,655	76,190	75,659
Renfrew	53,121	53,728	51,468	50,942	51,031	50,393	54,198	53,891

Table 3: Number of pupils taking free school meals: education authority schools

Session (at January)

Education Authority	*1979–80*	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*[1]1985–86*	*[1]1986–87*
Scotland	122,618	114,711	124,547	132,953	129,335	136,669	136,627	143,194
Borders	1,365	773	966	1,097	1,113	1,136	1,065	1,203
Central	4,708	5,084	5,853	6,584	6,443	7,311	6,975	8,046
Dumfries and Galloway	2,851	2,017	2,265	2,705	2,718	2,765	2,950	2,826
Fife	6,443	6,146	6,935	7,263	6,719	8,639	8,172	9,025
Grampian	5,935	3,225	3,709	4,117	4,318	4,704	4,800	5,593
Highland	3,674	2,339	2,813	3,415	3,438	4,312	4,355	4,643
Lothian	14,655	13,162	14,145	12,854	12,413	14,201	13,711	14,689
Strathclyde	72,881	74,565	79,406	85,426	82,348	84,096	84,659	87,362
Tayside	8,208	5,610	6,597	7,380	7,702	7,854	8,154	7,921
Orkney	385	412	389	520	512	477	429	438
Shetland	155	163	189	183	236	246	232	270
Western Isles	1,358	1,215	1,280	1,409	1,375	928	1,125	1,178
Strathclyde Divisions:								
Argyll and Bute	1,497	1,336	1,443	1,563	1,525	1,469	1,510	1,560
Ayr	10,592	10,579	10,801	12,295	12,690	13,202	12,540	13,266
Dunbarton	5,734	5,823	6,838	7,972	7,385	8,103	8,622	9,340
Glasgow	31,743	32,913	34,156	36,045	33,791	33,947	34,059	34,671
Lanark	15,135	15,885	16,631	17,172	17,316	16,959	16,759	16,823
Renfrew	8,180	8,029	9,537	10,379	9,641	10,416	11,169	11,702

[1] Contains some estimated data.

Session (at January)

Education authority	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Scotland	145,219	105,232	99,303	101,915	107,186	107,709	121,479	121,123
Borders	1,184	522	779	650	751	683	721	750
Central	7,740	5,448	4,985	5,170	5,402	5,476	5,931	6,176
Dumfries and Galloway	2,994	1,755	1,656	1,769	1,889	2,017	2,102	2,155
Fife	8,927	6,227	6,123	6,432	7,017	7,080	8,065	8,283
Grampian	5,967	4,068	4,099	4,375	5,177	5,695	5,721	6,182
Highland	4,960	3,395	2,967	2,881	3,024	3,270	4,015	3,918
Lothian	15,773	12,219	11,710	12,330	12,857	13,551	15,190	15,358
Strathclyde	87,147	63,905	59,853	61,169	63,682	62,436	71,981	70,595
Tayside	8,720	6,562	6,121	6,199	6,396	6,520	6,732	6,723
Orkney	432	193	183	179	208	201	220	232
Shetland	263	146	142	160	210	226	236	250
Western Isles	1,112	792	685	601	573	554	565	501
Strathclyde Divisions:								
Argyll and Bute	1,555	950	861	869	1,040	1,150	1,224	1,210
Ayr	12,899	8,718	8,512	8,887	9,460	9,942	10,451	10,016
Dunbarton	9,027	6,806	6,046	6,184	6,486	6,477	7,568	7,595
Glasgow	35,337	27,053	25,188	26,243	27,093	25,040	29,948	29,196
Lanark	16,585	11,450	10,865	10,861	11,137	11,843	13,663	13,660
Renfrew	11,744	8,928	8,381	8,098	8,466	7,984	9,127	8,918

Table 4: Number of pupils taking free school meals as a percentage of total pupils taking school meals: education authority schools

Session (at January)

Education Authority	*1979–80*	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*[1]1985–86*	*[1]1986–87*
Scotland	32.1	34.8	39.4	42.7	41.5	42.9	43.2	43.5
Borders	17.1	13.1	17.5	20.8	21.4	22.3	22.7	24.1
Central	25.3	28.9	33.1	39.8	40.3	45.2	46.9	46.6
Dumfries and Galloway	20.9	15.5	19.2	22.2	22.5	24.3	25.3	24.3
Fife	25.0	26.1	30.8	33.8	32.3	39.5	39.7	40.2
Grampian	16.5	11.0	13.1	14.5	15.1	16.1	17.6	20.0
Highland	21.4	16.8	19.0	22.1	21.2	27.0	27.0	31.7
Lothian	29.4	30.7	32.1	34.4	32.4	33.7	31.8	30.4
Strathclyde	41.1	48.0	55.3	58.5	56.7	57.3	56.5	56.8
Tayside	30.6	28.6	32.9	36.1	35.9	34.7	39.1	37.2
Orkney	18.9	21.4	24.4	27.1	27.0	24.3	25.1	25.4
Shetland	5.2	5.4	6.5	6.3	8.5	9.1	8.3	10.0
Western Isles	37.9	34.8	39.0	44.5	42.2	31.2	38.2	42.6

Table 4: Number of pupils taking free school meals as a percentage of total pupils taking school meals: education authority schools

Education Authority	*1979–80*	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*[1]1985–86*	*[1]1986–87*
							Session (at January)	
Strathclyde Divisions:								
Argyll and Bute	25.6	25.5	27.6	28.9	28.5	28.8	27.4	28.2
Ayr	31.3	37.4	45.2	49.8	50.4	50.9	49.5	49.6
Dunbarton	25.5	29.3	34.7	39.0	34.4	35.9	35.4	36.0
Glasgow	61.7	68.9	75.9	78.2	78.5	79.0	77.8	79.9
Lanark	43.4	52.9	60.8	63.6	63.9	63.1	61.4	60.4
Renfrew	28.2	33.2	42.5	46.2	41.9	44.6	47.1	48.0

[1] Contains some estimated data.

Education authority	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*
							Session (at January)	
Scotland	44.0	32.0	30.1	30.7	32.0	31.1	34.5	34.3
Borders	22.2	10.4	15.2	12.1	13.5	12.0	14.4	14.3
Central	47.1	35.2	29.7	29.7	30.4	27.4	30.4	31.5
Dumfries and Galloway	25.5	16.0	13.8	14.1	16.0	15.7	16.2	15.8
Fife	39.0	28.2	25.6	24.9	28.0	26.4	29.2	29.0
Grampian	22.4	14.7	14.0	14.0	16.3	17.2	17.8	19.5
Highland	33.8	26.0	23.1	22.1	21.2	22.6	28.0	25.6
Lothian	32.8	28.2	25.9	28.2	31.5	31.6	35.4	36.3
Strathclyde	56.7	39.2	38.2	39.7	40.4	39.2	43.8	42.8
Tayside	38.2	31.4	29.8	28.2	27.8	27.7	27.0	28.2
Orkney	21.1	10.2	9.2	9.2	10.1	9.0	9.9	10.7
Shetland	9.8	5.0	4.9	5.9	7.8	8.1	8.1	8.2
Western Isles	38.4	31.1	26.0	23.6	23.6	21.9	21.3	20.1
Strathclyde Divisions:								
Argyll and Bute	28.8	16.4	15.6	16.6	19.1	19.9	21.7	21.3
Ayr	48.9	33.5	33.1	35.2	35.1	37.1	39.6	37.4
Dunbarton	36.1	23.6	25.2	26.5	26.4	26.7	30.3	31.3
Glasgow	79.6	62.1	58.7	61.8	62.8	61.8	66.8	65.8
Lanark	58.8	38.2	36.6	34.8	36.7	35.1	39.0	39.1
Renfrew	48.1	31.1	29.1	30.8	31.0	28.5	32.9	31.1

Table 5: Pupils taking school meals as a percentage of total pupils present: education authority schools

Education Authority	*1979–80*	*1980–81*	*1981–82*	*1982–83*	*1983–84*	*1984–85*	*[1]1985–86*	*[1]1986–87*
							Session (at January)	
Scotland	43.6	38.0	38.4	38.2	41.2	42.4	43.0	45.1
Borders	49.0	36.6	36.9	35.2	35.3	36.2	34.0	36.3
Central	39.1	36.8	39.2	37.2	37.8	38.8	36.3	41.9
Dumfries and Galloway	56.2	54.5	52.7	54.1	54.9	54.7	54.5	57.8
Fife	42.9	39.5	39.3	37.9	39.7	41.6	38.9	41.9
Grampian	45.4	37.1	37.9	38.5	39.3	40.5	38.3	39.7
Highland	48.8	40.3	44.4	46.2	50.8	49.3	49.6	47.4
Lothian	43.0	37.5	40.5	35.1	38.7	42.2	44.8	50.2
Strathclyde	42.2	37.5	36.7	37.7	41.3	42.1	44.0	45.3
Tayside	41.5	30.2	31.6	33.0	37.5	39.5	38.6	40.6
Orkney	63.0	61.0	56.1	58.7	59.2	62.9	59.0	56.7
Shetland	75.3	74.0	72.0	71.4	69.9	68.9	71.4	69.1
Western Isles	62.2	60.0	60.0	57.9	58.1	55.9	57.2	55.5
Strathclyde Divisions:								
Argyll and Bute	54.8	49.4	50.4	52.9	55.2	52.9	58.6	59.9
Ayr	49.4	42.5	39.0	39.3	42.2	45.0	44.7	47.3
Dunbarton	38.8	34.9	36.0	37.9	44.0	43.4	48.1	50.2
Glasgow	42.5	39.3	39.5	41.7	44.6	45.4	47.1	48.1
Lanark	36.1	31.6	30.2	30.2	33.0	33.6	35.4	35.7
Renfrew	44.2	38.0	37.0	37.4	42.0	42.5	43.8	45.1

[1] Contains some estimated data.

Session (at January)

Education authority	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95
Scotland	45.2	46.1	46.8	47.6	48.2	50.4	48.4	48.4
Borders	38.4	36.8	37.3	39.0	40.5	41.3	35.2	35.6
Central	40.2	39.9	42.9	45.5	47.1	52.5	48.7	49.5
Dumfries and Galloway	56.7	55.0	58.7	62.0	58.8	63.0	60.3	63.5
Fife	43.4	42.6	46.8	50.4	48.8	53.0	51.8	52.5
Grampian	37.0	38.6	37.8	43.5	45.7	46.4	43.4	41.8
Highland	46.6	42.7	41.2	42.4	46.2	46.3	44.2	46.8
Lothian	50.5	45.9	49.5	48.5	44.5	47.2	43.9	43.7
Strathclyde	45.5	49.6	49.3	48.3	49.8	52.1	49.9	50.5
Tayside	43.0	39.7	39.9	42.1	43.9	43.9	47.9	42.9
Orkney	68.9	64.5	65.9	65.2	68.7	69.8	71.0	65.0
Shetland	69.7	76.3	77.9	70.4	72.5	72.7	74.5	75.9
Western Isles	59.5	57.8	56.7	55.5	52.1	57.5	56.8	55.6
Strathclyde Divisions:								
Argyll and Bute	56.9	63.0	61.6	59.3	60.5	67.8	63.6	63.1
Ayr	46.1	47.3	48.0	46.8	49.8	53.1	49.3	50.3
Dunbarton	48.7	57.2	48.9	48.7	51.8	50.0	51.1	49.9
Glasgow	49.7	51.1	52.5	51.0	51.6	52.1	50.9	51.9
Lanark	36.4	40.0	40.8	42.6	42.4	48.4	45.9	46.2
Renfrew	46.0	53.4	56.0	51.6	53.5	55.6	51.2	53.2

Scottish Water Consumers Council

Dr. Godman: To ask the Secretary of State for Scotland if he will list those persons appointed or to be appointed to the Scottish Water Consumers Council, indicating their length of tenure of office and remuneration. [15958]

Mr. Kynoch: The names of the chairman, vice-chairman and members of the Scottish Water and Sewerage Customers Council, their length of tenure of office and remuneration are as follows:

Chairman: Dick Douglas, three years, £15,000 per annum

Vice-Chairman: Professor Ian Percy, four years, £7,500 per annum

Members: Professor Tom Anderson, Ann Calman, Councillor John Connolly, Councillor Lynn Groundwater, Bill Howatson, Councillor Rhona Kemp, Neil Menzies, Councillor Alexander Scott and Ian Stewart. The late Angus Macdonald was also a member. All members were appointed for four years and receive remuneration of £3,000 per annum. The three members who also serve as area committee Chairman, Professor Tom Anderson, Councillor John Connolly and Councillor Rhona Kemp receive additional remuneration of £2,000 per annum to reflect their additional duties and responsibilities. These posts are for a period of a year.

Forestry Commission

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the sources of land purchased in Scotland by the Forestry Commission between *(a)* 1966 and 1970, *(b)* 1971 and 1980 and *(c)* 1981 and 1990 identified as (i) land purchased from private estates, (ii) land which formed part of crofting township common grazings and (iii) other Government-owned land. [16262]

Mr. Kynoch: The Forestry Commission does not maintain a central record of the sources of the land which it buys. This information could be provided only at disproportionate cost.

GP Fundholding

Mr. Morgan: To as the Secretary of State for Scotland, pursuant to his answer of 13 January 1996, *Official Report*, columns *567–68*, if he will give the total number of patients on general practitioners' lists in *(a)* fundholding and *(b)* non-fundholding practices in the area of each health board. [15974]

Lord James Douglas-Hamilton: The information requested is set out in the table.

1991

	Patients in 'live' fundholding practices[1]	Patents in pilot and preparatory fundholding practices[2]	Patients in non-fundholding practices[3]
Scotland	10,637	102,560	5,269,612
Argyll and Clyde	0	9,144	443,826
Ayrshire and Arran	0	0	391,438
Borders	0	0	105,864
Dumfries and Galloway	0	0	152,069
Fife	0	0	349,971
Forth Valley	0	0	288,164
Grampian	0	65,013	452,935
Greater Glasgow	0	0	1,035,275
Highland	0	0	208,909
Lanarkshire	0	0	568,727
Lothian	10,637	0	802,220
Orkney	0	0	19,714
Shetland	0	0	22,699
Tayside	0	28,403	379,464
Western Isles	0	0	30,337

[1] All patients on the lists of 'live' standard fundholding practices and practices in the pilot phase of total purchasing, including those living outwith the Health Board area.

[2] All patients on the lists of practices in the preparatory phase of standard fundholding, small practice pilots and practices in the pilot phase of primary care purchasing, including those living outwith the Health Board area.

[3] All patients on the lists of practices which are not in any phase of fundholding, including those living outwith the Health Board area.

1992

	Patients in 'live' fundholding practices[1]	*Patients in pilot and preparatory fundholding practices*[2]	*Patients in non-fundholding practices*[3]
Scotland	114,141	309,616	4,950,014
Argyll and Clyde	9,185	28,377	412,725
Ayrshire and Arran	0	12,677	378,587
Borders	0	0	106,474
Dumfries and Galloway	0	0	152,377
Fife	0	6,443	343,920
Forth Valley	0	11,727	277,023
Grampian	65,656	182,253	277,277
Greater Glasgow	9,456	10,915	1,005,646
Highland	0	4,296	206,505
Lanarkshire	0	10,985	574,175
Lothian	10,649	3,427	791,736
Orkney	0	0	19,792
Shetland	0	0	22,808
Tayside	19,195	38,516	351,003
Western Isles	0	0	29,966

[1] All patients on the list of 'live' standard fundholding practices and practices in the pilot phase of total purchasing, including those living outwith the Health Board area.

[2] All patients on the lists of practices in the preparatory phase of standard fundholding, small practice pilots and practices in the pilot phase of primary care purchasing, including those living outwith the Health Board area.

[3] All patients on the lists of practices which are not in any phase of fundholding, including those living outwith the Health Board area.

1993

	Patients in 'live' fundholding practices[1]	*Patients in pilot and preparatory fundholding practices*[2]	*Patients in non-fundholding practices*[3]
Scotland	573,745	288,259	4,504,277
Argyll and Clyde	37,235	0	411,328
Ayrshire and Arran	25,308	16,392	348,997
Borders	7,058	8,984	90,988
Dumfries and Galloway	0	7,185	145,509
Fife	6,491	24,693	319,491
Forth Valley	12,428	5,582	271,587
Grampian	250,655	70,021	210,255
Greater Glasgow	20,054	73,444	922,019
Highland	12,346	4,219	195,191
Lanarkshire	70,686	40,145	473,440
Lothian	58,594	37,594	706,269
Orkney	0	0	19,970
Shetland	0	0	22,769
Tayside	72,892	0	336,586
Western Isles	0	0	29,908

[1] All patients on the list of 'live' standard fundholding practices and practices in the pilot phase of total purchasing, including those living outwith the Health Board area.

[2] All patients on the lists of practices in the preparatory phase of standard fundholding, small practice pilots and practices in the pilot phase of primary care purchasing, including those living outwith the Health Board area.

[3] All patients on the lists of practices which are not in any phase of fundholding, including those living outwith the Health Board area.

1994

	Patients in 'live' fundholding practices[1]	*Patients in pilot and preparatory fundholding practices*[2]	*Patients in non-fundholding practices*[3]
Scotland	971,965	152,088	4,240,934
Argyll and Clyde	36,508	0	408,100
Ayrshire and Arran	32,480	0	358,518
Borders	16,018	0	91,284
Dumfries and Galloway	7,148	15,515	130,421
Fife	31,274	18,387	302,722

1994

	Patients in 'live' fundholding practices[1]	*Patients in pilot and preparatory fundholding practices*[2]	*Patients in non-fundholding practices*[3]
Forth Valley	31,395	5,614	252,722
Grampian	328,835	0	207,061
Greater Glasgow	80,886	69,111	856,540
Highland	29,080	0	183,198
Lanarkshire	166,524	7,527	409,135
Lothian	127,788	27,290	651,196
Orkney	0	0	19,970
Shetland	0	0	22,730
Tayside	84,029	8,644	317,615
Western Isles	0	0	29,722

[1] All patients on the list of 'live' standard fundholding practices and practices in the pilot phase of total purchasing, including those living outwith the Health Board area.

[2] All patients on the lists of practices in the preparatory phase of standard fundholding, small practice pilots and practices in the pilot phase of primary care purchasing, including those living outwith the Health Board area.

[3] All patients on the lists of practices which are not in any phase of fundholding, including those living outwith the Health Board area.

1995

	Patients in 'live' fundholding practices[1]	*Patients in pilot and preparatory fundholding practices*[2]	*Patients in non-fundholding practices*[3]
Scotland	1,154,944	534,997	3,665,059
Argyll and Clyde	35,996	57,403	346,445
Ayrshire and Arran	34,773	8,148	348,557
Borders	15,984	21,931	69,723
Dumfries and Galloway	26,585	18,608	107,792
Fife	50,011	68,666	233,803
Forth Valley	31,392	40,940	217,928
Grampian	332,484	21,271	184,745
Greater Glasgow	148,557	158,003	690,222
Highland	25,354	26,284	161,186
Lanarkshire	174,059	7,957	401,509
Lothian	187,184	41,879	576,357
Orkney	0	0	20,009
Shetland	0	0	22,914
Tayside	92,565	58,361	259,731
Western Isles	0	5,546	24,138

[1] All patients on the list of 'live' standard fundholding practices and practices in the pilot phase of total purchasing, including those living outwith the Health Board area.

[2] All patients on the lists of practices in the preparatory phase of standard fundholding, small practice pilots and practices in the pilot phase of primary care purchasing, including those living outwith the Health Board area.

[3] All patients on the lists of practices which are not in any phase of fundholding, including those living outwith the Health Board area.

Health Service Charges

Mr. Home Robertson: To ask the Secretary of State for Scotland what was the revenue from NHS charges for *(a)* prescriptions, *(b)* eye tests and *(c)* dental services in Scotland in (i) 1978 and (ii) 1995. [15887]

Lord James Douglas-Hamilton: The information requested in respect of NHS prescriptions and NHS general dental services is set out in the table. There is no revenue in respect of NHS sight test fees paid to optometrists. Charges paid by patients in contribution towards the cost of their NHS prescriptions and general dental services are offset against total Government funding of these services.

Scotland: revenue from NHS prescription charges and general dental service charges

	Prescription charges[1] £	*General Dental Service charges* £
1978–79	2,774,743	6,037,684
1994–95[2]	33,321,224	42,266,539

[1] Includes charges for drugs, appliances and pre-payment certificates.

[2] Provisional figures.

Toll Bridge Revenues

Mr. Home Robertson: To ask the Secretary of State for Scotland what was the total revenue from bridge tolls in Scotland in *(a)* 1978 and *(b)* 1995. [15888]

Lord James Douglas-Hamilton: Information on revenue and crossings in the years requested is set out in the table.

£ thousands

	1977–78			*1994–95*	
	Tolls levied	*Crossings made*	*Tolls levied at 1994–95 prices*	*Tolls levied*	*Crossings made*
Forth Road Bridge	1,642	9,374	5,222	8,143	18,994
Tay Road Bridge	704	4,786	2,239	2,291	[1]3,599
Erskine Bridge	525	3,240	1,670	4,070	6,865
Totals	2,871	17,400	9,131	15,134	29,458

[1] One-way tolling was introduced on the Tay Road Bridge on 1 June 1991. This figure therefore refers to southbound traffic only.

Afforestation

Ms Ruddock: To ask the Secretary of State for Scotland when a consultation paper will be issued on the amended environmental assessment regulations for afforestation. [15850]

Mr. Kynoch: The Environmental Assessment (Afforestation) Regulations 1988 have to be amended to comply fully with Council directive 85/337/EEC. The amendments are technical in nature and will have limited practical effect. We shall decide on consultation when the revised regulations have been prepared.

Renewables Orders

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list the number of Scottish renewables orders allocated in the first round of applications; and if he will list the names, locations and values of the orders allocated. [15306]

Mr. Kynoch *[holding answer 19 February 1996]:* Thirty projects were awarded contracts in December 1994 under the first order made within the Scottish renewables obligation. Their names and locations are listed in the table.

The value of each contract is a matter for the contracting parties.

Name	*Location*
Wind	
Gallow Rig Wind Farm	Carsphairn, Kirkcudbrightshire
West Garty Wind Farm	Helmsdale, Sutherland
Beinn Ghlas Wind Farm	Taynuilt, Argyll
Bendealt Wind Farm	Evanton, Ross-shire
Meall an Tuirc Wind Farm	Evanton, Ross-shire
Craigenlee Wind Farm	Port Patrick, Wigtownshire
Polwhat Rig Wind Farm	Carsphairn, Kirkcudbrightshire
Helmsdale Wind Farm	Helmsdale, Sutherland
Largie Wind Project	Kintyre, Argyll
Hagshaw Hill (S10) Wind Farm	Hagshaw Hill, Lanark
Hagshaw Hill (S15) Wind Farm	Hagshaw Hill, Lanark
Laggan, Windcluster	Islay, Argyll
Hydro	
Russell Burn	Applecross, Wester Ross
Loch Poll	Assynt, Sutherland
Sheildaig	Gairloch, Ross-shire
Inverbroom	Ullapool, Ross & Cromarty
Stanley Mills	Stanley, Perthshire
Stoneywood Mill	Dyce, Aberdeenshire
Antermony Loch	Milton of Campsie, Stirlingshire
Cuileig	Braemore, Ross & Cromarty
Novar	Evanton, Ross-shire
Ardtornish	Morven, Oban, Argyll
Auchtertyre	Tyndrum, Perthshire
Duror	Lochgilphead, Argyll
Garrogie	Loch Mhor, Inverness-shire
Garry Gualach	Forth William, Lochaber
Beochlich	Loch Awe, Argyll
Waste-to-Energy	
Greengairs Phase I (Landfill Gas)	Nr Cumbernauld, Strathclyde
Greengairs Phase II (Landfill Gas)	Nr Cumbernauld, Strathclyde
Biomass	
Westfield Biomass Power Station	Westfield, Fife

Mrs. Ewing: To ask the Secretary of State for Scotland how many small-scale hydro-development companies benefited from the first round of allocation of contracts under the Scottish renewables order. [15307]

Mr. Kynoch *[holding answer 19 February 1996]:* A total of 15 hydro projects from 12 individual companies were awarded contracts under the first order within the Scottish renewables obligation.

Mrs. Ewing: To ask the Secretary of State for Scotland how many small-scale hydro-development companies have made application to the Scottish renewables order in the second round. [15308]

Mr. Kynoch *[holding answer 19 February 1996]:* Under the second round within the Scottish renewables obligation, prospective developers have until 5 June 1996 to submit proposals to the Office of Electricity Regulation.

Mrs. Ewing: To ask the Secretary of State for Scotland what has been the total amount of moneys which have accrued to date to the electricity utilities as a result of levies raised by the Scottish renewables order. [15309]

Mr. Kynoch *[holding answer 19 February 1996]:* To date no money has been collected in respect of levy arrangements linked to the Scottish renewables obligation.

Water and Sewerage Charges

Mr. Wallace: To ask the Secretary of State for Scotland (1) how many responses were received by his Department in response to the consultation document on local authority billing and collection of unmeasured domestic water and sewerage charges on behalf of the new water and sewerage authorities; [16088]

(2) when he sent to consultees draft regulations under section 79 of the Local Government etc. (Scotland) Act 1994 relating to the local authority billing and collection of unmeasured domestic water and sewerage charges; and if he will make a statement. [16089]

Mr. Kynoch *[holding answer 20 February 1996]:* The department received 44 responses to the consultation paper which set out the Government's proposals on the new billing and collection arrangements. Consultees were sent the draft order mirroring these proposals on 15 December 1995. Responses to the consultation exercise have been considered and the Water Services Charges (Billing and Collection) (Scotland) Order 1996 was laid before the House on 19 February 1996.

SOCIAL SECURITY

Pension Miscalculations

Mr. David Nicholson: To ask the Secretary of State for Social Security what is his estimate of the total number of inaccuracies made in calculating *(a)* full and *(b)* partial retirement pensions in each of the last three years. [14749]

Mr. Heald: The administration of retirement pension is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member with such information as is available.

Letter from Peter Mathison to Mr. David Nicholson, dated 20 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what is his estimate of the total number of inaccuracies made in calculating *(a)* full and *(b)* partial Retirement Pensions (RP) in each of the last three years.

The information is not available in the format requested. The Benefits Agency provides statistics on the accuracy, in percentage terms, of the total of RP claims. These include details of Widows Benefit (WB) claims. Figures for full and modified rates are not separated for accuracy purposes.

The table below gives details of the accuracy achieved for RP and WB claims for the last three years.

	Percentage
Year	*Accuracy*
1992–93	98.6
1993–94	98.3
1994–95	98.1

Figures are provisional and subject to change. I hope you find this reply useful.

War Widows' Pensions

Mr. Nigel Jones: To ask the Secretary of State for Social Security what the additional cost would be of allowing all claims currently received by his Department for the reinstatement of war widows' pensions to be backdated to 19 July 1995. [15440]

Mr. Heald: The information is not readily available and could be obtained only at disproportionate cost.

Severe Disablement Allowance

Mr. David Nicholson: To ask the Secretary of State for Social Security how many representations he has received since 1 January 1995 about delays in payment of severe disablement allowance; how many he received in *(a)* 1993 and *(b)* 1994; and if he will make a statement. [15450]

Mr. Andrew Mitchell: The information requested is not held centrally and could be obtained only at disproportionate cost.

Fraud

Dr. Goodson-Wickes: To ask the Secretary of State for Social Security what estimate he has made of progress on combating fraud. [14371]

Mr. Heald: Last July, my right hon. Friend the Secretary of State announced his five-year security strategy which gives new emphasis to the prevention and deterrence of benefit fraud while continuing to improve investigation and detection methods.

We are pleased to announce that the new initiatives which include extra checks on claims and data matching, together with traditional fraud investigation methods, have so far saved in excess of £800 million this year and we are on target to save over £1 billion by the end of the year.

EDUCATION AND EMPLOYMENT

School Building Repairs (West Yorkshire)

16. **Mrs. Mahon:** To ask the Secretary of State for Education and Employment when she next intends to visit West Yorkshire to discuss repairs for school buildings. [14692]

Mrs. Gillan: My right hon. Friend the Secretary of State has no immediate plans to visit West Yorkshire.

Grant-maintained Schools

17. **Mr. French:** To ask the Secretary of State for Education and Employment how many applications for grant-maintained status are currently being considered. [14693]

Mrs. Gillan: Twenty three proposals are under consideration at the moment.

Mr. Patrick Thompson: To ask the Secretary of State for Education and Employment what assessment she has made of the relative performance of grant-maintained and local authority schools. [16716]

Mr. Robin Squire: The 1995 school performance tables show that nearly half the pupils in grant-maintained schools achieved five or more good GCSE passes, compared with 39 per cent. of pupils in local education authority schools. There was almost no difference in the performance of pupils in selective schools in the two sectors, but 45 per cent. of pupils in GM comprehensive schools achieved five or more good GCSE passes compared with 39 per cent. in LEA schools. Analysis of the GCSE performance tables over three years suggests that GM schools have made more progress than LEA schools in raising standards year on year. In the 1995 national curriculum assessments for seven, 11 and 14-year-olds, a greater proportion of pupils in GM schools achieved higher levels of attainment at each key stage. Detail are set out in the tables.

Table 1: Percentage of 15-year-old pupils achieving graded GCSE results in 1995

1A: all schools			
GCSE passes	5+ A*–C	5+ A*–G	1+ A–G
LEA schools	39.4 per cent.	86.6 per cent.	93.0 per cent.
GM schools	48.8 per cent.	91.3 per cent.	95.7 per cent.
1B: comprehensive schools only			
GCSE passes	5+ A*–C	5+ A*–G	1+ A–G
LEA comprehensives	38.7 per cent.	86.3 per cent.	92.9 per cent.
GM comprehensives	44.7 per cent.	90.7 per cent.	95.5 per cent.

1C: comprehensive schools only, banded by the percentage of pupils taking free school meals

GCSE passes	*Percentage of pupils taking free school meals*	*5+ A*–C*	*5+A*–G*	*1+ A*–G*
LEA comprehensives	Less than 5	54.9	94.5	97.2
	5–9	45.8	91.3	95.7
	10–14	36.7	86.9	93.4
	15–20	30.0	82.1	90.5
	20 and over	21.1	73.9	85.8
	Total	38.7	86.3	92.9
GM comprehensives	Less than 5	59.5	95.7	97.8
	5–9	47.9	93.3	97.0
	10–14	38.0	88.4	94.6
	15–20	32.9	85.3	91.8
	20 and over	27.7	81.5	91.0
	Total	44.7	90.7	95.5

Table 2: Percentage of seven-year-old pupils achieving national curriculum level 2 and above

Key stage 1	*English*		*Mathematics*		*Science*	
	TA[1]	*Test*[1]	*TA*	*Test*	*TA*	*Test*
LEA schools	81	78 Re	78	79	84	—
	—	80 Wr	—	—	—	—
	—	65 Sp	—	—	—	—
	—	78 Ha	—	—	—	—
GM schools	86	85 re	84	84	88	—
	—	85 Wr	—	—	—	—
	—	73 sp	—	—	—	—
	—	85 Ha	—	—	—	—

[1] TA = teacher assessment, Test = national test. For English, KS1 national test results are given separately for Reading (RE), Writing (Wr), Spelling (Sp) and Handwriting (Ha).

Table 3: Percentage of 11-year-old pupils achieving national curriculum level 4 and above

Key stage 2	*English*		*Mathematics*		*Science*	
	TA	*Test*	*TA*	*Test*	*TA*	*Test*
LEA schools	57	48	54	44	64	70
GM Schools	61	54	58	50	70	76

Table 4: Percentage of 14-year-olds pupils achieving national curriculum level 5 and above

Key stage 3	*English*		*Mathematics*		*Science*	
	TA	*Test*	*TA*	*Test*	*TA*	*Test*
LEA schools	63	53	60	56	59	55
GM schools	70	63	68	64	66	63

Table 5: time series comparison of LEA-maintained schools with schools which became grant maintained on or before September 1992

		Percentage of pupils achieving 5+ A–C GCSEs in 1992	*Percentage of pupils achieving 5+ A–C GCSEs in 1995*	*Percentage point increase 1995 over 1992*
LEA maintained schools	Selective	89.4	93.5	4.1
	Comprehensive	33.0	37.7	4.6
	Secondary modern	19.0	24.5	5.5
	All	33.9	38.5	4.7
GM schools	Selective	89.3	94.8	5.6
	Comprehensive	39.3	45.5	6.3
	Secondary modern	19.4	28.1	8.7
	All	48.8	55.0	6.3

School Inspections

18. **Mr. Batiste:** To ask the Secretary of State for Education and Employment when she last met representatives of the Office of Standards in Education to discuss school inspections. [14694]

Mr. Robin Squire: The Secretary of State met Her Majesty's Chief Inspector of Schools on 8 February to discuss school inspections.

Teacher Morale

19. **Mr. Barry Jones:** To ask the Secretary of State for Education and Employment what recent assessment she has made of the morale of class teachers. [14695]

Mr. Robin Squire: My colleagues and I keep in touch with teachers' morale through frequent visits to schools. My right hon. Friend the Secretary of State and I believe that the great majority of teachers do a good job and take every opportunity to say so.

Schools Capital Spending

20. **Mr. Burden:** To ask the Secretary of State for Education and Employment what assessment she has made of the level of capital spending in schools in the financial year 1996–97. [14696]

Mrs. Gillan: Capital expenditure on schools for 1996–97 cannot be projected at this stage. It will depend on the level of self-financed expenditure by local authorities. Planned central Government support for capital work in maintained schools is nearly £700 million—a 6.7 per cent. increase on 1995–96.

Access to Work Scheme

21. **Ms Lynne:** To ask the Secretary of State for Education and Employment what representations she has received from organisations of and for disabled people in relation to the future of the access to work scheme. [14697]

Mr. Paice: The Department has received a number of representations from organisations of and for disabled people about the access to work programme.

Overseas Football Players (Work Permits)

22. **Mr. Tony Banks:** To ask the Secretary of State for Education and Employment how many work permits have been issued in each of the last three years in respect of overseas soccer players. [14698]

Mrs. Gillan: Information about the number of work permits issued in each of the last three years in respect of overseas soccer players is not available. The number of work permit applications for footballers received was 35 in 1993, 22 in 1994 and 65 in 1995.

Post-16 Education

23. **Mr. Mans:** To ask the Secretary of State for Education and Employment what proportion of 16-year-olds stay on in full-time education; and what were the figures in 1986. [14700]

Mr. Paice: Some 71.5 per cent. of 16-year-olds were in full-time education in 1994–95. This compares with 47.3 per cent. in 1985–86.

Campbells Soups

24. **Mr. Campbell-Savours:** To ask the Secretary of State for Education and Employment when she next intends to meet representatives of Cumbria training and enterprise council to discuss the implications of the closure of Homepride by Campbells Soups. [14701]

Mr. Paice: Cumbria TEC itself is well equipped to help Homepride employees. I know that the TEC is in regular contact with the company and is helping employees to retrain and to find new jobs. I therefore have no plans to meet its representatives.

Grammar Schools

25. **Mr. Evennett:** To ask the Secretary of State for Education and Employment what representations she has received about the future of grammar schools; and if she will make a statement. [14702]

Mrs. Gillan: My right hon. Friend regularly receives letters and other representations from hon. Members and members of the public about grammar schools and selection.

English Language

26. **Mr. Nigel Evans:** To ask the Secretary of State for Education and Employment what are the aims of her campaign to improve the use of the English language. [14703]

Mr. Paice: I refer my hon. Friend to the oral answer that I gave today to my hon. Friend the Member for Coventry, South-West (Mr. Butcher).

School Standards

27. **Mr. Thomason:** To ask the Secretary of State for Education and Employment if she will make a statement on the measures she is proposing to take to boost overall standards in schools. [14704]

35. **Mr. Hawkins:** To ask the Secretary of State for Education and Employment what action she is taking to raise standards in primary schools. [14713]

Mr. Robin Squire: The Government have introduced a coherent programme of reforms designed to raise standards in all our schools, building on the national curriculum, regular inspection and the publication of performance information.

Schools (Music)

28. **Mr. Dowd:** To ask the Secretary of State for Education and Employment what action she is taking to promote the study of music in schools. [14705]

Mr. Paice: Music is a national curriculum subject and is compulsory for all pupils between the ages of five and 14 in maintained schools.

Education Funding (Northumberland)

29. **Mr. Jack Thompson:** To ask the Secretary of State for Education and Employment what plans she has to meet Northumberland county council to discuss education funding. [17707]

Mr. Robin Squire: My right hon. Friend has no current plans to meet Northumberland county council to discuss what to do with the above average 5.5 per cent. increase in Northumberland's education standard spending assessment which the Government have provided for 1996–97.

School Leavers

30. **Mr. McFall:** To ask the Secretary of State for Education and Employment how many young people who have left school and taken up a training place in the last three years are currently classified as *(a)* unknown and *(b)* unemployed. [14708]

Mr. Paice: Some 14 per cent. of young people completing youth training in 1994–95 were unemployed six months later. This has fallen from 18 per cent. the previous year and 20 per cent. the year before that.

Part-time Workers

31. **Mr. Touhig:** To ask the Secretary of State for Education and Employment what representations she has received about people who are currently working part time because they cannot find a full-time job. [14709]

Mr. Forth: No such representations have been made recently. People in Britain welcome the opportunities to choose between full-time and part time work. Only about 14 per cent. of people who work part time do so because they could not find a full-time job.

Employment Prospects (Europe)

32. **Sir Michael Neubert:** To ask the Secretary of State for Education and Employment when she next expects to meet her German counterpart to discuss employment prospects in Europe. [14710]

Mr. Forth: My right hon. Friend expects to meet European Union Employment Ministers, including her German counterpart, at the next meeting of the Social Affairs Council on 29 March.

Compulsory Schooling

33. **Mr. Bill Walker:** To ask the Secretary of State for Education and Employment what is the period of compulsory schooling in *(a)* the United Kingdom and *(b)* other European Union countries. [14711]

Mr. Robin Squire: The information requested is as follows:

Country	*Period (age) of compulsory schooling*
United Kingdom	5–16
Austria	6–15
Belgium	6–15 full time. Compulsory part time to 18.
Denmark	7–16
Finland	7–17
France	6–16
Germany	6–16 full time. Compulsory part time to 18
Greece	5.5–14.5
Ireland	6–15
Italy	6–14
Luxembourg	4–15
Netherlands	5–16 Part-time to 18.
Portugal	6–15
Spain	6–16
Sweden	7–16

Temporary Employment

34. **Mr. Donald Anderson:** To ask the Secretary of State for Education and Employment if she will make a statement on the number of people who are currently in temporary positions because they cannot find a permanent job. [14712]

Mr. Forth: Latest figures show that about 650,000 people were in temporary jobs because they could not find a permanent job. As the table shows, a smaller proportion of the working population in the UK are in temporary jobs than in any other major European country.

Per cent.

Country	*Proportion of temporary employees —1994*
UK	6.3
Italy	7.3
Germany	10.2
France	10.9
Spain	33.6
EU 12 Average	10.9

Independent Nursery Schools

36. **Mr. Robert Ainsworth:** To ask the Secretary of State for Education and Employment what plans she has to review the criteria for the registration of independent nursery schools. [14714]

Mr. Robin Squire: We have no plans to amend the provisions of the Education Act 1944 which define an independent school and the educational and other standards to be met for the purposes of registration. The registration under the Children Act 1989 of other independent nursery establishments is a matter for my right hon. Friend the Secretary of State for Health.

Nursery Voucher Scheme

37. **Mr. Steinberg:** To ask the Secretary of State for Education and Employment if she will make a statement on the progress of nursery vouchers. [14715]

Mr. Robin Squire: Phase 1 of the voucher scheme is progressing well. Nearly two thirds of parents have returned their application forms. Over three quarters of eligible providers have joined the scheme.

Departmental Publications

Dr. Wright: To ask the Secretary of State for Education and Employment which of her Department's administrative manuals and internal guidance are now made public; and which remain private. [14034]

Mr. Robin Squire: The Department and its agencies are fully committed to the Government's code of practice on access to Government information, and in particular to the provision of information in response to specific requests.

In responding to such a request, in general, any information in an administrative manual or internal guide would be made available, unless it fell within the categories of exemption identified in the code.

The Department and its agencies, in particular the Employment Service, produce a large number of administrative manuals and documents of internal guidance, covering both external and internal work. They range in size from a single page to multiple volumes, and in lifespan from a few days to many years. It would be disproportionately costly and time consuming to identify all such publications in order to list them and to determine which fall in whole or in part within the exempt categories.

Handicapped Young People

Mr. Tom Clarke: To ask the Secretary of State for Education and Employment what steps her Department has taken to ensure that adequate training opportunities exist for young people between the ages of 16 and 18 years who *(a)* are disabled or *(b)* have learning difficulties and who have left special education or local authority care. [15208]

Mr. Paice: The Department contracts with training and enterprise councils in England to provide training leading to a range of outcomes tailored to individuals' needs. Additional payments are made for those whose training plan states and intended outcome below national vocational qualification level 2. The Government guarantee at least one offer of a suitable training place to all 16 and 17-year-olds who want one and are not in full-time education or a job. The guarantee is extended to those over 18 who have been prevented from completing or taking up a training place for a variety of reasons including disability or as a result of a care order.

Graduate Unemployment

Mr. Dalyell: To ask the Secretary of State for Education and Employment, pursuant to her oral answer of 24 January, *Official Report,* column 337, what are the raw statistics of numbers of employed and unemployed graduates on which she based her statement that unemployment among graduates has halved in the last year. [14828]

Mrs. Gillian Shephard: Pursuant to my oral answer, my statement should have read:

"unemployment among graduates here was half that facing people without degrees last year."

In 1995, some 152,000 graduates active in the UK labour force were recorded in the labour force survey as unemployed, out of a total of 3,656,000 economically active graduates. Of those without degrees, some 2,250,000 were recorded as unemployed out of a total of 23,866,000 economically active persons. At 4.2 per cent., unemployment among graduates last year was thus less than half that facing people without degrees, at 9.5 per cent. It is clear from those figures that degree courses are a waste neither of students' time nor of the taxpayers' money invested in them.

School Assemblies

Mr. Harry Greenway: To ask the Secretary of State for Education and Employment what assessment she has made of the quality of *(a)* school assemblies and *(b)* religious education in schools; and if she will make a statement. [15173]

Mrs. Gillan: Her Majesty's Chief Inspector of Schools report for 1994–95, based on evidence from school inspections conducted during that academic year and published on 5 February 1996, provides an assessment of the quality of provision of religious education and collective worship in schools. Copies of the report are available in the House of Commons Library.

Employment Service Procedures

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what advice she has given on the procedure that should be adopted by Employment Service officials where a claimant has left an employer within 26 weeks of the claim, in order to obtain better pay and conditions, but is then made redundant by the second, employer, in circumstances where redundancy could not have been foreseen. [16057]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. David Hinchliffe, dated 21 February 1996:

The Secretary of State has asked me to reply to your question about the procedures which should be adopted by Employment Service officials where a client has left an employer within 26 weeks of the claim, in order to obtain better pay and conditions but is then made redundant by the second employer, in circumstances where redundancy could not have been foreseen.

Current guidance for my people is that where a client makes a claim for Unemployment Benefit (UB), enquiries should be made of all employers that the client has worked for in the last 6 months.

When the replies are received, any doubts identified are referred to the independent adjudicating authorities for a decision. These authorities are, an adjudication officer who makes the decision, a Social Security Appeal Tribunal if the client wishes to appeal against the first decision and a Social Security Commissioner, if a further appeal is made on a point of law. The independence of these authorities prevent me from commenting on their decisions or intervening in the adjudication process.

I hope this is helpful.

School Budget Restrictions

Mr. Dykes: To ask the Secretary of State for Education and Employment if she will receive a deputation to discuss the problems arising from school budget restrictions in the maintained schools sector in the constituency of the hon. Member for Harrow, East. [15877]

Mr. Robin Squire: It is for Harrow council to decide how to make best use of the 3.7 per cent. increase in its education standards spending assessment which the Government have provided for 1996–97. My right hon.

Friend and her ministerial colleagues are always willing to consider requests to see deputations led by hon. Members.

Further Education Colleges (Redundancies)

Mr. Burden: To ask the Secretary of State for Education and Employment what assessment she has made of the impact of redundancies among college lecturers on the quality of education available in further education colleges. [15998]

Mr. Paice: The Further Education Funding Council inspectorate has found no evidence that redundancies have adversely affected the quality of education provided by further education colleges.

Mr. Burden: To ask the Secretary of State for Education and Employment if she will list by college and region the numbers of redundancies of lecturers announced by further education colleges in the last year together with the reason given for the redundancies in each case. [15997]

Mr. Paice: The information requested is not collected by the Department.

Training and Enterprise Councils

Mr. David Porter: To ask the Secretary of State for Education and Employment when she expects to publish information about the income and expenditure of training and enterprise councils in England for 1994–95. [16717]

Mr. Paice: A training and enterprise council income and expenditure account has been published today. This account replaces the information previously shown in the class V, vote 1, appropriation account, under the column headed "Expenditure ultimately disbursed by TECs and others".

Opposed Legislation

Mr. David Porter: To ask the Secretary of State for Education and Employment (1) if she will publish a list of all the measures approved by Parliament since 1979 on standards of teaching and delivery of education in schools which were opposed by Her Majesty's Opposition *(a)* at Second or Third Reading, *(b)* in Committee and *(c)* on Report; and if she will make a statement; [13124]

(2) if she will publish a list of all the measures on parental choice, powers to school governors and parents on school management, which were approved by Parliament since 1979 but were opposed by Her Majesty's Opposition *(a)* on Second or Third Reading, *(b)* in Committee and *(c)* on Report; and if she will make a statement. [13125]

Mrs. Gillan *[holding answer 6 February 1996]:* The list of measures which the Opposition have voted against on Second Reading includes:

the Education Act 1980, which gave parents the right to express a preference for their choice of school, and the right of appeal against non-admission; required authorities to publish information on schools and admission arrangements; established the assisted places scheme; and created governors in primary schools;

the Education (No 2) Act 1986, which reformed school governing bodies and made provision for governors' annual reports to parents and annual parents' meetings;

the Education Reform Act 1988, which introduced the national curriculum, established grant-maintained schools; and introduced the provision of more open enrolment, which requires schools to admit up to their standard number;

the Education (Schools) Act 1992, which made provision for the inspection of schools and for information about schools and their pupils;

the Education Act 1993, which included a wide variety of provisions including the right of parents of children with statements to express a preference for a particular school; and provision to establish new grant-maintained schools;

the Education Act 1994, which established the Teacher Training Agency and made provision for schools to provide courses of initial teacher training.

A full list of all the measures approved by Parliament since 1979 on education, and opposed on Second and Third Reading, in Committee or on Report by Her Majesty's Opposition, is not available and could be obtained only at disproportionate cost.

The details of votes cast in parliamentary Divisions are a matter of public record, published in the *Official Report*.

Food and Drink Industry

Dr. Strang: To ask the Secretary of State for Education and Employment (1) how many people were employed in catering in the United Kingdom at the latest available date; [15317]

(2) how many people were employed in the United Kingdom at the latest available date in *(a)* the manufacturing of food and drinks, *(b)* the wholesale distribution of food and drink, *(c)* the retail distribution of food and drink and *(d)* the food and drinks industry in total. [15316]

Mrs. Angela Knight: I have been asked to reply.

The latest available information showing the number of jobs is provided in the following table:

Employees by industry in Great Britain: September 1995 (thousands) [1]

	Number
Standard industrial classification 1992 (SIC92)	
Manufacture of food, beverages and tobacco	435
Wholesale of food, beverages and tobacco	190
Retail of food, beverages and tobacco	861
Restaurants	338
Bars	389
Canteens and catering	187
Total of above	2,400

Note:
[1] Unadjusted.
Source:
Central Statistical Office.

Written Answers to Questions

Thursday 22 February 1996

DUCHY OF LANCASTER

Harrods

Mr. Hall: To ask the Deputy Prime Minister if he will list the items that have been purchased by his Department from Harrods store, Knightsbridge, London and the cost price of each item since the establishment of his office. [16153]

Mr. Willetts: There have been no purchases by the Cabinet Office, including the Prime Minister's office and the Office of Public Service and its executive agencies, from Harrods since the establishment of the Deputy Prime Minister's office.

Policy Promotion Costs

Mr. Sheerman: To ask the Deputy Prime Minister what is the total annual cost of the Government's promotion of each of the policies in each Department. [15315]

The Deputy Prime Minister: The information requested is not held centrally.

East Timor

Ms Lynne: To ask the Deputy Prime Minister what consideration was given to the issue of human rights in East Timor during his meeting in January with the Indonesian Foreign Minister. [15444]

The Deputy Prime Minister: The issue did not arise at this meeting. However the Government's concerns over human rights and East Timor were raised with Mr. Alatas at ministerial level during the course of his visit.

Public Bodies

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster (1) if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily; [16182]

(2) if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16018]

Mr. Willetts: There are no executive non-departmental bodies sponsored by the Office of Public Service.

Scott Inquiry

Mrs. Jane Kennedy: To ask the Deputy Prime Minister how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16642]

The Deputy Prime Minister: Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give their number or grades.

Mr. Hain: To ask the Deputy Prime Minister what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16576]

The Deputy Prime Minister: Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned in accordance with the procedure agreed with the Scott Inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give the cost of the work.

Mrs. Dunwoody: To ask the Deputy Prime Minister when he first saw the report of the Scott inquiry. [16592]

The Deputy Prime Minister: I first saw the report on 10 February 1996. Such access was in accordance with the procedures agreed with the Scott inquiry.

Mr. Janner: To ask the Deputy Prime Minister what communication he received from the secretary of the Scott inquiry concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16635]

The Deputy Prime Minister: I refer the hon. and learned Gentleman to the answer given by the President of the Board of Trade today.

Mr. Madden: To ask the Deputy Prime Minister at what hour and minute of what day the report of the Scott inquiry was delivered to his office. [16544]

The Deputy Prime Minister: I was not one of the recipients of an advance copy of Sir Richard Scott's report. I first saw the report on 10 February 1996. Such access was in accordance with the procedures agreed with the Scott inquiry.

Mr. Janner: To ask the Deputy Prime Minister how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of the letters; and if he will deposit copies in the Library. [16552]

The Deputy Prime Minister: I and my officials have responded to a number of letters from Mr. Muttukumaru, for example, about my evidence to the inquiry in February 1994. Sir Richard Scott is free to publish any document

he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Mr. Tony Banks: To ask the Deputy Prime Minister if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16525]

The Deputy Prime Minister: A small number of civil servants in each of the main Departments concerned had access to the report prior to publication for the purpose of preparing the Government's response. Such access was in accordance with the conditions laid down by the Scott inquiry.

Mrs. Golding: To ask the Deputy Prime Minister if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16565]

The Deputy Prime Minister: No.

Mr. Hain: To ask the Deputy Prime Minister what consultations he had with non-ministerial right hon. and hon. Members before the publication of the Scott report. [16467]

The Deputy Prime Minister: I had no such consultations after the receipt of the Scott report or on the Government's response to it.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Deputy Prime Minister which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16481]

The Deputy Prime Minister: The Parliamentary Secretary.

DEFENCE

NAAFI

Mr. Robathan: To ask the Secretary of State for Defence what further progress has been made on the independent review of the NAAFI. [15284]

Mr. Soames: The independent review has been concluded and a copy of Mr. Dart's report has been made available in the Library of the House. We will now carefully consider Mr. Dart's recommendations with a view to formulating an implementation plan in the near future.

Mr. Dart's stated aim was to ensure that NAAFI continue to provide a first-class service to our armed forces and the framework he provides in his report should ensure that NAAFI has every opportunity to do so.

Buy American Act

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Warley, West (Mr. Spellar) on 13 February, *Official Report*, column *493*, if he will describe the nature of the new restrictions. [16145]

Mr. Arbuthnot: The new US restrictions require a range of naval engineering and navigation equipment to be procured from domestic sources only, subject to certain limited waiver provisions. The new restrictions include the procurement of marine unique gyrocompasses, electronic navigation chart systems, steering controls, pumps, propulsion and machinery control systems. In addition, for a period of one year, new restrictions will apply to procurement of the main propulsion engines for the LPD–17 class of vessels and the emergency generator set for the new Attack submarine. These restrictions are renewable in future legislation.

Sir Derek Boorman

Mr. Llew Smith: To ask the Secretary of State for Defence if Sir Derek Boorman sought permission to make public the information he disclosed on a television programme broadcast on 11 February. [15968]

Mr. Arbuthnot: None of the views expressed by Sir Derek in his interview would have required prior permission from my Department and he did not seek it.

Married Quarters Estate

Mr. Raynsford: To ask the Secretary of State for Defence what guarantees are being offered by his Department in respect of future rental income for the properties forming part of the married quarters estate which are currently being offered for sale. [16392]

Mr. Arbuthnot: As explained in the "Preliminary Information Memorandum", a copy of which was placed in the Library, the terms of the sale will include

"a government backed minimum cashflow in the form of a Guaranteed Payment providing a floor to rental income from the portfolio".

The guaranteed payment will be set by reference to the rent on the minimum number of properties MOD expects to occupy.

Army Technical Support Agency

Mr. Austin-Walker: To ask the Secretary of State for Defence what representations he has received from *(a)* hon. Members, *(b)* local authorities and *(c)* trade unions concerning the proposed collocation of ATSA at Chertsey; and if he will make a statement. [16650]

Mr. Soames: In addition to those from a number of right hon. and hon. Members, my Department has received representations from the following local authorities and trade unions:

London borough of Greenwich

Broxtowe borough council

Malvern Hills district council

Melton borough council

Hereford and Worcester county council

Council of Civil Service Unions.

Mr. Austin-Walker: To ask the Secretary of State for Defence what assessment he has made of the overall cost *(a)* to his Department and *(b)* to the exchequer in the financial appraisal of the options concerning the future location of ATSA. [16652]

Mr. Soames: Various options are being considered for the future location of ATSA, including a "do minimum" option collocation at a number of different single sites and a joint site option. The building works and other relevant costs were incorporated into an investment appraisal of all the options considered over a projected 25-year period. This appraisal listed the options in order of cost, with the Malvern-Chertsey twin site the most expensive, and the Chertsey single site the least expensive over the 25-year period. We are now considering the results of the consultative process which ended on 19 February.

Mr. Austin-Walker: To ask the Secretary of State for Defence what appraisal he has made of the possible location of ATSA on *(a)* the Royal Arsenal east site and *(b)* the Royal Arsenal west site; and if he will make a statement. [16651]

Mr. Soames: The possibility of ATSA collocation in Woolwich was considered at an early stage in the study. The costs of providing the agency's office, technical, messing, and married quarters accommodation, however, were assessed to be higher than that for collocation at either Chertsey or Malvern. With this in mind, as well as the additional heritage and planning implications associated with many of the MOD's sites in Woolwich, and the fact that collocation there would not best satisfy the agency's business needs, it was decided not to subject a Woolwich collocation option to detailed scrutiny.

Mr. Austin-Walker: To ask the Secretary of State for Defence what discussions he has had with English Partnerships regarding the future location of the ATSA based in Woolwich. [16653]

Mr. Soames: In view of the decision not to subject a Woolwich collocation option to detailed scrutiny, we did not specifically discuss with English Partnerships, the potential owners of the Royal Arsenal west site, the opportunities for ATSA's collocation in Woolwich. Nevertheless, our discussions with them and the London borough of Greenwich as to the future of the Royal Arsenal west site continue, with the aim of achieving a comprehensive solution for the transfer of the site into civilian use so as to maximise local employment prospects.

Naval Support Command Headquarters

Mr. Don Foster: To ask the Secretary of State for Defence further to paragraph 3.15 of the June 1995 consultation document, what is his latest estimate of the upfront capital costs for the additional building at Abbey Wood and the refurbishment of Ensleigh on the collocation of the naval support command headquarters at Abbey Wood/Ensleigh (Bath); at what cost opportunity costs for spare capacity at Abbey Wood were included in this estimate; and if he will make a statement. [16419]

Mr. Soames: Our estimate for the upfront capital cost for the additional building at Abbey Wood and the refurbishment of Ensleigh remains at about £40 million at 1995 prices and inclusive of VAT. The allowance for the opportunity cost of spare space at Abbey Wood separately included in the investment appraisal was based on the capital cost of the buildings concerned.

Mr. Foster: To ask the Secretary of State for Defence what are his current plans for the refurbishment of Ensleigh; what is his latest estimate of the cost of the refurbishment; what was the estimated cost in June 1995; and if he will make a statement. [16341]

Mr. Soames: Further work is being undertaken on the scope of the Ensleigh refurbishment programme following the decisions announced last September. Some refurbishment work is already under way. The estimate for the costs of the work is commercially confidential, but the estimate for the overall upfront capital costs of Ensleigh refurbishment and the new building at Abbey Wood remains about £40 million.

Mr. Foster: To ask the Secretary of State for Defence what is his current estimate of *(a)* the number of staff who will seek household removal and *(b)* the cost of excess daily fares in respect of the collocation of the naval support command headquarters at Abbey Wood-Ensleigh (Bath); and if he will make a statement. [16342]

Mr. Soames: The consultation document on the NSC headquarters accommodation options assumed, in the appraisal of the Abbey Wood-Ensleigh option, about 100 house moves by Bath-based staff. The transport study which informed this assessment has recently been updated and the results will soon be available. No significant change is expected in the number of staff who may elect to move home. The latest estimate of the total cost of excess fares for the Abbey Wood-Ensleigh option is £5.8 million.

Mr. Foster: To ask the Secretary of State for Defence what are his latest estimates of the costs of the collocation of the naval support command headquarters at Abbey Wood-Ensleigh (Bath); what are the significant changes from the cost estimates presented in the June 1995 consultation document; and if he will make a statement. [16343]

Mr. Soames: The net present value—NPV—figure for the costs of NSC relocation is £132 million at the latest price base. Other than the price base uplift, from 1994 to 1995 prices, there are no significant changes from the NPV figure presented in the consultation document.

Artillery Shells, Iran

Mr. Llew Smith: To ask the Secretary of State for Defence if he will commission an inquiry into the underwriting of the export of artillery shells from British companies to Iran since 1985. [15625]

Mr. Oppenheim: I have been asked to reply.

Export licences for export of weapons to Iran have not been available since 1980, and therefore the ECGD would not have underwritten applications for export of artillery shells to Iran during the period since 1985.

Scott Inquiry

Mr. Janner: To ask the Secretary of State for Defence how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16551]

Mr. Arbuthnot: My officials have responded to a number of letters from Mr. Muttukumaru. Sir Richard Scott is free to publish any documents he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Mr. Janner: To ask the Secretary of State for Defence what communication he received from the secretary of the Scott inquiry concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16634]

Mr. Arbuthnot: I refer the hon. and learned Member to the answer given to him by right hon. Friend the President of the Board of Trade earlier today.

Mr. Tony Banks: To ask the Secretary of State for Defence if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16524]

Mr. Hain: To ask the Secretary of State for Defence what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16575]

Mrs. Jane Kennedy: To ask the Secretary of State for Defence how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16557]

Mrs. Golding: To ask the Secretary of State for Defence if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16566]

Mr. Arbuthnot: I refer the hon. Members to the reply given earlier today by my right hon. Friend the Prime Minister.

Mr. Madden: To ask the Secretary of State for Defence at what hour and minute of what day the report of the Scott inquiry was delivered to his office. [16541]

Mr. Arbuthnot: During the afternoon of Wednesday 7 February 1996.

Mrs. Dunwoody: To ask the Secretary of State for Defence when he first saw the report of the Scott inquiry. [16593]

Mr. Portillo: It was delivered to me on Wednesday 7 February 1996.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Defence which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16482]

Mr. Arbuthnot: None.

HOUSE OF COMMONS

Parking Passes

Sir Terence Higgins: To ask the Chairman of the Administration Committee how many current passes for the House of Commons car park have been issued to each category of persons entitled to such parking passes; how many places are for the use only of hon. and right hon. Members; and what were the equivalent figures in *(a)* 1988 and *(b)* 1993. [16093]

Mr. Michael J. Martin The information requested is as follows:

Category	*Permit holders*	*Permits* *1988*	*1993*	*1996*
1	Right hon. and hon. Members (first, second and third floors)	606	638	633
2	Officers of the House (fifth floor)	112	118	123
3	Staff of the House with over 15 years service (certain spaces on the fourth and fifth floors)	25	63	61
4	Late night staff (certain spaces on the fourth and fifth floors)	280	279	284
4	Named members of the Press Gallery (certain spaces on the fourth and fifth floors)	18	18	16
5	Members' secretaries with over 15 years service (certain spaces on the third floor)	44	20	20
6	Permanent photo-identity pass holders on Fridays and non-sitting days only (fourth and fifth floors)	474	600	594

The number of places in the underground car park for the use of right hon. and hon. Members only has remained at 260 throughout this period.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Lord President of the Council if he entered the writing rooms of the Press Gallery on 15 February. [16487]

Mr. Newton: No.

Scott Inquiry

Mr. Madden: To ask the Lord President of the Council at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16490]

Mr. Newton: After 3.30 pm on Thursday 15 February.

Mr. Janner: To ask the Lord President of the Council how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16555]

Mr. Newton: I have had no communications from Mr. Muttukumaru.

Mr. Janner: To ask the Lord President of the Council what communication he received from the secretary of the Scott inquiry, Mr. Christopher Muttukumaru, concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16546]

Mr. Newton: I refer the hon. Member to the answer given to him by the President of the Board of Trade today.

Mrs. Dunwoody: To ask the Lord President of the Council when he first saw the report of the Scott inquiry. [16579]

Mr. Newton: After 3.30 pm on Thursday 15 February.

HOME DEPARTMENT

Prison Disturbances

Mr. Dowd: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 February, *Official Report*, column *183*, what information is available regarding payments for compensation and damages following disturbances in prisons in England and Wales over the past 10 years. [14963]

Miss Widdecombe *[holding answer 13 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Jim Dowd, dated 22 February 1996:

The Home Secretary has asked me to reply to your further Question about payments of compensation and damages to individuals following prison disturbances in the last ten years.

Compensation claims are dealt with either at local level or centrally depending on the size and nature of the claim. Information is available, from the financial year 1990/91, on the Prison Service's annual spend on compensation as a whole. It is not possible to identify the amount paid as a result of prison disturbances. This could be obtained only at disproportionate cost.

Party Conferences, Blackpool

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what plans he has to reimburse the Lancashire police authority for the cost of policing political party conferences held in Blackpool. [16154]

Mr. Maclean: None at present, but Lancashire police authority has been told that we would be prepared to consider the special payment of police grant under section 31B of the Police Act 1964 for exceptional expenditure incurred in connection with safeguarding national security for the 1997 party conference. We would assess the case for a special grant in the context of the relative financial burden that the party political conferences impose on the force and in the light of the security situation prevailing at the time.

Mr. Mervyn Ritter

Mr. Mullin: To ask the Secretary of State for the Home Department if he will list cases in which Mr. Mervyn Ritter has given evidence on behalf of the Crown against other prisoners while he was in prison. [16077]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Chris Mullin, dated 22 February 1996:

The Home Secretary has asked me to reply to your recent Question in which you asked him to list cases in which Mr. Mervyn Ritter has given evidence on behalf of the Crown against other prisoners while he was in prison.

There is no record of Mr. Ritter giving evidence on behalf of the Crown against other prisoners while he was in prison.

Arson

Mr. Cousins: To ask the Secretary of State for the Home Department how many arson attacks were reported to each police authority area in the last three complete years. [16147]

Mr. Maclean: The available information relates to offences of arson recorded by the police and is published annually in table 3.1 of "Criminal statistics, England and Wales, Supplementary tables, Volume 3", copies of which are available in the Library.

Prison Service (Security Budget)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what percentage of the Prison Service budget was spent on security for *(a)* 1993–94, *(b)* 1994–95 and *(c)* 1995–96; what is the projected percentage for 1996–97; and if he will make a statement. [15903]

Miss Widdecombe *[holding answer 21 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 22 February 1996:

The Home Secretary has asked me to reply to your recent Question about the percentage of Prison Service budget spent on security.

Estimates of current expenditure on security are not available. Staff in prison establishments are multi-functional and all are responsible for ensuring that security is maintained.

In most capital projects it is not possible to identify integral security costs.

Expenditure on overt security devices, for example perimeter walls and closed circuit television is recorded in the table below.

Percentage

	1993–94 Outturn	*1994–95 Outturn*	*1995–96 Supply Provision*	*1996–97 Planned*
Percentage of total capital expenditure	6.9	6.5	17.5	18.4

Prison Service (Market Testing)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what plans he has to introduce further market testing in the Prison Service; and if he will make a statement. [15904]

Miss Widdecombe *[holding answer 21 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 22 February 1996:

The Home Secretary has asked me to reply to your recent Question about market testing in the Prison Service.

The Prison Service remains committed to market testing as a means of improving quality and value for money in the provision of custodial services. We will shortly finalise our plans for the market testing of Prison Service establishments and of particular functions within establishments for the financial year 1996–97.

Emergency Plans

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department what representations he has received regarding funding for dealing with the aftermath of disasters; and if he will make a statement on the responsibilities exercised by his Department in this area. [15615]

Mr. Sackville: None. The Home Office provides some funding to local authorities in England and Wales to assist them in their planning for major disasters—including peacetime disasters—however caused. But representations about the availability of funding to assist those authorities to deal with a disaster after it has happened should be made to my right hon. Friend the Secretary of State for the Environment.

Mr. Jones: To ask the Secretary of State for the Home Department if he will list all emergency plans sponsored by local authorities during the last five years; and if he will make a statement on what plans he has to assist councils to retain emergency teams following the reorganisation of local government. [15616]

Mr. Sackville: The Home Office encourages local authorities to develop flexible emergency management arrangements which are capable of responding to any incident; but we do not require them to submit copies of the plans which they have made.

We have issued guidance to the new authorities suggesting how they might wish to approach planning for emergencies in the new situation created by the reorganisation of local government. Members of the Department's emergency planning division have also visited them to discuss the new arrangements.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Home Department if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16184]

Mr. Howard: (a) The following executive non-departmental public bodies—NDPBs—have a statutory base:

Alcohol Education and Research Council

Commission for Racial Equality

Data Protection Registrar

Gaming Board for Great Britain

Horserace Betting Levy Board

Horserace Totalisator Board

National Lottery Charities Board

Police Complaints Authority.

(b) None of executive NDPBs for which I am responsible admits members of the public to all board or committee meetings either under a statutory requirement or voluntarily.

(c) The Commission for Racial Equality holds conferences and seminars on race relations issues and the Data Protection Registrar holds meetings to discuss the operation of the Data Protection Act, but neither they nor any of the executive NDPBs for which I am responsible are under a statutory requirement to hold open meetings.

Kani Yilmaz

Mr. Austin-Walker: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the hon. Member for Woolwich dated 18 December 1995, regarding the application for extradition in respect of Kani Yilmaz; and if he will make a statement. [16466]

Mr. Kirkhope: I replied to the hon. Member on 21 February.

Mohammed Akhtar

Mr. Madden: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the document referred to by the Home Office presenting officer at the appeal in Leeds by Mohammed Akhtar, Ref. A47642/3 (s); PO1 736/95. [16425]

Miss Widdecombe: It would not be practicable to place in the Library all the information on countries of origin available to presenting officers, since this is drawn from a wide range of sources. Where country reports summarising such information are prepared, they will be placed in the Library when finalised.

Prevention of Terrorism Legislation

Mr. David Atkinson: To ask the Secretary of State for the Home Department when he intends to publish the report from Mr. J. J. Rowe QC on the operation in 1995 of the Prevention of Terrorism (Temporary Provisions) Act 1989; and what conclusions he has reached on the future of the Act. [17300]

Mr. Howard: I have now considered Mr. Rowe's report which I have today placed in the Library and have decided to accept his recommendation that the legislation should be renewed in its entirety for a further 12 months. A draft order to give effect to that is today being laid before the House.

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 22 February. [15165]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 22 February. [15166]

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Deregulation

Mr. Steen: To ask the Prime Minister what action he is taking to ensure that each Government Department lists in its annual report *(a)* what action it has taken in the past 12 months and *(b)* what it plans to do in the next 12 months to reduce the regulatory burdens on businesses. [15614]

The Prime Minister: The Government have agreed as part of their response to the deregulation task force's 1995 annual report, published in September 1995, that all governmental Departments will provide this information in their annual reports. It is for each Secretary of State to ensure that this happens.

Mr. Steen: To ask the Prime Minister, pursuant to his written answer of 14 February, *Official Report*, column 592, from what sources of information he assesses the record of Government against their targets for repealing or amending regulations. [16185]

The Prime Minister: I receive regular reports from the Chancellor of the Duchy of Lancaster on progress under the deregulation initiative. These incorporate information from individual Departments on their progress in repealing and amending regulations.

Scott Inquiry

Mr. Janner: To ask the Prime Minister how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16553]

The Prime Minister: I and my officials have responded to a number of letters from Mr. Muttukumaru, for example, about my evidence to the inquiry in January 1994. Sir Richard Scott is free to publish any document he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Mrs. Golding: To ask the Prime Minister if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16564]

The Prime Minister: I do not envisage making such changes. Where officials criticised in the Scott report had acted conscientiously, in good faith and in accordance with Government policy, it would not normally be appropriate to take disciplinary action against them. If there are cases where disciplinary action is considered appropriate this would be carried out under normal departmental disciplinary procedure.

Mrs. Jane Kennedy: To ask the Prime Minister how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16556]

The Prime Minister: Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give their number or grades.

Mr. Hain: To ask the Prime Minister what consultations he had with non-ministerial right hon. and hon. Members before the publication of the Scott inquiry. [16465]

The Prime Minister: I had no such consultations on the contents of the Scott report or on the Government's response to it.

Mr. McNamara: To ask the Prime Minister if he will revise "Questions of Procedure for Ministers" following the report of the Scott inquiry. [16469]

The Prime Minister: "Questions of Procedure for Ministers" is updated from time to time as the need arises. That will continue to be the case.

Mr. McNamara: To ask the Prime Minister from which civil servants he took advice before making his decision not to permit members of opposition parties to see the report of the Scott inquiry until three hours before it was presented to the House. [16609]

The Prime Minister: Successive Governments have not disclosed the nature or the specific sources of the advice they receive from the civil service.

Mr. Kaufman: To ask the Prime Minister when the Scott report was made available to the head of research at Conservative central office. [16422]

The Prime Minister: At 15.30 pm on 15 February 1996.

Mrs. Dunwoody: To ask the Prime Minister when he first saw the report of the Scott inquiry. [16595]

The Prime Minister: Wednesday 7 February 1996.

Mr. Allen: To ask the Prime Minister what consultation he had with the Secretary to the Cabinet concerning the Government's response to the Scott inquiry; and where and when such consultations took place. [16605]

The Prime Minister: I have regular consultations with the Secretary of the Cabinet on current issues affecting the Government. These generally take place in 10 Downing street. Details of these consultations are private.

Mr. Winnick: To ask the Prime Minister when he first consulted other Cabinet Ministers about the contents of the report of the Scott inquiry; and where and when such discussions took place and with whom. [16517]

The Prime Minister: I have frequent meetings with Ministers at which we discuss Government business. These meetings usually take place in No. 10 Downing street. The details of such meetings are private.

Mr. Hain: To ask the Prime Minister what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16577]

The Prime Minister: Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned in accordance with the procedure agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give the cost of the work.

Mr. Janner: To ask the Prime Minister what communication he received from the secretary of the Scott inquiry, concerning the time needed by the opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16636]

The Prime Minister: I refer the hon. and learned Member to the answer given to him by the President of the Board of Trade today.

Mr. Madden: To ask the Prime Minister at what hour and minute of what day the report of the Scott inquiry was delivered to his office. [16542]

The Prime Minister: During the afternoon of Wednesday 7 February 1996.

Mr. Tony Banks: To ask the Prime Minister if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16522]

The Prime Minister: A small number of civil servants in each of the main Departments concerned had access to the report prior to publication for the purpose of preparing the Government's response. Such access was in accordance with the conditions laid down by the Scott inquiry.

Mr. Banks: To ask the Prime Minister on whose authority it was decided not to permit members of opposition parties to see the report of the Scott inquiry until three hours before the report was presented to the House. [16512]

The Prime Minister: The Government decided, in the light of precedents, that it was appropriate to allow access to Opposition spokesmen three and a half hours before the publication of the report.

Mr. Llew Smith: To ask the Prime Minister if he will list all locations where a full set of the transcripts from the Scott inquiry are lodged. [15970]

The Prime Minister: Transcripts of oral evidence to the Scott inquiry are publicly available from Smith Bernal, Official Court Reports, 167 Fleet Street, London EC4A 2EA, tel. 0171 939 2266. I understand that copies are also available for public consultation in Westminster public libraries. Since transcripts of oral evidence were available to the general public I have no means of identifying the locations of all such transcripts.

Mr. Hall: To ask the Prime Minister how many photocopies the Government have made of the Scott report as of 13 February. [15703]

The Prime Minister *[holding answer 16 February 1996]:* No photocopies were made of the report as a whole prior to publication. Photocopies of some sections of the report were made, in accordance with agreements reached with the inquiry.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Prime Minister which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16484]

The Prime Minister: If any Ministers did so, that is a matter for them.

EDUCATION AND EMPLOYMENT

Environmental Appraisals

Ms Ruddock: To ask the Secretary of State for Education and Employment how many environmental appraisals were produced by her Department using the guidance contained in the Department of the Environment's "Policy Appraisal and the Environment" in 1995; and if she will place copies in the Library. [15111]

Mr. Robin Squire *[holding reply 14 February 1996]:* None.

Public Bodies

Dr. Wright: To ask the Secretary of State for Education and Employment if she will list the executive non-departmental public bodies sponsored by her Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16016]

Mr. Forth: The information requested is shown in the table:

Name of body	*Parliamentary commissioner*	*Audit commission*	*National audit office*	*Open government*	*Performance indicators*	*Citizen's charter*
Centre for Information on Language Teaching and Research	No	No	Yes	No	Yes	Yes
Construction Industry Training Board	Yes	No	Yes	Yes	No	Yes
Education Assets Board	Yes	No	Yes	No	Yes	Yes
Engineering Construction Industry Training Board	Yes	No	Yes	Yes	No	Yes
Equal Opportunities Commission	Yes	Yes	Yes	Yes	Yes	Yes

Name of body	Parliamentary commissioner	Audit commission	National audit office	Open government	Performance indicators	Citizen's charter
Funding Agency for Schools	No	No	Yes	No	Yes	Yes
Further Education Funding Council	No	No	Yes	No	Yes	Yes
Higher Education Funding Council for England	No	No	Yes	No	Yes	Yes
Investors In People UK	Yes	No	Yes	No	Yes	Yes
National Council for Educational Technology	No	No	Yes	No	Yes	Yes
National Council for Vocational Qualifications	Yes	Yes	Yes	Yes	No	No
National Youth Agency	No	No	Yes	No	Yes	Yes
Remploy Ltd.	No	No	Yes	No	Yes	No
School Curriculum and Assessment Authority	No	No	Yes	No	Yes	Yes
Teacher Training Agency	No	No	Yes	No	Yes	Yes

Dr. Wright: To ask the Secretary of State for Education and Employment which of the executive non-departmental public bodies sponsored by her Department have a statutory base and which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public; and whether in each case this is (i) under a statutory requirement or (ii) voluntarily. [16029]

Mr. Forth: The information requested is shown in the table:

Name of body	Statutory base	Admit public to all meetings		Hold open meetings	
		Statutory	Voluntary	Statutory	Voluntary
Centre for Information on Language Teaching and Research	No	No	No	No	No
Construction Industry Training Board	Yes	No	No	No	No
Education Assets Board	Yes	No	No	No	No
Engineering Construction Industry Training Board	Yes	No	No	No	No
Equal Opportunities Commission	Yes	No	No	No	No
Funding Agency for Schools	Yes	No	No	No	Yes
Further Education Funding Council	Yes	No	No	No	Yes
Higher Education Funding Council for England	Yes	No	No	No	No
Investors In People UK	No	No	No	No	No
National Council for Educational Technology	No	No	No	No	No
National Council for Vocational Qualifications	No	No	No	No	No
National Youth Agency	No	No	No	No	No
Remploy Ltd.	Yes	No	No	No	No
School Curriculum and Assessment Authority	Yes	No	No	No	No
Teacher Training Agency	Yes	No	No	No	Yes

Under-fives Provision

Mr. Blunkett: To ask the Secretary of State for Education and Employment what plans she has to allow local education authorities to continue to fund under-fives provision directly through the local management of schools formula and to redeem vouchers on behalf of local providers under the nursery voucher scheme. [16284]

Mr. Robin Squire: Officials wrote to all chief education officers on 31 January to inform them that the proposed grant for nursery education in respect of local education authority maintained schools will be paid to local education authorities for distribution through their LMS schemes. LEAs will continue to be able to spend what they consider appropriate on provision for under-fives, taking the grant and other forms of revenue into account.

It will be for local decision whether LEAs participate in handling vouchers, or leave it to the schools they maintain.

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list *(a)* the number of four-year-olds in maintained provision at January 1995, *(b)* the potential deduction from the under-fives standard spending assessment, based on the January 1995 pupil count, *(c)* the actual deduction agreed with the pilot authorities and *(d)* the criteria used to adjust the potential deduction to reach the actual deduction, including the pupil numbers involved, for each of the pilot authorities participating in phase one of the voucher scheme. [16285]

Mr. Squire: The Department's estimate of the number of four-year-olds in maintained provision in each of the phase 1 authorities in January 1995—taken from the annual schools census—is shown in the table, with the deduction from the 1996–97 standard spending assessment in each case.

LEA	Estimated number of 4-year-olds in maintained provision at January 1995	SSA deduction (£ million)
Kensington and Chelsea	800	0.7
Wandsworth	2,600	2.4
Westminster	1,100	1.0
Norfolk	6,300	6.8

The pupil numbers underpinning the deductions were adjusted to take into account local education authority comments on the January estimates and the number of four-year-olds in maintained provision in the autumn term 1994 and the summer term 1995 and the number of four-year-old pupils in maintained provision who were not resident in the LEA and who will not receive a voucher in phase 1.

Scott Inquiry

Mrs. Dunwoody: To ask the Secretary of State for Education and Employment when she first saw the report of the Scott inquiry. [16596]

Mrs. Gillian Shephard: I first saw the report of the Scott inquiry on the morning of Monday 19 February.

Mr. Tony Banks: To ask the Secretary of State for Education and Employment if she will list the members of her Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16520]

Mrs. Shephard: No members of my Department saw the report of the Scott inquiry before it was published.

Mr. Madden: To ask the Secretary of State for Education and Employment at what hour and minute of which day the report of the Scott inquiry was delivered to her office. [16493]

Mrs. Shephard: The report of the Scott inquiry was delivered to my office at 2pm on Friday 16 February.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Education and Employment which Ministers in her Department entered the writing rooms of the Press Gallery on 15 February. [16486]

Mrs. Gillian Shephard: If any Ministers did so, that is a matter for them.

School Premises Regulations

Mr. Simon Coombs: To ask the Secretary of State for Education and Employment if she will make a statement on the progress of the revised school premises regulations. [17173]

Mrs. Gillan: Following my answer on 10 January—*Official Report*, column *274*—I can confirm that new school premises regulations have been laid before Parliament today.

The new regulations will come into force on 1 September this year, when the transitional arrangements of the 1981 regulations expire.

The Government will publish an explanatory circular and two sets of guidance during the summer. The circular will explain the regulations in layman's terms; one guidance document will cover accommodation in schools and nurseries, the other will cover school grounds.

Cash Limits

Mr. Hawkins: To ask the Secretary of State for Education and Employment what changes she plans to cash limits on votes within her responsibility for 1995–96. [17174]

Mrs. Gillan: My right hon. Friend the Secretary of State announced on 1 February 1996 that the cash limit for class x, vote 1, schools, research and miscellaneous services will be reduced by £75,000 from £735,483,000 to £735,408,000. The cash limit will now be reduced by a further £900,000 to £734,508,000. The reduction will be used to offset an increase in the non-voted cash limit for local authority capital for school building projects—DFEE/LACAP. The local authority capital cash limit, DFEE/LACAP, will therefore be increased by £900,000 from £46,898,000 to £47,798,000.

Teachers' Superannuation Scheme

Mr. Kilfoyle: To ask the Secretary of State for Education and Employment (1) what plans she has to update the actuarial valuation of the teachers' superannuation scheme; [16348]

(2) what estimates she has made of catch-up contributions required to cater for the review of the teachers' superannuation scheme actuarial valuation. [16317]

Mr. Robin Squire: The valuation of the teachers' superannuation scheme is carried out by the Government Actuary and it is for him to estimate the contribution required. My right hon. Friend is awaiting the Government Actuary's report on the valuation of the scheme as at 31 March 1991, which she expects early in 1996–97.

TREASURY

Tax Relief and Allowances

Mr. Martyn Jones: To ask the Chancellor of the Exchequer if he will update his answer to the hon. Member for Birkenhead (Mr. Field) of 22 May 1995, *Official Report*, column *469* on revenue costs of tax reliefs and allowances, to give figures for 1996–97. [14401]

Mr. Jack: Estimated full-year revenue costs at 1996–97 income levels are in the table. Separate costings have been produced for allowances and reliefs. The combined cost of both allowances and reliefs would be greater than the sum of the individual figures.

Cost of allowances and reliefs

£ billion

Group of taxpayers	*Allowances*	*Reliefs*
Top 1 per cent.	0.4	0.8
Top 5 per cent.	2.2	2.1
Top 10 per cent.	4.3	3.0
Top 25 per cent.	8.6	4.4
Top 50 per cent.	15.4	6.2
Top 70 per cent.	20.8	7.0
All taxpayers	28.1	7.4

Exchange and Trading Schemes

Mr. Chris Davies: To ask the Chancellor of the Exchequer how many local exchange and trading schemes have been established in the United Kingdom; and how many members they have. [15429]

Mr. Jack: Information on the number of local exchange and trading schemes which have been established in the United Kingdom, and the number of members they have, is not available.

Public Bodies

Dr. Wright: To ask the Chancellor of the Exchequer if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16175]

Mrs. Angela Knight: There are no executive non-departmental public bodies sponsored by the Treasury.

Seized Alcoholic Drinks

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what is his policy in respect of disposal of seized alcoholic drinks and tobacco products. [17172]

Mr. Heathcoat-Amory: Customs has carried out a review of its policy on the disposal of seized excise goods. The policy to destroy small seizures of alcohol, in an economic and environmentally satisfactory manner, will continue. For individual large seizures of alcohol Customs will, wherever possible, continue to sell the goods back to the original UK manufacturer. The policy to destroy all tobacco seizures will continue. A copy of Customs' review report has been placed in the Library of the House.

TRADE AND INDUSTRY

Export Credits Guarantee Department

Mr. Cousins: To ask the President of the Board of Trade if he will make a statement on the factors included under the heading "other elements" contributing to ECGD exposure in Nigeria and Brazil as outlined on page 6 of the annual report of ECGD. [15174]

Mr. Oppenheim: The other elements are made up entirely of claims paid not yet recovered.

Mr. Cousins: To ask the President of the Board of Trade if he will list for each year since 1988 the total amount of claims paid by ECGD broken down to show those paid in respect *(a)* Iraq, *(b)* Jordan, *(c)* Nigeria, *(d)* Oman, *(e)* Indonesia, and *(f)* other countries in the Gulf Co-operation Council group. [15177]

Mr. Oppenheim: The following is the information:

Claims paid by ECGD in £ millions by financial year from 1 April 1988

Country	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*[1]1995–96*
Indonesia	5	5	3	2	0	1	1	4
Iraq	28	56	193	181	104	61	46	14
Jordan	1	28	49	50	46	41	36	31
Nigeria	291	242	157	131	98	48	28	5
Oman	0	0	0	0	0	0	0	0
Other countries in Gulf Co-operation Council group	5	3	12	7	0	0	0	0

[1] To 31 January 1996.

Export Credits Guarantee Advisory Service

Mr. Llew Smith: To ask the President of the Board of Trade if he will update his answer to the hon. Member for Blaenau Gwent of 20 January 1994, *Official Report*, columns *748–50*, on membership of the exports credits guarantee advisory service. [15623]

Mr. Nelson: There have been no further appointments to the Export Credits Guarantee Advisory Council since 20 January 1994. The following members, however, how now retired from service:

A. G. Gormly, Esq., CBE

C. Smallwood Esq.

Sir Robert Davidson

Sir Frank Lampl.

Further appointments will be made in due course.

Iraq (Petroleum)

Mr. Llew Smith: To ask the President of the Board of Trade if he will make a statement on the role played by Crescent International Petroleum in trading with Iraq. [15967]

Mr. Nelson: No.

Post Office

Mr. Rooney: To ask the President of the Board of Trade (1) what were the main components of the pay off to the former chief executive of the Post Office; [15915]

(2) what early retirement or voluntary severance schemes are currently in place for employees of the Post Office; [15916]

(3) what were the principal factors in his decision to approve the early retirement of the chief executive of the Post Office. [15924]

Mr. Oppenheim *[holding answer 19 February 1996]:* The details of the payments made to Mr. Cockburn, the former chief executive, on leaving the Post Office were set out in the reply I gave to the hon. Member for Manchester, Blackley (Mr. Eastham) on 5 December 1995, *Official Report*, column *162*. The Post Office is responsible for the early retirement and voluntary severance schemes in place for its employees.

There are two principal pension schemes in operation within the Post Office: the Post Office staff superannuation scheme and the Post Office pension scheme. Mr. Cockburn is a member of the former. The provisions and administration of each are the responsibility of the Post Office and the trustees.

Mr. Cockburn left the Post Office board when his three year appointment to it expired in October 1995. Although offered renewal of his contract on existing terms, he decided after 34 years in the Post Office, 14 of them as a member of the Post Office board, to seek a new challenge in the private sector. I did not approve the early retirement of Mr. Cockburn; this was a matter for him and the Post Office under the terms of his original appointment to the board.

Nigeria (Arms Exports)

Mr. Madden: To ask the President of the Board of Trade if he will take steps to ensure that no arms are exported to Nigeria from *(a)* the United Kingdom and *(b)* other EU states, under licences which were granted prior to the current embargo; and if he will make a statement. [16260]

Mr. Oppenheim *[holding answer 21 February 1996]:* At the end of last year, the European Union decided to strengthen its measures against the military regime in response to adverse developments in Nigeria. Among these measures was strengthening of the existing restrictions on the sale of military equipment, though there was no agreement to extend these measures to existing contracts and therefore export licences which were issued against those contracts were not revoked.

So far as future exports are concerned, in common with arms embargoes against other countries, the embargo against Nigeria will include all military, security and paramilitary goods and arms, ammunition and related material which is listed in group 1 of part III of schedule 1 to the Export of Goods (Control) Order 1994, available from HMSO. The rules do not distinguish between items intended for the military and for the police, nor has any exception been allowed for international peacekeeping operations in which the Nigerians might be involved.

Wind Turbines

Mr. Nigel Evans: To ask the President of the Board of Trade how many wind turbines were erected in (i) each year since 1993, (ii) 1994, (iii) 1995 and (iv) 1996 to date. [16417]

Mr. Page: The number of wind turbines erected in the United Kingdom under the non-fossil fuel obligation—in England and Wales—the Northern Ireland non-fossil fuel obligation, NI-NFFO, and the Scottish renewables order, SRO, are as follows:

Year	*NFFO 1 and 2*	*NI–NFFO 1*	*SRO 1*	*Total*
1991	13	—	—	13
1992	113	—	—	113
1993	247	—	—	247
1994	54	20	—	74
1995	15	30	26	71
1996	—	—	—	0
Total	442	50	26	518

There are also some small-scale wind turbines in domestic use, and some single large-scale wind turbines erected outside the non-fossil fuel obligation and other obligations arrangements. Data on their number could be obtained only at disproportionate cost.

Capita Managed Services Ltd.

Mr. Austin Mitchell: To ask the President of the Board of Trade what were the terms on which the contract to collect the costs awarded against directors disqualified from managing a limited company was awarded to Capita Managed Services Ltd. [16275]

Mr. Oppenheim: The contract has been awarded for an initial period of three years commencing on 1 December 1995. The terms themselves are a matter of commercial confidentiality.

Mr. Mitchell: To ask the President of the Board of Trade if he will make a statement on the process by which Capita Managed Services Ltd. was awarded the contract to collect the costs awarded against directors who are disqualified from acting in the management of limited companies. [16273]

Mr. Oppenheim: An advertisement setting out details of the service requirement and calling for expressions of interest was placed in "Government Opportunities". Respondents were asked to complete a pre-qualification questionnaire. On the basis of the replies a short list of six was drawn up and formal tenders issued. The bid from Capita Managed Services Ltd. represented best value for money and the contract was awarded accordingly.

Public Bodies

Dr. Wright: To ask the President of the Board of Trade if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16177]

Mr. John M. Taylor: The information is as follows:

Those non-departmental public bodies which:

(a) *Have a statutory base:*

All except the National Consumer Council, the Simpler Trade Procedures Board and the Design Council, the latter being established by royal charter. The research councils are also established by royal charter, a prerogative instrument, but are governed by the Science and Technology Act 1965 which imposes statutory duties in areas such as production of an annual report and keeping of accounts.

(b) *Admit members of the public to all board or committee meetings:*

None.

(c) *Hold open meetings for the public:*

None except the research councils who from time to time voluntarily hold open meetings.

In both *(b)* and *(c)* it is voluntary and not a statutory requirement for all DTI NDPBs.

Small Businesses

Mr. Alfred Morris: To ask the President of the Board of Trade what assessment he has made of the impact of Government policies upon small businesses in the United Kingdom; and if he will make a statement. [15236]

Mr. Page: The Government are fully committed to supporting the small firms sector and recognise the key role that it plays in the economy.

After reductions in the number of businesses in the early 1990s, there was a net increase in the number of businesses operating in England and Wales in both 1994 and 1995. Policy for small firms focuses mainly on providing a favourable economic climate—based on low inflation and stable interest rates in which enterprises can flourish. The Government are also concentrating on reducing administrative and regulatory burdens thereby enabling businesses to get on, unimpeded, with running their businesses.

The Government also provide direct assistance to small firms.

The establishment of the business link network now provides a single point of access to a wide range of information and services to small and medium-sized firms in England. Early indicators are that firms welcome these services and are impressed by the quality of provision.

In shaping their policy the Government are listening to the voice of small firms through the regional "Your Business Matters" conference and will take careful account of the report to be presented at a national conference on 11 March.

The small business ministerial group will have a significant effect on small firms by providing a forum for developing co-ordinated and cohesive policy across Whitehall Departments.

Greyhound Breeding, Ireland

Mr. Hardy: To ask the President of the Board of Trade when the hon. Member for Wentworth will receive an answer to the question of 30 November, about the support of greyhound breeding in Ireland by the EC. [13126]

Mr. Oppenheim *[pursuant to his reply, 7 February 1996, c. 232]:* The current objective 1 programme of EC structural funds grants for the Republic of Ireland, which covers the period 1994 to 1999, includes three relevant measures: a quality breeding scheme, including purchase of breeding greyhounds from abroad; grant towards the cost of marketing greyhounds; and grant towards breeding premises for various animals including greyhounds. Intended totals of grant for the three schemes are IR£300,000, IR£353,000 and IR£7.5 million respectively. The first two schemes have not yet begun. Under the third scheme, IR£38,000 has so far been paid in respect of premises for greyhounds.

I understand that no information is available about the number of greyhounds to be bred or, therefore, the cost per animal.

I shall be glad to consider the matter further if the hon. Gentleman wishes to write to me.

Scott Inquiry

Mr. Janner: To ask the President of the Board of Trade what communication he received from the secretary of the Scott inquiry, concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16545]

Mr. Lang: Correspondence on this issue was copied by the Scott inquiry to spokesmen for the main Opposition parties. This makes it clear that Sir Richard was glad to note the arrangements made for giving advance access to Opposition spokesmen. The Government do not propose to deposit copies of the correspondence in the Library of the House.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the President of the Board of Trade which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16470]

Mr. Oppenheim: None.

Biotechnology and Biological Research Council

Sir Andrew Bowden: To ask the President of the Board of Trade if he will make a statement about forthcoming prior options reviews of institutes sponsored by the Biotechnology and Biological Sciences Research Council. [17213]

Mr. Taylor: The Government announced on 29 September 1995 that all public sector research establishments would be subject to prior options reviews. I announced on 24 November reviews of BBSRC-sponsored institutes concerned with agriculture and plant sciences.

Reviews are now beginning of the BBSRC's arrangements for sponsoring the Babraham Institute, the Institute for Animal Health and the Roslin Institute.

These reviews will take place alongside those of establishments parented or sponsored by other Government Departments which are carrying out work in similar or related fields. The reviews will build on any relevant recent studies.

I should welcome comments from interested parties. Comments should be sent by 8 April 1996 to:

Dr. Susannah Bolton, Institute of Arable Crops Research, Rothamsted, Harpenden, Herts AL5 2JQ in respect of the Babraham Institute;

Dr. David L. O. Smith, Silsoe Research Institute, Wrest Park, Silsoe, Bedford MK45 4HS in respect of the Institute for Animal Health; and

Dr. Vincent Essex, BBSRC, Polaris House, North Star Avenue, Swindon SN2 1UH in respect of the Roslin Institute.

Internet

Mr. Campbell-Savours: To ask the President of the Board of Trade when it is planned that the British library will make available on the Internet information on British patents, trade marks, registered designs, and information from the *Official Journal.* [16216]

Mr. Sproat: I have been asked to reply.

The British library has no plans to make available on the Internet information on British patents, trade marks, registered designs, an information from the *Official Journal.*

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if *(a)* Ministers and *(b)* officials of his Department were present at the international exhibition for military production held in Baghdad in 1989. [15695]

Mr. Hanley *[holding answer 16 February 1996]:* Some officials serving at the British embassy in Baghdad attended the exhibition. No Ministers were present.

Western Sahara

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings concerning the future of the Western Sahara have been attended by representatives of Her Majesty's Government *(a)* at the UN and *(b)* elsewhere in the past year; and if he will make a statement. [15933]

Mr. Hanley: Programmes for official visits to the UN mission for the referendum in Western Sahara—MINURSO—from the UK and elsewhere have usually included visits to refugee camps in Algeria under MINURSO auspices. Most recently, officials from the foreign and Commonwealth Office visited camps in Tindouf in October 1995.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made to the UN Security Council concerning the performance of MINURSO in registering potential voters in the referendum on the future of the Western Sahara; and if he will make a statement. [15934]

Mr. Hanley: We have expressed concern in the UN Security Council at the slow rate of progress in registering voters in the referendum on the future of the Western Sahara. The Secretary-General has reported that he will monitor the situation closely and bring the matter to the Security Council's attention if the situation showed no or very little sign of improvement.

We remain supportive of the efforts of the UN Secretary-General and of MINURSO. We continue to urge all parties to proceed with the referendum process as quickly as possible.

Guatemala

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings have been held by representatives of Her Majesty's Government with the new Government of Guatemala; and if he will make a statement. [15930]

Mr. David Davis: Lord Chesham met President Arzu on 15 January when he visited Guatemala City for the President's inauguration. We continue to encourage the Government of Guatemala to reach a peace agreement with the URNG guerrillas and a settlement of the territorial dispute with Belize.

Antarctic Treaty

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet signatory nations to the Antarctic treaty concerning the establishment and siting of the secretariat; and if he will make a statement. [15935]

Mr. David Davis: There are no immediate plans for Ministers to meet Antarctic treaty signatories to discuss this issue. The Antarctic treaty secretariat will be the subject of discussion at official level at the forthcoming Antarctic treaty consultative meeting in the Netherlands on 29 April to 10 May.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has recently held with the Argentine Foreign Minister concerning the siting of the secretariat to the Antarctic treaty; and if he will make a statement. [15936]

Mr. Davis: The siting of the Antarctic treaty secretariat was raised by the Argentine Foreign Minster during bilateral meetings on 15 December 1995 and on 30 January 1996. He was informed that our position remained unchanged.

Scott Inquiry

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs when he first saw the report of the Scott inquiry. [16590]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary first saw the report on Wednesday 7 February 1996.

Mr. Hain: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16574]

Mr. Hanley: Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned, in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a range of issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give the cost of the work.

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16504]

Mr. Hanley: The report was delivered to my right hon. and learned Friend the Foreign Secretary during the afternoon of Wednesday 7 February 1996.

Mrs. Jane Kennedy: To ask the Secretary of State for Foreign and Commonwealth Affairs how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16644]

Mr. Hanley: Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a range of issues and a number of other officials will have

contributed to preparation of the Government's response without sight of the report. It is not, therefore, possible to give their number or grade.

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16527]

Mr. Hanley: A small number of civil servants in the Foreign and Commonwealth Office had access to the report prior to publication for the purpose of preparing the Government's response. Such access was in accordance with the conditions laid down by the Scott inquiry.

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the hon. Members referred to in paragraph D4.3 of the Scott report who received letters couched in the terms described in paragraph D4.2. [16468]

Mr. Hanley: Mrs. G. Dunwoody MP, B. Field MP, M. Wolfson MP, C. R. Gregory MP, I. Stewart MP, R. Rhodes James MP, A. Haselhurst MP, Sir G. Finsberg MP. D. Curry MP, N. Griffiths MP, J. Patten MP, D. Atkinson MP, Dame Elaine Kellett-Bowman MP, J. Redwood MP, C. Wardle MP, S. Bell MP, D. Alton MP, M. Jones MP, R. Tracey MP, T. Rathbone MP, D. Sumberg MP, R. Moate MP, M. Grylls MP, C. Hawkins MP, K. Baker MP, N. Winterton MP, Dr. A. Williams MP, Rt hon. Tony Benn MP, Rt hon. Peter Shore MP, Sir H. Rossi MP and M. Lord MP.

Some received more than one letter.

Mr. Janner: To ask the Secretary of State for Foreign and Commonwealth Affairs what communication he received from the secretary to the Scott inquiry concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16633]

Mr. Hanley: I refer the hon. Member to the answer given to him by my right hon. Friend the President of the Board of Trade today.

Mr. Janner: To ask the Secretary of State for Foreign and Commonwealth Affairs how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of the letters; and if he will deposit copies in the Library. [16550]

Mr. Hanley: My right hon. and learned Friend the Foreign Secretary and FCO officials have responded to a number of letters from Mr. Muttukumaru. Sir Richard Scott is free to publish any document he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Foreign and Commonwealth Affairs which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16479]

Mr. Hanley: If any Ministers did so, that is a matter for them.

India and Pakistan

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs if his letter of 27 October, Ref: 2712002, was circulated to the Home Secretary; when he reached a decision that India and Pakistan should be added to the list of designated countries; on what date he told the Home Secretary of his decision in respect of India and Pakistan; if he will place in the Library copies of the material he considered in reaching his decision in respect of India and Pakistan; and if he will make a statement. [16433]

Mr. Hanley: It is not the practice to disclose ministerial correspondence between Departments. This is consistent with long-standing conventions of confidentiality observed by successive Governments.

Ethiopia, Kenya and Tanzania

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date he notified the Home Secretary of his decision about the designation of Ethiopia, Kenya and Tanzania; what was his decision in respect of each country; and if he will place in the Library copies of the material on which he reached his decision in respect of each country. [16432]

Mr. Hanley: It is not the practice to disclose ministerial correspondence between Departments. This is consistent with long-standing conventions of confidentiality observed by successive Governments.

European Funds (Public Health Education)

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that European Commission funds are prudently allocated in the field of public health education. [15835]

Mr. Horam: I have been asked to reply.

Following a decision by the Health Council, management committees have been established to oversee European Commission programmes of action on public health, including AIDS and communicable diseases. Officials on the committees representing UK Health Departments will seek to agree criteria to ensure that Community funds are prudently allocated for individual projects.

Mrs. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what funding was given by the Europe against AIDS unit of the European Commission to enable CSV Media to send St. Valentine's day cards containing condoms to right hon. Members; how many such cards were sent out throughout Europe; what was the purpose of this project; what percentage of the funding came from United Kingdom taxpayers; and what factors led the European Commission to *(a)* support this project and *(b)* accept no liability for the advice so disseminated. [15833]

Mr. Horam: I have been asked to reply.

The European Commission contributed £145,000 towards the cost of this campaign which included the distribution of 330,000 Valentine's day cards throughout Europe. The purpose of the campaign was to promote AIDS awareness and safer sex amongst young people.

The United Kingdom Government made no direct contribution to the cost of the campaign, and it is therefore not possible to say what percentage of the funding came from UK taxpayers. We understand that the European Commission supported the project because of rising levels of HIV infection in Europe, and that the disclaimer on the Valentine's day card is a standard clause which the Commission require on all printed material which they fund.

Mrs. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to propose the abolition of the AIDS unit of the European Commission; and if he will make a statement. [15836]

Mr. Horam: I have been asked to reply.

I have no such proposal.

Mrs. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he had with the European Commission prior to the decision being taken to proceed with the CVS Media project. [15834]

Mr. Horam: I have been asked to reply.

I have had no consultations with the European Commission on this subject.

LORD CHANCELLOR'S DEPARTMENT

Scott Inquiry

Mrs. Golding: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16640]

Mr. Jonathan Evans: No.

Mr. Janner: To ask the Parliamentary Secretary, Lord Chancellor's Department what communication he received from the secretary of the Scott inquiry concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16637]

Mr. Evans: I have received no communication from the secretary of the Scott inquiry concerning the time needed by Opposition parties to scrutinise the Scott report.

Mr. Madden: To ask the Parliamentary Secretary, Lord Chancellor's Department at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16500]

Mr. Evans: The report of the Scott inquiry was delivered to my office at approximately 3 o'clock on the afternoon on Friday 16 February.

Mrs. Dunwoody: To ask the Parliamentary Secretary, Lord Chancellor's Department when he first saw the report of the Scott inquiry. [16586]

Mr. Evans: I first saw the report of the Scott inquiry after it was published.

Mr. Janner: To ask the Parliamentary Secretary, Lord Chancellor's Department how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of the letters; and if he will deposit copies in the Library. [16639]

Mr. Evans: I have received no communication from Christopher Muttukumaru.

Mrs. Jane Kennedy: To ask the Parliamentary Secretary, Lord Chancellor's Department how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16643]

Mr. Evans: Access to the report itself was restricted to a very small number of officials in the main Departments concerned in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give their number or grades.

Mrs. Kennedy: To ask the Parliamentary Secretary, Lord Chancellor's Department how much he estimates was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott report. [16645]

Mr. Evans: Access to the report itself was restricted to a very small number of officials in the main Departments concerned in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give the cost of the work.

Mr. Tony Banks: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16531]

Mr. Evans: No member of this Department saw Sir Richard Scott's report before it was presented to the House.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Parliamentary Secretary, Lord Chancellor's Department which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16475]

Mr. Jonathan Evans: I refer to the reply given today by my right hon. Friend the Prime Minister, column *242*.

Asylum and Immigration

Mr. Madden: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will place in the Library copies of the draft procedural rules concerning asylum and immigration currently subject to consultation; and if he will make a statement. [16261]

Mr. Jonathan Evans: Revised asylum appeals procedure rules are being prepared in the light of the recommendations in the report by the consultancy firm

KPMG Peat Marwick. The draft rules will be submitted to consultation and a copy placed in the Library as soon as the preparatory work has been concluded.

Legal Aid

Mr. David Nicholson: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations *(a)* his Department and *(b)* the legal aid service has received in each of the last five years alleging that legal aid was being received by litigants or contestants of cases who were not qualified to receive it; and if he will make a statement on the measures his Department takes to ensure that legal aid goes only to those who qualify. [15449]

Mr. Jonathan Evans: The legal aid assessment office of the Benefits Agency assesses the means of applicants for civil legal aid. In November 1990, it set up a special team to investigate representations alleging abuse of the scheme. Since that date it has received the following representations.

	Number
November 1990–March 1991	754
April 1991–March 1992	2,775
April 1992–March 1993	5,394
April 1993–March 1994	8,783
April 1994–March 1995	11,402
April 1995–March 1996	[1]15,000

[1] Anticipated.

A small number of these representations will originally have been channelled through my Department. All applications for civil legal aid are scrutinised carefully by the Legal Aid Board to ensure that the case has merit, and the legal aid assessment office to ensure that the applicant's means are within the prescribed limits. Allegations that legal aid is being received by those who do not qualify for it are investigated thoroughly.

Unlawful Legislation

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many judgments handed down by the High Court in each year since 1987 have held that provisions of *(a)* primary and *(b)* secondary legislation were unlawful, giving in each case the sponsoring Department of the legislation and the court's reasons. [15648]

Mr. Jonathan Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Gordon Prentice, dated 22 February 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about High Court judgments.

The information requested is not held centrally and could be provided only at disproportionate cost.

Access to Children (Grandparents)

Mr. Morley: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has to give grandparents a legal right to have access to their grandchildren. [15471]

Mr. Jonathan Evans: Under the Children Act 1989, grandparents can already apply to a court for an order granting them contact with their grandchildren. The leave of the court is usually required to make such an application. In considering any application, the paramount consideration for the court is the welfare and best interests of the child.

War Disability Pensions

Mr. Jopling: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions appeals by former officers in the armed services were heard by war disability pension tribunals in Newcastle in each of the last three years; how many cases were heard on each occasion; how many sittings he expects in 1996; and where else such hearings of this sort are heard in the north of England. [15465]

Mr. Jonathan Evans: The information requested is as follows:

Year	*Tribunal sittings at Newcastle*	*Officer cases heard on each occasion*
1993	2	1
1994	2	4
1995	1	5

The level of sittings at Newcastle depends on the number of appeals due to be heard there. There are currently five outstanding officer cases at Newcastle and at the present rate of such appeals the pensions appeal tribunals expect to arrange two sitting days at Newcastle in 1996.

Officer cases are also heard at the following venues in the north of England: Chester, Leeds, Manchester and Middlesbrough.

NORTHERN IRELAND

Nursery School Places

9. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland how many new nursery school places will be created in Northern Ireland during 1996. [15027]

Mr. Ancram: Current plans are for 150 new full-time equivalent places, in Belfast and Londonderry.

Action for Community Employment Scheme

10. **Dr. Godman:** To ask the Secretary of State for Northern Ireland if he will make a statement on the application of policy appraisal and fair treatment guidelines to the funding of the action for community employment scheme. [15029]

Mr. Ancram: Policy appraisal and fair treatment guidelines have been applied to decisions regarding the funding of the action for community employment programme. The effect of the reduction in funding should not have a differential impact on the overall balance of the programme to PAFT target groups.

Peace Process

11. **Mr. Soley:** To ask the Secretary of State for Northern Ireland if he will make a statement on the peace process in Northern Ireland. [15030]

Sir Patrick Mayhew: I refer the hon. Member to the answer I gave earlier today to the hon. Members for Neath (Mr. Hain) and for Liverpool, West Derby (Mr. Wareing).

13. **Mrs. Bridget Prentice:** To ask the Secretary of State for Northern Ireland (1) what recent meetings he has had with the Irish Deputy Prime Minister to discuss the peace process; [15032]

(2) what recent meetings he has had with Irish Ministers regarding the peace initiative. [15042]

Sir Patrick Mayhew: Mr. Spring and I met at a two-part meeting of the Anglo-Irish intergovernmental conference which met initially in London on 1 February and concluded in Dublin on 7 February. Amongst other things we conducted an extensive review of all recent developments in the peace process.

23. **Mr. Barnes:** To ask the Secretary of State for Northern Ireland what representations he has received concerning the Mitchell report; and if he will make a statement. [15043]

Sir John Wheeler: The Government have received a number of written and oral representations since the publication of the international body's report; these are being considered. The Government have welcomed and accepted the report, and intend to discuss its recommendations with the Northern Ireland parties.

18. **Mr. Gordon Prentice:** To ask the Secretary of State for Northern Ireland what representations he has received on the role of an elected body in the Northern Ireland peace process. [15038]

Sir Patrick Mayhew: I have received views on this proposal from a wide range of sources.

Elected Convention

12. **Mr. Wilkinson:** To ask the Secretary of State for Northern Ireland what progress has been made towards the establishment of an elected convention in Northern Ireland. [15031]

Sir Patrick Mayhew: In the absence of decommissioning, we believe that a broadly acceptable elective process represents one alternative direct way forward to all-party negotiations. We are continuing to explore the acceptability of these ideas with the relevant parties.

Northern Ireland Committee

14. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what proposals he has for a greater use of the Northern Ireland Committee. [15034]

Sir Patrick Mayhew: We are considering proposals that the procedures and remit of the Northern Ireland Committee should be developed in line with those of the Scottish and Welsh Grand Committees; but this could be done only after consultation with the Northern Ireland parties and any such arrangements would need to be reviewed if there were agreement leading to the establishment of new locally-accountable institutions in Northern Ireland.

Politically Motivated Violence

15. **Mr. Robathan:** To ask the Secretary of State for Northern Ireland how many incidents of politically motivated violence, with specific reference to punishment beatings and killings, have taken place since the publication of the Mitchell report. [15035]

Sir John Wheeler: The report of the international body was published on 24 January and since that date—up to 13 February—there has been one death in Northern Ireland resulting from terrorist activity. During this period there have also been 17 casualties resulting from so-called punishment attacks. Of these, nine have been attributed to loyalist and eight to republican groups.

Housing

16. **Mr. William O'Brien:** To ask the Secretary of State for Northern Ireland if he will make a statement on the resource provisions for housing in Northern Ireland for 1995–96 and 1996–97. [15036]

Mr. Moss: The overall gross resources available for housing in Northern Ireland in 1996–97 are some £605 million which is £6 million more than in 1995–96.

Aerospace Industry

19. **Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland what assessment he has made of the prospects for the aerospace industry in Northern Ireland; and if he will make a statement. [15039]

Mr. Ancram: The aerospace industry in Northern Ireland is dominated by Short Brothers, owned by Bombardier, the Canadian company. Should the current crisis at Fokker not be resolved, jobs would be lost at Shorts but the company would not be at risk. It is a highly regarded cost competitive partner in many global ventures. Should Fokker continue in production, Shorts would be a serious contender for more contracts.

Interviews (Tape Recording)

20. **Mr. Mullin:** To ask the Secretary of State for Northern Ireland what plans he has for the tape recording of interviews with terrorist suspects; and if he will make a statement. [15040]

Sir John Wheeler: The Government have concluded that it would be possible to introduce silent video-recording of interviews with terrorist suspects, and my right hon. and learned Friend has recently announced his intention to do so. Provision for the silent video-recording of interviews with terrorist suspects was included in the Northern Ireland (Emergency Provisions) Bill at Report stage on 19 February.

However, after serious consideration the Government have concluded that it would not be right to introduce audio recording of interviews with terrorist suspects in Northern Ireland, given the serious risks to life were the tapes subsequently to come into the public domain.

This measure will be a further addition to the wide range of safeguards already in place in the holding centres.

Public Appointments

21. **Mr. Trimble:** To ask the Secretary of State for Northern Ireland what proposals he has to ensure that public appointments are balanced and representative. [15041]

Sir John Wheeler: Public appointments are made in accordance with the guidelines on public appointments in Northern Ireland which were revised in October 1995. These advise that public bodies should, as far as possible, reflect a broad community, gender, age and geographical balance. Appointments are, however, made on the basis of an individual's ability or potential to make a positive contribution to the work of the particular body concerned.

The recently appointed Commissioner for Public Appointments in Northern Ireland—and in the rest of the United Kingdom—Sir Len Peach, will audit the public appointments process to ensure that it is operating in a fair and proper way.

Campbell's Soups

24. **Mr. Campbell-Savours:** To ask the Secretary of State for Northern Ireland what representations he has received about the boycott of Campbell's Soups in Northern Ireland. [15044]

Mr. Ancram: The hon. Member's representation to me in the House on 7 December is the only one of which I am aware.

Employment and Economic Development

25. **Mr. Mackinlay:** To ask the Secretary of State for Northern Ireland what consultations he is having with trade unions about the future of employment and economic development of Northern Ireland. [15045]

Mr. Ancram: My right hon. and learned Friend has useful, wide-ranging discussions with representatives of the Northern Ireland Committee of the Irish Congress of Trade Unions about employment and other matters, most recently when he met them on 19 December 1995.

Ceasefire

26. **Mr. Hawkins:** To ask the Secretary of State for Northern Ireland what assessment he has made of the level of observance of the ceasefire by organisations previously engaged in terrorism in the Province; and if he will make a statement. [15046]

Sir John Wheeler: The recent terrorist incidents in London, where three people lost their lives and scores of people have been injured, is a stark reminder of what terrorists are capable of.

During the ceasefire period, terrorist organisations continued to engage in various criminal activities such as murder, punishment beatings, robberies and racketeering. They also continued to train and to target individuals and installations.

The police have a good clear-up rate for terrorist crime and will make arrests whenever possible.

Free School Transport

Mr. Worthington: To ask the Secretary of State for Northern Ireland what research he has *(a)* commissioned and *(b)* evaluated into the costs of free school transport in Northern Ireland; what assessment he has made of the research; and what policy proposals he has on free school transport. [15463]

Mr. Ancram: No independent research has been commissioned. In 1992 the Department of Education established a joint Department/education and library board working party to review the arrangements for the provision of assisted home-to-school transport in Northern Ireland and, as a result of this, arrangements were put in place to monitor on-going costs. A consultation paper outlining a number of options for reducing the escalating costs of transport was issued in December 1995.

This consultation is on-going. In the interim, the existing arrangements remain unchanged.

Pupil Performance

Mr. Ian Bruce: To ask the Secretary of State for Northern Ireland what comparison he has made of the relative performance of pupils studying GCSEs and A-levels in Northern Ireland and the rest of the United Kingdom. [15028]

Mr. Ancram: Annual comparisons are made between pupil performance in Northern Ireland and England and Wales. Latest available comparison shows 87 per cent. of A-level pupils in Northern Ireland achieving at least two A-levels compared with 81 per cent. in England and 76 per cent. in Wales, and 51 per cent. of Northern Ireland pupils achieving five or more good GCSE grades compared with 44 per cent. in England and 41 per cent. in Wales.

Public Bodies

Dr. Wright: To ask the Secretary of State for Northern Ireland if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16180]

Sir John Wheeler: The information requested is as follows:

Executive Bodies: Department of Agriculture (NI)

(a) *DANI NDPBs which have a statutory base*	*(b)* *Admit members of the public to all board or committee meetings*	*(c)* *Hold open meetings for the public*	*(i)* *Statutory requirement*	*(ii)* *Voluntarily*
Fishery Harbour Authority	No	No	n/a	—
Agricultural Wages Board	No	No	n/a	—
Livestock and Meat Commission	No	No	n/a	—
Fisheries Conservancy Board	No	No	n/a	—
Agricultural Research Institute	No	—	—	Yes
Foyle Fisheries Commission	No	No	n/a	—
Northern Ireland Fishery Harbour Authority	No	—	—	Yes

(The Pig Production Development Committee is no longer considered to be an executive body. Its status will be amended in the "Public Bodies" publication at the next opportunity).

Department of Education (Northern Ireland)

(a) *DENI NDPBs which have a statutory base*	*(b)* *Admit members of the public to all board or committee meetings*	*(c)* *Hold open meetings for the public*	*(i)* *Statutory requirement*	*(ii)* *Voluntarily*
Arts Council of Northern Ireland	No	No	n/a	—
Council for Catholic Maintained Schools	Yes (only to full Council meetings)	No	—	Yes
Trustees of the Ulster Folk and Transport Museum	No	No	n/a	—
Trustees of the Ulster Museum	No	No	n/a	—
Staff Commission for Education and Library Boards Belfast Education and Library Board North-Eastern Education and Library Board South-Eastern Education and Library Board Southern Education and Library Board Western Education and Library Board	Yes (other than a Teaching Appointments Committee meeting	Yes (except where the nature of the business to be transacted would be prejudicial to the public interest)	Yes	—
Northern Ireland Council for the Curriculum Examinations and Assessment	No	No	n/a	—
Sports Council for Northern Ireland	No	No	n/a	—
Youth Council for Northern Ireland	No	No	n/a	—

Department of Economic Development

(a) *DED NDPBs which have a statutory base*	*(b)* *admit members of the public to all board or committee meetings*	*(c)* *hold open meetings for the public*	*(i)* *statutory requirement*	*(ii)* *voluntarily*
Local Enterprise Development Unit	No	No	n/a	—
Enterprise Ulster	No	No	n/a	—
Construction Industry Training Board	No	No	n/a	—
Ulster Sheltered Employment	No	No	n/a	—
General Consumer Council for Northern Ireland	No	Yes	—	Yes
Labour Relations Agency	No	No	n/a	—
Northern Ireland Commissioner of the Rights of Trade Union Members	[1]n/a	No	n/a	—
Northern Ireland Commissioner for Protection against Unlawful Industrial Action	[1]n/a	No	n/a	—
Northern Ireland Tourist Board	No	No	n/a	—
Equal Opportunities Commission	No	No	n/a	—
Fair Employment Commission	No	No	n/a	—

[1] Questions *(b)* and *(c)* are not relevant to the Commissioners above as they are both sole appointments with no board involvement.

Department of Environment (Northern Ireland)

(a) *DOE NDPBs which have a statutory base*	*(b)* *Admit members of the public to all board or committee meetings*	*(c)* *Hold open meetings for the public*	*(i)* *Statutory requirement*	*(ii)* *Voluntarily*
Fire Authority for Northern Ireland	Yes	No	n/a	—
Northern Ireland Housing Executive (NIHE)	No	Yes (specific area or proposal)	n/a	—
Laganside Corporation	No	Yes (specific area or proposal)	n/a	—
Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC)	No	No	n/a	—
Local Government Staff Commission (LGSC)	No	No	n/a	—

Department of Health and Social Services

(a) DHSS NDPBs which have a statutory base	*(b)* Admit members of the public to all board or committee meetings	*(c)* Hold open meetings for the public	*(i)* Statutory requirement	*(ii)* Voluntarily
Mental Health Commission	No	No	n/a	—
National Board for Nursing Midwifery and Health Visiting for Northern Ireland	No	No	n/a	—
Northern Ireland Council for Post-Graduate Medical and Dental Education	No	No	n/a	—

In respect of all other executive non-departmental public bodies in Northern Ireland, the answer is nil.

Secondary School Pupils

Sir Teddy Taylor: To ask the Secretary of State for Northern Ireland what percentage of secondary school children in Northern Ireland attend grammar schools. [15026]

Mr. Ancram: Forty per cent. of secondary age pupils attend grammar schools.

All-party Negotiations

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will make a statement on the progress towards all-party negotiations on Northern Ireland. [15033]

Sir Patrick Mayhew: The Government have been engaged in a series of intensive meetings with all the relevant parties to discuss their ideas on the way forward. Our aim is to achieve all-party negotiations leading to a comprehensive and widely acceptable political settlement in relation to Northern Ireland. These discussions are continuing.

Registration of Clubs Order

Mr. Illsley: To ask the Secretary of State for Northern Ireland what representations he has received regarding article 43 of the Registration of Clubs (Northern Ireland) Order 1996. [15017]

Mr. Moss: Up to 13 February, eight letters of complaint had been received.

Ordnance Survey

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland if he has commenced his review of the Ordnance Survey of Northern Ireland. [17299]

Mr. Moss: The civil service White Paper, "Continuity and Change", published in 1994, introduced five-yearly reviews for next steps agencies such as the Ordnance Survey for Northern Ireland, OSNI. The first such review of the agency by the Department of the Environment for Northern Ireland has now begun.

The review process will entail a thorough evaluation of the performance of the agency since its launch and a reappraisal of the various prior options, that is, abolition, privatisation, contractorisation, market testing and opportunities for rationalisation and merger.

Comments and contributions will be sought from those with an interest in OSNI and its work by 12 April 1996.

AGRICULTURE, FISHERIES AND FOOD

Integrated Administration and Control System

Mr. Riddick: To ask the Minister of Agriculture, Fisheries and Food how many IACS claims in the last year for which figures are available were *(a)* submitted and *(b)* paid in (i) the United Kingdom and (ii) the Yorkshire and Humberside region; how many of these claims were received after the deadline date and then paid; and what was their value. [15912]

Mr. Baldry: Details of IACS applications submitted in 1995 are as shown in the table:

	UK	*Northallerton RSC*[1]
Number of IACS applications submitted	149,693	11,837
Number of IACS applications approved for AAPS payments or for processing of livestock payments[2]	149,556	11,833
Number of IACS applications received after 15 May 1995 but before 6 June 1995[3]	1,497	91
Number of IACS applications received after 6 June 1995[4]	185	12
Value of payments made on late applications[5]	Details not readily available	

[1] The figures shown for Northallerton regional service centre cover applications for Cleveland, Durham, Yorkshire and Humberside. Specific details for the Yorkshire and Humberside region are not readily available.

[2] The IACS area aid application forms the claim for arable area payments and the declaration of forage area in support of claims under the livestock schemes. Additional separate applications are required for claims under the beef special premium and suckler cow premium schemes and for hill livestock compensatory allowances.

[3] IACS applications received after 15 May but before 6 June 1995 receive reduced payments of 1 per cent. of entitlement to arable area aid and/or livestock premium for each working day that they are late.

[4] Applications received after 6 June 1995 lose entitlement to all aid or premium for each scheme that the application is related to. However, applicants for the beef special premium and suckler cow premium schemes may still be entitled to aid limited to 15 livestock units.

[5] Arable area payments and payments under livestock schemes are made separately. The value of payments linked to a late IACS application is not readily available, and can be provided only at disproportionate cost.

Live Animal Exports

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) when he received the dossier from Channel 4's "Dispatches" programme; and if his officials are conducting an investigation into the allegations that a local veterinary inspector failed properly to inspect calves being exported through Dover; [14418]

(2) if *(a)* Mr. Jonathan Stirling is and *(b)* other veterinarians working on his behalf are still acting as local veterinary inspectors in connection with the export of live farm animals. [14472]

Mrs. Browning *[holding answer 9 February 1996]:* Documents have been received from Channel 4 over a period of time concerning the allegations made in the "Dispatches" programme. An inquiry into those allegations has been instigated by this Department. Mr. Stirling is still designated as a local veterinary inspector, as are other members of his practice, and continues to carry out his duties at the export lairages under close Ministry supervision.

Sheep Farmers

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the number of persons entering sheep farming for the first time for each year since 1990; and what estimate he has made of the number and percentage who were over 40 years of age at the time. [15956]

Mrs. Browning: The Ministry does not collect information on the age and number of persons entering sheep farming and consequently no basis exists on which to make estimates.

Fish Farming

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the current financial contribution to the economy of the fish farming industry. [16047]

Mr. Baldry: In 1994, the output of the UK fish farming industry was worth some £250 million at first sale.

Chernobyl (Compensation)

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what has been the total amount of compensation paid by the Government to farmers in the United Kingdom in respect of the Chernobyl disaster; and if he will make a statement. [16323]

Mrs. Browning: As at 31 January 1996, the total amount of compensation paid under the sheep compensation scheme by the Government to farmers in the United Kingdom in respect of the Chernobyl disaster has been £12,096,842. The scheme was introduced in July 1986 to compensate farmers whose enterprises had been disrupted as a result of movement and slaughter restrictions associated with the Chernobyl accident.

Salmon Season

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food what advice he has received from the National Rivers Authority on the likely effect of delaying the start of the salmon season for *(a)* net and *(b)* rod and line fisheries; what recommendations he has received; and what further advice he has sought on this matter from the authority. [16427]

Mr. Baldry: In 1994, the Government's salmon advisory committee published a report on the run timing of salmon which, among other things, recommended that consideration be given to the protection, and perhaps enhancement, of early running salmon, particularly in stocks where spring runs have suffered the most acute decline. Actions that it suggested might be appropriate included additional controls of exploitation in both commercial and sport fisheries. Following publication of the report, my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food, with my right hon. Friend the Secretary of State for Wales, asked the National Rivers Authority to consider urgently whether, and if so what, action was needed to conserve the runs of spring run salmon in the fisheries for which it is responsible. In this context, he also asked the authority to reconsider the recommendation, in the report on salmon net fisheries presented to Parliament in 1991, that the opening date for the drift net fisheries of Northumbria and Yorkshire should be postponed until 1 May so as to reduce the level of exploitation of spring run salmon. Copies of the NRA's response to this request and my subsequent reply have been deposited in the Library of the House.

Rustling

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the incidence of rustling from United Kingdom farms. [16048]

Mr. Maclean: I have been asked to reply.

Neither the Ministry of Agriculture, Fisheries and Food nor the Home Office has made such an assessment.

TRANSPORT

Train Cancellations

Mr. Cohen: To ask the Secretary of State for Transport how many and what percentage of trains were cancelled on each of the former Network SouthEast lines in each four-week period during 1995. [14558]

Mr. Watts: The information requested has been placed in the Library.

Train Delays

Mr. Cohen: To ask the Secretary of State for Transport how many and what percentage of trains arrived more than five minutes late during peak hours on each of the former Network SouthEast lines in each four-week period during 1995. [14557]

Mr. Watts: The information requested has been placed in the Library.

South Eastern Trains

Sir Roger Moate: To ask the Secretary of State for Transport what steps have been taken by British Rail to advertise to likely bidders the need for new rolling stock for South Eastern Trains; and if he will make a statement. [15767]

Mr. Watts: The franchising director has asked specifically for tenders to include proposals for the provision of rolling stock for the full franchise term, including firm proposals for either replacement or life

extension of the class 411 rolling stock. The franchising director has also indicated that, where proposals are made for investment in new rolling stock, he will be prepared to consider extending the term of the franchise from the time at which the replacement rolling stock is committed irrevocably.

Public Bodies

Dr. Wright: To ask the Secretary of State for Transport if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16024]

Mr. Norris: Listed below are the answers for each of the Department of Transport's non-departmental public bodies.

Trinity House Lighthouse Service—THLS:

(a) is subject to investigation by the Parliamentary Commissioner.

(b) [1]is subject to scrutiny by the Audit Commission.

(c) [1]is subject to scrutiny by the National Audit Office.

(d) the statutory provisions for open government do not apply.

(e) a system of performance indicators is currently the subject of discussion and should be implemented soon.

(f) is encouraged to follow the principles of the citizen's charter.

Northern Lights Board—NLB:

(a) is subject to investigation by the Parliamentary Commissioner.

(b) [1]is subject to scrutiny by the Audit Commission.

(c) [1]is subject to scrutiny by the National Audit Office.

(d) the statutory provisions for open government do not apply.

(e) a system of performance indicators is currently the subject of discussion and should be implemented soon.

(f) is encouraged to follow the principles of the citizen's charter.

London Regional Passengers Committee:

(a) is subject to investigation by the Parliamentary Commissioner.

(b) is not subject to scrutiny by the Audit Commission.

(c) is subject to scrutiny by the National Audit Office.

(d) the statutory provisions for open government do not apply.

(e) has no performance indicators.

(f) is not subject to the provisions of the citizen's charter.

Traffic Director for London:

(a) is subject to investigation by the Parliamentary Commissioner.

(b) [1]is not subject to scrutiny by the Audit Commission.

(c) [1]is subject to scrutiny by the National Audit Office.

(d) complies with the code of practice on open government.

(e) has performance indicators.

(f) is subject to the provisions of the citizen's charter.

[1]Audit arrangements are set out in "Public Bodies 1995", a copy of which is available in the House of Commons Library.

Dr. Wright: To ask the Secretary of State for Transport if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16176]

Mr. Norris: Listed below are the answers for each of the Department of Transport's non-departmental public bodies.

Trinity House Lighthouse Service—THLS:

(a) has a statutory base;

(b) there is no statutory right for the public to attend board;

(c) there is no statutory requirement to hold open meetings in public.

Northern Lights Board—NLB:

(a) has a statutory base;

(b) there is no statutory right for the public to attend board;

(c) there is no statutory requirement to hold open meetings in public.

London Regional Passengers Committee:

(a) has a statutory base;

(b) there is no board to which the public could be admitted;

(c) no open meetings, as such, are held but voluntary arrangements were made to enable members of the public to attend meetings at the time of public consultation for the red route proposals.

Traffic Director for London:

(a) has a statutory base;

(b) there is no statutory right for the public to attend board;

(c) there is no statutory requirement to hold open meetings in public.

BR Vendor Unit

Mr. Wilson: To ask the Secretary of State for Transport if he will list the sales completed by the BR vendor unit, with the name of purchaser and price paid in each case. [16228]

Mr. Watts: The sales completed by the British Railways Board are listed below. Those where the BR vendor unit has been involved are marked with an asterisk.

Gross proceeds from the sale to date of businesses sold by BR amount to some £304 million. As explained in the Government's response of 14 December 1995 to the

Transport Committee's fourth report, on railway finances, it would be contrary to the commercial interests of British Rail and the Government to publish details of individual sales at this stage, as that may prejudice similar sales still in progress. Details of individual sales completed will be made public in due course.

In addition to that figure, the sale of the rolling stock leasing companies, which was handled by my Department, realised £1,822.23 million.

Train Carriages (Telephones)

Mr. Kaufman: To ask the Secretary of State for Transport if he will institute consultations with the railway companies for the provision of no-telephoning carriages on trains. [16421]

Mr. Watts: No. Any restrictions on the use of telephones on trains is a matter for train operators.

Colney Hospital, Norfolk

Mr. Garrett: To ask the Secretary of State for Transport what discussions have been held between the Highways Agency and (i) the Norfolk and Norwich Health Care trust and (ii) the prospective developer of the proposed Colney hospital to discuss the possibility of an interchange on the A47 Norwich southern bypass; what response has been given by the agency; what is the estimated cost of such an interchange; and what advice the agency has given to the health care trust on the traffic implications of the proposed hospital for the A47 and A11 trunk roads if no such interchange was constructed. [15644]

Mr. Watts: There has been no direct approach by the Norfolk and Norwich Health Care trust or the prospective developer of the proposed Colney hospital to the Highways Agency or its predecessor, the Department of Transport, about the possibility of an interchange on the A47 Norwich southern bypass.

However, the Highways Agency is opposed to the proposal for an additional interchange. It would encourage the use of the bypass by local traffic to such an extent as to undermine its role as a trunk road route for longer distance traffic. It would also present engineering and road safety difficulties.

No design work or survey has been carried out by the Highways Agency and therefore no estimate of the cost of an interchange can be given.

South Norfolk district council has been asked to ensure that the Highways Agency is consulted when the planning application for the proposed hospital is submitted and that a traffic impact statement, TIS, be prepared by the developer covering the effect of generated traffic on the bypass and relevant junctions.

ENVIRONMENT

Local Government Finance

Sir Irvine Patnick: To ask the Secretary of State for the Environment if he will list for each metropolitan district council *(a)* the number of accommodation units in council ownership, *(b)* the total projected annual income from these units, *(c)* the rent arrears for each of the last three years, *(d)* the total amount of council tax billed *(e)* the total amount of council tax arrears, *(f)* the total amount of community charge arrears and *(g)* the council's annual spend on managing its estates; what (i) guidance and (ii) incentives have been given to these authorities to reduce the levels of arrears; and if he will make a statement. [14912]

Mr. Curry: I have today placed in the Library a table detailing the requested information on the latest relevant basis for each metropolitan district council in England.

The Government expect local authorities to pursue all arrears of rent, community charge and council tax that are collectable. It is in the interests of authorities to do so to restrict their level of borrowing and council tax bills overall. Authorities have a range of powers enabling them to enforce recovery of rent arrears, community charge and council tax arrears. They use these powers at their discretion and my Department has provided general guidance through practice notes and other advice. For example in October 1994 a research report "Rent Arrears in Local Authorities and Housing Associations" was issued by the Government to all local authorities; this contains good practice advice on preventing and managing rent arrears.

The Government have introduced a range of measures to encourage authorities to maximise revenue collection, for example the ring-fencing of housing revenue accounts, penalising poor performers in the distribution of housing investment programme allocations and requiring publication of arrears information under the citizen's charter performance indictor regime set up by the Audit Commission.

French Local Government

Mr. Allen: To ask the Secretary of State for the Environment if he will undertake an assessment of the contracte de ville system of local and central Government relations in France; and if he will make a statement on its applicability to the United Kingdom. [15171]

Sir Paul Beresford: The Government have no plans to carry out a formal assessment of the French contracte de ville system. However, we keep abreast of this and related policies in other countries through regular informal contacts and published literature. This includes a research study entitled, "Management Innovations in Urban Policy: Lessons from France" undertaken for the Local Government Management Board (1994).

Environment Agency (Women)

Mr. Llew Smith: To ask the Secretary of State for the Environment what steps have been taken to find suitably qualified women to become members of the regional committees of the Environment Agency. [15620]

Mr. Clappison: As with all public appointments, individuals are selected on merit, which is in accordance with the recommendations of the Nolan committee. Before appointing the chairmen of the regional environment protection advisory committees in England, my right hon. Friend the Secretary of State invited interested people to put forward nominations. He is taking full account of the contribution women can make to the

committees. We would expect the agency and other appointing authorities to take similar account in making their appointments.

Recycling

Mr. Alan W. Williams: To ask the Secretary of State for the Environment what are his latest estimates of the percentage of *(a)* paper, *(b)* glass, *(c)* aluminium and *(d)* iron currently recycled in the United Kingdom; and what are the Government's targets for 2000. [15535]

Mr. Clappison: In 1993, the percentage of waste paper, glass, aluminium and iron recycled in the United Kingdom was as follows: paper; 32 per cent. glass, 29 per cent.; aluminium, 29 per cent. and iron, 42 per cent. The figures are expressed as a proportion of consumption and encompass all sources of these materials.

The EC directive on packaging and packaging waste sets an overall recovery target for packaging waste of 50–65 per cent. with an overall recycling target of 25–45 per cent., and a minimum of 15 per cent. for each material, to be achieved by 2001. The Government's producer responsibility initiative has led to a number of industries setting themselves re-use and recovery targets, to be achieved by 2000. These include recycling 58 per cent. of packaging waste, recycling 50 per cent. of aluminium cans and 37 per cent. of steel cans, recycling 50 per cent. of glass containers and recovery of 90 per cent. of end-of-life vehicles. It is anticipated that these targets will contribute substantially to raising the overall recycling rates for paper, glass, aluminium and iron.

Mr. Chris Davies: To ask the Secretary of State for the Environment what official data are collected to identify proportions of waste recycled by *(a)* material and *(b)* local authority. [15434]

Mr. Clappison: No official data are collected centrally at present. However, information on the proportions of materials recycled is collated by relevant trade associations. Summaries of these data, where their provenance is clear, are published by the Department in the "Digest of Environmental Statistics". Information on local authority recycling is collated by a range of organisations, including the Audit Commission.

In line with the targets set in "Making Waste Work", the Government's strategy for sustainable waste management, the Department is working with the Environment Agency, local authorities and other organisations to improve the quality of information available centrally.

Pollution Monitoring

Mr. Alan W. Williams: To ask the Secretary of State for the Environment what is his estimate of the number of full-time employees involved in the United Kingdom in monitoring *(a)* air pollution, *(b)* water pollution and *(c)* solid waste disposal. [15534]

Mr. Clappison: This information is not available in the form requested. However, the Environment Agency, covering England and Wales, expects to have transferred to it on 1 April 1996 the following numbers of inspectors:

(a) 277 from Her Majesty's inspectorate of pollution;

(b) 545 from the National Rivers Authority; and

(c) 986 from local waste regulation authorities.

The figures for Scotland and Northern Ireland are matters for my right hon. Friend the Secretary of State for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland respectively.

Environment Agency

Mr. Llew Smith: To ask the Secretary of State for the Environment if he will list the members and qualifications of the board of the Environment Agency; and what steps have been taken to inform industry and the public about the forthcoming work plan of the agency. [15621]

Mr. Clappison: Membership of the board is:

Lord De Ramsey (Chairman)
Sir Richard George (Deputy Chairman)
Peter Burnham
Professor Ronald Edwards
Imtiaz Farookhi
Edward Gallagher
Nigel Haigh
Christopher Hampson
Councillor John Harman
Mrs. Karen Morgan
John Norris
Derek Osborn
Dr. Anne Powell
Mrs. Joan Wykes.

My right hon. Friend has announced his intention to appoint an industrialist to the remaining vacancy.

Full information is not held centrally about individual members' formal qualifications.

Prior to vesting on 1 April, the agency has had extensive contact with industry, environmental interest groups, local authorities and other public bodies about its role and plans. A formal launch was held on 6 February. The agency is currently preparing its corporate plan for 1997–98, which will include data for 1996–97. This will be published in the summer.

The agency will be inviting comments from all interested parties to inform its future strategies and plans. In addition, the agency is contacting businesses to provide them with contact points.

Government Buildings (Groundwater Damage)

Mr. Cohen: To ask the Secretary of State for the Environment what consideration has been given to protect Government buildings in London below London Underground level from damage caused by rising groundwater; and if he will make a statement. [15977]

Sir Paul Beresford: A study of groundwater levels around Whitehall from 1989 to 1995 was initiated by the Construction Industry Research and Information Association and taken over by Property Holdings. It concluded that water levels rose and fell with the seasons but did not indicate any long-term rise in groundwater levels.

Very few Government office buildings have basements extending down to the level of the London Underground bored tube railways.

Basements of all buildings are inspected regularly so that early sign of water penetration can be detected and dealt with. As far as we are aware, no building is currently in any imminent danger from rising groundwater.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Environment if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16015]

Sir Paul Beresford: The executive non-departmental bodies sponsored by my Department are listed in the Cabinet Office publication "Public Bodies 1995". A copy is available in the House of Commons Library.

I refer the hon. Member to my answer to him on Tuesday 25 April 1995, *Official Report*, column *474–75*. Since then, Letchworth garden city corporation has ceased to be a public body and Leeds development corporation has been wound up. Otherwise, the position in respect of the bodies covered by that answer remains unchanged.

Two new executive NDPBs have been established since April 1995, and my Department has taken on responsibility for the Health and Safety Commission and Executive. The local government residuary body is subject to the scrutiny of the Audit Commission. The Health and Safety Commission and Executive and the Environment Agency are subject to scrutiny by the National Audit Office. All four bodies are subject to the scrutiny of the Parliamentary Commissioner and are expected to adopt a code of practice on open government, have key performance measures and abide by the citizens charter.

Dr. Wright: To ask the Secretary of State for the Environment which of the executive non-departmental public bodies sponsored by his Department have a statutory base and which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public; and whether in each case this is (i) under a statutory requirement or (ii) voluntarily. [16031]

Sir Paul Beresford: A list of my Department's executive non-departmental public bodies can be found in the Cabinet Office publication "Public Bodies 1995". A copy is available in the House of Commons Library. All of these except the National Forest Company and the British Board of Agrément have a specific statutory base. None of my Department's executive NDPBs is under a statutory requirement to admit members of the public to all board or committee meetings. There is a statutory right for members of the public to attend meetings of the regional committees of the National Rivers Authority that discuss flood defence, fisheries and rivers issues except where business is of a confidential nature.

All six housing action trusts voluntarily hold board meetings which are open to the public except when confidential issues are discussed. The following urban development corporations voluntarily hold open meetings when considering planning applications: Birmingham heartlands, black country, Bristol, London docklands, Merseyside, Plymouth, Sheffield and Trafford park.

Outer Estuarine Limit (Humber River)

Mr. McNamara: To ask the Secretary of State for the Environment when he will review the outer estuarine limit of the Humber; and when he expects to announce the result of that review. [14975]

Mr. Clappison: The National Rivers Authority has been asked to review the basis for establishing estuary boundaries for the purposes of the urban waste water treatment directive and advise my Department accordingly. It is envisaged that the Secretary of State will announce the results by the summer of this year.

Colney Hospital, Norfolk

Mr. Garrett: To ask the Secretary of State for the Environment when planning consent was granted by him for a second district hospital at Colney in South Norfolk district; when that permission expired; and if a new planning application will need to be referred to him. [15641]

Sir Paul Beresford: Planning approval for a second district hospital at Colney in South Norfolk district was granted on 5 December 1988 and expired in December 1993. There are no proposals currently in front of the council, but as the adopted local plan makes provision for such a development, it is unlikely that any new planning application would need to be referred to my right hon. Friend.

Planning Policies

Mr. Garrett: To ask the Secretary of State for the Environment what planning policies concerning the location of facilities with wide catchment areas have been introduced since 1988. [15642]

Sir Paul Beresford: Planning policy guidance note 13—PPG13—on transport, which was published in 1994, addresses the location of major travel generating developments. PPG13 advises that facilities with wide catchment areas should be located so that they are well served by public transport and as accessible as possible to those who need to use them. Other planning policy guidance notes have been issued since 1988 which address the location of specific types of development relative to transport provision.

Mr. Garrett: To ask the Secretary of State for the Environment if the sequential test for location of employment and traffic-generating activities set out in his planning policy guidance note 6 applies to the location of hospitals where a local planning authority considers a planning application for a new hospital. [15643]

Sir Paul Beresford: Our draft revised PPG6 suggests that a sequential approach should apply to key town centre uses which attract a substantial number of people. This will include hospitals in many instances.

Agenda 21

Mr. Corbyn: To ask the Secretary of State for the Environment what resources have been deployed by his

Department to ensure compliance with the requirements of agenda 21 of the Rio de Janeiro summit; and if he will make a statement. [15944]

Mr. Clappison: It is one of my Department's main objectives, through the implementation of the United Kingdom sustainable development strategy, to ensure effective follow-up to agenda 21 and the agreements reached at the Earth summit in Rio de Janeiro in June 1992. The United Kingdom plays a leading role in international fora, such as the United Nations Commission on Sustainable Development and the environmental conventions, in helping to promote agreement on tackling global issues identified by agenda 21. The United Kingdom report to the Commission on Sustainable Development of 1996 gives details of estimated expenditure by the Department on sustainable development. A copy of the report has been placed in the Library.

Mr. Corbyn: To ask the Secretary of State for the Environment what plans his Department has to co-ordinate local agenda 21 activities; which local authorities have reported that they are unlikely to be able to report on their plans by December 1996; and if he will make a statement. [15945]

Mr. Clappison: My Department welcomes and supports the local agenda 21 process. I understand that the Local Government Management Board, on behalf of the local agenda 21 steering group, has invited local authorities to send their local agenda 21 action plans agreed with their local communities to it by the end of 1996, and that response so far from UK local authorities has been good. Authorities are not obliged to report their progress to my Department, but we will continue to be interested in the progress being made.

Global Warming

Mr. Corbyn: To ask the Secretary of State for the Environment what is his Department's current estimate of the increase in global average temperatures over the next *(a)* five and *(b)* 10 years; and what were the estimates by his Department in each of the past five years. [15941]

Mr. Clappison: The 1995 second scientific assessment from the intergovernmental panel on climate change—IPCC—suggests that the underlying rise in global average temperature will be about 0.1-0.2 deg C over the next decade. The actual temperature changes will be strongly affected by natural variability. The comparable estimate in the fist IPCC scientific assessment in 1990 was 0.3 deg C per decade; the 1995 estimate is lower because it has taken into account the cooling effect of aerosols produced by man-made sulphur dioxide emissions.

Contaminated Land

Mr. MacShane: To ask the Secretary of State for the Environment what is the total tonnage of contaminated land in brownfield sites as reported by local authorities in England and Wales. [15782]

Mr. Clappison: Local authorities are not required to report the area or volume of contaminated land to the Department.

Atmospheric Pollution

Mr. Corbyn: To ask the Secretary of State for the Environment if he will list the initiatives being taken by his Department to reduce levels of *(a)* carbon dioxide, *(b)* sulphur dioxide and *(c)* methane in the atmosphere; and if he will make a statement. [15937]

Mr. Clappison: The United Kingdom climate change programme, published in January 1994, set out a full list of the measures being taken to return emissions of carbon dioxide and methane in the UK to 1990 levels by 2000. A progress report on carbon dioxide emissions was published in December 1995.

The UK published its programme and national plan for meeting its commitments under the EC large combustion plant directive to reduce sulphur dioxide emissions by 60 per cent. by 2003 compared with levels in 1980. We have agreed under the United Nations Economic Commission for Europe protocol further to reduce total sulphur dioxide emissions from all sources by 80 per cent. by 2010 compared with 1980 levels. My Department will issue a consultation paper on the UK's strategy for meeting these targets shortly.

Upper Atmosphere (Volcanic Dust)

Mr. Corbyn: To ask the Secretary of State for the Environment what estimate he has of the effect of volcanic dust in the earth's upper atmosphere and the equivalent information for 1990 and 1985. [15938]

Mr. Clappison: The effect on global climate of volcanic dust in the upper atmosphere in 1995, 1990 and 1985 was too small to be identified.

Ozone Depletion

Mr. Corbyn: To ask the Secretary of State for the Environment what estimates he has made of the level of ozone depletion over the Antarctic and Arctic; what estimates he has made of ozone levels for *(a)* 2000 and *(b)* 2005; and if he will make a statement. [15939]

Mr. Clappison: Stratospheric ozone depletion occurs primarily in the spring. In 1995, the total amount of ozone was some 50 to 60 per cent. below normal over the Antarctic in October, and 20 to 30 per cent. below normal locally in the Arctic in March. In 2000 and 2005, total amounts of ozone in the Antarctic are expected to be similarly below normal, but may be up to 10 per cent. further below normal in the Arctic.

During the next 50 years ozone levels are expected to return slowly to normal as a result of actions being taken under the Montreal protocol.

Sea Levels

Mr. Corbyn: To ask the Secretary of State for the Environment what is his Department's estimate of mean sea levels for each five year period since 1965; and what estimates they have made for mean sea levels for *(a)* 2000 and *(b)* 2005. [15940]

Mr. Clappison: The second scientific assessment of the intergovernmental panel on climate change estimates that the global mean sea level has risen steadily by 18 cm over the past century. Over the next decade the underlying

rise is projected to be in the range 1 to 5 cm, although large natural variability at particular measurement sites will make this difficult to detect on this timescale.

Yorkshire Water

Mr. Madden: To ask the Secretary of State for the Environment (1) what are the terms of reference of his departmental review of Yorkshire Water; when the review begun; when it is expected to end; to whom will the conclusions of the review will be presented; if he will place a copy of the review in the Library; and if he will make a statement; [16429]

(2) what plans he has to give *(a)* oral and *(b)* written evidence to the Yorkshire Water commission of inquiry chaired by Professor John Uff; [16431]

(3) if he will make available the main conclusions of his Departmental review of Yorkshire Water to the commission of inquiry established by Yorkshire Water and chaired by Professor Uff. [16430]

Mr. Clappison: My Department is not conducting a review of Yorkshire Water.

My right hon. Friend the Secretary of State has discussed with Professor Uff the inquiry which he has been asked by Yorkshire Water to conduct into the water supply situation in Yorkshire. Officials have provided him with published details setting out the programme of work being undertaken as part of the Department's wider review, but Ministers do not expect to be asked to give evidence.

My right hon. Friend announced on 1 September a review of water resource arrangements in England and Wales in co-operation with the National Rivers Association, the Office of Water Services and the water industry. Work on this is continuing and we expect to publish its findings later this year.

Scott Inquiry

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16526]

Mr. Gummer: None.

Mrs. Dunwoody: To ask the Secretary of State for the Environment when he first saw the report of the Scott inquiry. [16591]

Mr. Gummer: On Thursday 15 February at 5.15 pm.

Mr. Madden: To ask the Secretary of State for the Environment at what hour and minute of what day the report of the Scott inquiry was delivered to his office. [16543]

Mr. Gummer: Copies of the report were collected from the Vote Office in the House of Commons just after 3.30 pm on Thursday 15 February. I received two further copies later that day.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for the Environment which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16480]

Mr. Gummer: I refer the hon. Member to the reply given by my right hon. Friend the Prime Minister earlier today, column *242*.

Zoo Licensing Act 1981

Mr. Congdon: To ask the Secretary of State for the Environment what plans he has to review the Zoo Licensing Act 1981. [17298]

Mr. Clappison: In consultation with the Scottish and Welsh Offices, my Department is about to embark on a review of the operation of this Act, which provides for a system of inspection and licensing of zoos in Great Britain. Views are being sought from the relevant local authority associations and other interested bodies. The review will also provide an opportunity to consider the European Commission's proposals for a recommendation on zoos, which are currently being considered by the Environment Council.

Carbon Dioxide Emissions

Mr. Alan W. Williams: To ask the Secretary of State for the Environment if he will list estimated total emissions of carbon dioxide for the United Kingdom in each year from 1980 to the present. [15583]

Mr. Clappisaon: The estimated United Kingdom annual emissions of carbon dioxide from 1980 to 1994 are:

	Million tonnes of carbon
1980	163
1981	157
1982	153
1983	151
1984	147
1985	153
1986	157
1987	158
1988	158
1989	155
1990	158
1991	160
1992	155
1993	151
1994	[1]149

[1] Provisional.

Data on UK carbon dioxide emissions are published annually in the "Digest of Environmental Protection and Water Statistics" and "UK Greenhouse Gas Emissions Inventory". Estimates from 1990 use the methodology developed by the intergovernmental panel on climate change: those for earlier years are on a comparable, but slightly different, basis used by the United Nations Economic Commission for Europe. Figures on the IPCC's methodology are not available for the earlier years.

Oyster Beds

Mr. Barry Field: To ask the Secretary of State for the Environment, pursuant to his answer of 13 February, *Official Report*, columns *480–81*, if he will list each native oyster bed according to its size in *(a)* percentage terms, *(b)* tonnage terms and *(c)* square area in (i) the United Kingdom and (ii) the EU ranked from largest to smallest. [15552]

Mr. Baldry: I have been asked to reply.

In England and Wales areas which produce native oysters—*O. edulis*—and which will include in some cases more than one native oyster bed, are as follows:

Area	*Size in percentage terms*	*Square area (km)*
Solent	38.00	93.00
North Kent Coast	30.50	75.00
Crouch	13.00	31.00
Poole	2.80	7.00
Portsmouth Harbour	2.50	6.00
West Mersea	1.60	4.00
Chichester Harbour	1.60	4.00
Langstone Harbour	1.50	4.00
Porthcawl	1.40	3.50
Percuil and Helford	1.30	3.00
Falmouth	1.00	2.50
Southampton Water	1.00	2.00
Roach	1.00	2.00
Swale	1.00	2.00
Milford Haven	0.70	2.00
Plymouth	0.70	2.00
Walton Backwaters	0.10	0.30
Butley	0.10	0.30
Medina	0.05	0.10
Truro	0.05	0.10

Information on tonnage of native oysters harvested from these areas is not available.

In Scotland the principal native oyster bed is situated in Loch Ryan and extends for some 9 sq km. In 1994, around 130 tonnes were harvested from this site. In Northern Ireland native oysters are cultivated at Strangford lough and Dundrum bay. The area of production is negligible and the quantity harvested is not available.

Information on oyster beds in other member states of the EU is not available.

SCOTLAND

Agricultural Payments

Dr. Strang: To ask the Secretary of State for Scotland how many payments he expects to be made in Scotland in 1995–96 for set-aside of between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000, *(i)* £100,001 and £150,000, *(j)* £150,001 and £200,000 and *(k)* over £200,001. [15335]

Mr. Raymond S. Robertson: The distribution by size of payments against set-aside claims under the 1995 arable area payments scheme is not yet available as not all payments have been made in those cases where non-food crops have been grown on set-aside land. However, my noble Friend the Minister will write to the hon. Member when the figures requested are available.

Dr. Strang: To ask the Secretary of State for Scotland how many payments he expects to be made in Scotland in 1995–96 under the arable area payments scheme between *(a)* £0 and £5,000, *(b)* £5,001 and £10,000, *(c)* £10,001 and £15,000, *(d)* £15,001 and £20,000, *(e)* £20,001 and £25,000, *(f)* £25,001 and £50,000, *(g)* £50,001 and £75,000, *(h)* £75,001 and £100,000, *(i)* £100,001 and £150,000, *(j)* £150,001 and £200,000 *(k)* £200,001 and £250,000 *(l)* £250,001 and over. [15322]

Mr. Robertson: The distribution by size of total payments against claims under the 1995 arable area payments scheme is not yet available as the final oilseeds payments and some payments on non-food set-aside for the year have not yet been made. However, my noble Friend the Minister will write to the hon. Member when the figures are available.

School Class Sizes

Mr. Donohoe: To ask the Secretary of State for Scotland how many classes had *(a)* more than 30 pupils and *(b)* more than 35 pupils; what was the total number of classes within each authority; and what percentages *(a)* and *(b)* represented of the total number of classes for each education authority in Scotland and for each education division within Strathclyde for each academic year since 1979. [15715]

Mr. Raymond S. Robertson: As the information requested is lengthy I shall arrange for copies of it to be placed in the Library of the House.

Court Service

Mr. McFall: To ask the Secretary of State for Scotland how many High Court prosecutions have been conducted by the Lord Advocate and the Solicitor-General for Scotland in each of the last five years. [15721]

Lord James Douglas-Hamilton: There is no central record of the number of occasions on which Lords Advocate or Solicitors General for Scotland have represented the Crown in criminal proceedings. However, both the present office holders and their predecessors have appeared for the Crown in High Court trials and criminal appeal hearings. They have done so on numerous occasions, when their parliamentary and other duties have permitted.

GP Fundholders

Mr. Galbraith: To ask the Secretary of State for Scotland pursuant to his answer to the hon. Member for Cardiff, West (Mr. Morgan) of 13 February 1996, *Official Report*, column *567*, if he will list for each year and each health board the percentage of fundholding practices. [16044]

Lord James Douglas-Hamilton: The information requested is set out in the table:

1991

	'Live' fundholding practices[1]	*Practices in pilot and preparatory fundholding phases*[2]	*Non-fundholding practices*[3]
Scotland	0.2	1.0	98.8
Argyll and Clyde	—	0.9	99.1
Ayrshire and Arran	—	—	100.0
Borders	—	—	100.0
Dumfries and Galloway	—	—	100.0
Fife	—	—	100.0
Forth Valley	—	—	100.0
Grampian	—	6.5	93.5
Greater Glasgow	—	—	100.0
Highland	—	—	100.0
Lanarkshire	—	—	100.0
Lothian	1.4	—	98.6
Orkney	—	—	100.0
Shetland	—	—	100.0
Tayside	—	4.9	95.1
Western Isles	—	—	100.0

[1]All 'live' standard fundholding practices and practices in the pilot phase of total purchasing.

[2]All practices in the preparatory phase of standard fundholding, small practice pilot and practices in the pilot phase of primary care purchasing.

[3]All practices which are not in any phase of fundholding.

1992

	'Live' fundholding practices[1]	*Practices in pilot and preparatory fundholding phases*[2]	*Non-fundholding practices*[3]
Scotland	1.2	3.6	95.2
Argyll and Clyde	1.0	3.8	95.2
Ayrshire and Arran	—	3.1	96.9
Borders	—	—	100.0
Dumfries and Galloway	—	—	100.0
Fife	—	1.6	98.4
Forth Valley	—	3.6	96.4
Grampian	6.7	22.2	71.1
Greater Glasgow	0.4	0.4	99.1
Highland	—	1.4	98.6
Lanarkshire	—	2.2	97.8
Lothian	1.5	0.7	97.8
Orkney	—	—	100.0
Shetland	—	—	100.0
Tayside	3.8	6.3	90.0
Western Isles	—	—	100.0

[1]All 'live' standard fundholding practices and practices in the pilot phase of total purchasing.

[2]All practices in the preparatory phase of standard fundholding, small practice pilot and practices in the pilot phase of primary care purchasing.

[3]All practices which are not in any phase of fundholding.

1993

	'Live' fundholding practices[1]	*Practices in pilot and preparatory fundholding phases*[2]	*Non-fundholding practices*[3]
Scotland	6.5	3.9	89.6
Argyll and Clyde	4.7	—	95.3
Ayrshire and Arran	6.3	3.1	90.6
Borders	4.2	8.3	87.5
Dumfries and Galloway	—	2.8	97.2
Fife	1.6	3.3	95.1
Forth Valley	3.6	1.8	94.5
Grampian	28.9	13.3	57.8
Greater Glasgow	0.9	5.4	93.8
Highland	4.0	1.3	94.7
Lanarkshire	7.5	4.3	88.2
Lothian	6.6	3.7	89.7
Orkney	—	—	100.0
Shetland	—	—	100.0
Tayside	13.2	—	86.8
Western Isles	—	—	100.0

1993

[1]All 'live' standard fundholding practices and practices in the pilot phase of total purchasing.

[2]All practices in the preparatory phase of standard fundholding, small practice pilot and practices in the pilot phase of primary care purchasing.

[3]All practices which are not in any phase of fundholding.

1994

	'Live' fundholding practices[1]	*Practices in pilot and preparatory fundholding phases*[2]	*Non-fundholding practices*[3]
Scotland	11.7	2.7	85.6
Argyll and Clyde	4.8	—	95.2
Ayrshire and Arran	7.8	—	92.2
Borders	13.0	—	87.0
Dumfries and Galloway	2.8	5.6	91.7
Fife	4.9	3.3	91.8
Forth Valley	7.3	1.8	90.9
Grampian	43.3	—	56.7
Greater Glasgow	5.4	8.1	86.5
Highland	9.3	—	90.7
Lanarkshire	15.1	2.2	82.8
Lothian	16.2	2.2	81.6
Orkney	—	—	100.0
Shetland	—	—	100.0
Tayside	14.1	1.3	84.6
Western Isles	—	—	100.0

[1]All 'live' standard fundholding practices and practices in the pilot phase of total purchasing.

[2]All practices in the preparatory phase of standard fundholding, small practice pilot and practices in the pilot phase of primary care purchasing.

[3]All practices which are not in any phase of fundholding.

1995

	'Live' fundholding practices[1]	*Practices in pilot and preparatory fundholding phases*[2]	*Non-fundholding practices*[3]
Scotland	14.5	10.0	75.5
Argyll and Clyde	4.8	12.4	82.9
Ayrshire and Arran	7.9	3.2	88.9
Borders	13.0	17.4	69.6
Dumfries and Galloway	8.3	16.7	75.0
Fife	7.9	17.5	74.6
Forth Valley	7.3	14.5	78.2
Grampian	43.8	3.4	52.8
Greater Glasgow	13.4	13.4	73.2
Highland	6.7	17.3	76.0
Lanarkshire	17.2	1.1	81.7
Lothian	21.5	5.2	73.3
Orkney	—	—	100.0
Shetland	—	—	100.0
Tayside	15.4	10.3	74.4
Western Isles	—	13.3	86.7

[1]All 'live' standard fundholding practices and practices in the pilot phase of total purchasing.

[2]All practices in the preparatory phase of standard fundholding, small practice pilot and practices in the pilot phase of primary care purchasing.

[3]All practices which are not in any phase of fundholding.

Glenochil Prison

Mr. McFall: To ask the Secretary of State for Scotland if he will conduct an inquiry into the actions of the Crown Office and Prison Service in respect of court proceedings following disturbances at Glenochil prison. [15441]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate has considered a report from the trial advocate depute. He is satisfied that the decision to prosecute those charged with involvement in the riot at Glenochil prison on 4 and 5 January 1994 was correct and that the trial was conducted properly. The Crown Office and the Scottish Prison Service are examining whether this case has implications for the handling of future cases.

Palace of Holyroodhouse

Mr. Tony Banks: To ask the Secretary of State for Scotland how often the palace of Holyroodhouse has been occupied by a member of the royal family during the past three years; and what other use is made of the palace. [16200]

Mr. Kynoch *[holding answer 20 February 1996]:* The palace was occupied by members of the royal family on 65 days during the three years 1993 to 1995 and on 24 days by the Lord High Commissioner to the General Assembly of the Church of Scotland. The palace was open to the public on most other days except for a few days before and after visits by the Queen and the Lord High Commissioner and for the first eight weeks of 1993 during reinstatement following the meeting of the European Council held at the palace in December 1992. Within the palace are the apartments of the hereditary keeper.

Fisheries

Mr. Maclennan: To ask the Secretary of State for Scotland how many applications for financial assistance under the financial instrument for fisheries guidance have been approved since 1 July 1994; and what is their grant value. [16286]

Mr. Raymond S. Robertson: One hundred and one applications to the value of £11.5 million in grants have been approved under the financial instrument for fisheries guidance since 1 July 1994.

HEALTH

Thalidomide

Mr. Loyden: To ask the Secretary of State for Health if he will list the hospital trusts which have purchased the drug thalidomide directly or indirectly from companies in Brazil. [15898]

Mr. Malone: This information is not available centrally.

Public Bodies

Dr. Wright: To ask the Secretary of State for Health if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16013]

Mr. Horam: The information is as follows.

Those NDPBs that are:

Subject to investigation by the Parliamentary Commissioner are:

Central Council for Education and Training in Social Work;

Human Fertilisation and Embryology Authority;

Medical Practices Committee.

Subject to scrutiny by the Audit Commission are:

English National Board for Nursing, Midwifery and Health Visiting;

Human Fertilisation and Embryology Authority.

Subject to scrutiny by the National Audit Office are:

Central Council for Education and Training in Social Work;

English National Board for Nursing, Midwifery and Health Visiting;

Human Fertilisation and Embryology Authority;

National Biological Standards Board;

National Radiological Protection Board;

Public Health Laboratory Services Board.

Subject to statutory provisions for open government are:

Central Council for Education and Training in Social Work;

English National Board for Nursing, Midwifery and Health Visiting;

Human Fertilisation and Embryology Authority.

Subject to performance indicators are:

Central Council for Education and Training in Social Work;

English National Board for Nursing, Midwifery and Health Visiting;

Human Fertilisation and Embryology Authority;

National Biological Standards Board;

National Radiological Protection Board;

Public Health Laboratory Services Board.

Subject to provisions under the Citizen's Charter:

Human Fertilisation and Embryology Authority.

Dr. Wright: To ask the Secretary of State for Health if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16183]

Mr. Horam: The information is as follows:

Those non-departmental public bodies:

Which have a statutory base are:

Central Council for Education and Training in Social Work;

English National Board for Nursing, Midwifery and Health Visiting;

Human Fertilisation and Embryology Authority;

Medical Practices Committee;

National Biological Standards Board;

National Radiological Protection Board;

Public Health Laboratory Services Board.

Which admit members of the public to all board or committee meetings:

(i) under a statutory requirement—none;

(ii) voluntarily—Central Council for Education and Training in Social Work.

Which hold open meetings for the public:

(i) under a statutory requirement—none;

(ii) voluntarily—English National Board for Nursing, Midwifery and Health Visiting.

Departmental Offices

Mr. Bayley: To ask the Secretary of State for Health how many square feet of offices there are at *(a)* the Yorkshire regional health authority headquarters at Park parade, Harrogate and *(b)* the Northern regional health authority headquarters at Benfield road, Newcastle. [16067]

Mr. Malone: The total area of office accommodation, including circulation area, at the former Yorkshire regional health authority headquarters at Park parade, Harrogate is 6,299 sq m. The total area of office accommodation, including circulation area, at the former Northern regional health authority headquarters at Benfield road, Newcastle is 4,303 sq m.

Mr. Bayley: To ask the Secretary of State for Health, pursuant to his answer of 1 February, *Official Report*, column *919*, how many square feet of office accommodation will be built for the Northern and Yorkshire regional office of the NHS executive as a result of the initial contract; what additional works have been specified since the initial contract was signed with the developer; how much the additional works will cost; and how many additional square feet of offices the additional works will provide. [16149]

Mr. Malone: The internal floor area of the Northern and Yorkshire regional office will be 2,160 sq m. No additional works have been specified since the contract was signed; therefore, no additional cost will be incurred and no additional space will be provided.

Yorkshire Cancer Organisation

Mr. Bayley: To ask the Secretary of State for Health what assistance and at which locations the NHS executive is providing in respect of accommodation for the Yorkshire Cancer Organisation. [16068]

Mr. Horam: The Yorkshire Cancer Organisation is presently funded by Northern and Yorkshire regional health authority. For 1996–97, it will be funded jointly by the health authorities in that region. The organisation is located in Leeds.

Community Health Services, Trent

Sir Irvine Patnick: To ask the Secretary of State for Health what was the amount of funding that Trent region received for funding community health services in each of the last three years; how much it will receive this year; and what proportion of this will be allocated to Sheffield health authority. [16046]

Mr. Horam: Revenue allocations are made to health authorities for hospital and community health services as a whole. There is no separate allocation of funds for community health services.

Wheelchair Voucher Scheme

Mrs. Lait: To ask the Secretary of State for Health when he expects to be able to announce a decision on the proposal to introduce a wheelchair voucher scheme for people using the NHS wheelchair service. [17297]

Mr. Bowis: I have considered carefully the findings of the departmental working group set up to look at the feasibility of introducing such a scheme, and I will be making a full announcement about this tomorrow at 11 am. Copies of the relevant papers will be available in the Vote Office and in the Library.

Colney Hospital, Norfolk

Mr. Garrett: To ask the Secretary of State for Health what sums have been made available to the Norfolk and Norwich Health Care NHS trust for expenditure on traffic and transport consultants in connection with a new hospital at Colney in South Norfolk district; and what representations he has received on the compliance of the proposals with planning policy guidance 13. [15960]

Mr. Horam: This is a local matter. The provision of local services is a matter for local managers. The hon. Member may wish to contact Sir Stuart Burgess, chairman of Anglia and Oxford regional health authority, for details.

Planning permission for any hospital development has to be obtained from the local planning authority, which must take account of the contents of planning policy guidance notes. The planning application is a matter between the local planning authority and the trust.

Mr. Garrett: To ask the Secretary of State for Health how many NHS staff are employed by the Norfolk and Norwich Health Care NHS trust at *(a)* the Norfolk and Norwich hospital and *(b)* West Norwich hospital; and what estimate he has made of the number of staff to be employed at Colney hospital after the closure of the Norfolk and Norwich and West Norwich hospitals. [15691]

Mr. Horam: Information on staffing levels at individual hospitals is not available centrally. The hon. Member may wish to contact Mr. Malcolm Falcon CBE, chairman of Norfolk and Norwich Health Care national health service trust, for details.

Norfolk and Norwich Health Care NHS trust submitted its formal business case for building a new hospital at the end of January. Given the size of the proposed project, the business case will be considered by officials at both the NHS executive and HM Treasury before it is passed to Ministers for final approval. I cannot comment further until all aspects of the business case have been fully considered.

Yorkshire Hospitals (Waste)

Mr. MacShane: To ask the Secretary of State for Health (1) what is the total amount in weight of toxic waste produced annually by hospitals in Yorkshire; [15781]

(2) what is the total amount in weight of inert or inactive waste produced annually by hospitals in Yorkshire. [15783]

Mr. Horam: This information is not available centrally.

Scott Inquiry

Mr. Tony Banks: To asks the Secretary of State for Health if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16528]

Mr. Dorrell: None.

Mr. Madden: To ask the Secretary of State for Health at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16503]

Mr. Dorrell: At approximately 4.20 pm on Thursday 15 February.

Mrs. Dunwoody: To ask the Secretary of State for Health when he first saw the report of the Scott inquiry. [16589]

Mr. Dorrell: After it was delivered to my office at approximately 4.20 pm on Thursday 15 February.

Whipp's Cross Hospital

Mr. Barron: To ask the Secretary of State for Health what investigations he has carried out into the procurement process relating to imaging equipment for the day unit of Whipp's Cross hospital; and to what extent the process was in line with the Public Supply Contract Regulations 1995. [16714]

Mr. Horam: The procurement of imaging equipment is a matter for Forest Healthcare national health service trust. The hon. Member may wish to contact Lord Jenkin of Roding, chairman of the trust, for details.

Out-of-hours Treatment

Mr. Beith: To ask the Secretary of State for Health if his Department gives financial assistance to schemes for out-of-hours service in general practice under which all or most patients are required to attend at a centre for treatment; in what circumstances he *(a)* sets and *(b)* advises health authorities to set conditions under which a patient is entitled to expect a home visit for out-of-hours treatment; and if he will make a statement. [16424]

Mr. Malone: All general practitioners may apply for reimbursements, from family health services authority out-of- hours development funds, of expenses incurred in providing out-of-hours services which maintain or improve standards of care for patients out of surgery hours and which reduce pressure on individual GPs and/or make more cost-effective use of GP time. This may include reimbursement of the costs incurred in using a primary care centre. The criteria governing the appropriate location of an out-of-hours consultation are set out in the NHS (GMS) Regulations 1992, as amended.

Residential Care

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what was the total in real terms of assets sold by old people to pay for residential care in each of the last five years; and what was in each case the percentage change from the previous year; [16435]

(2) how many people sold their homes to pay for residential care in 1995–96; and what estimate he has made for the number in 1996–97; [16436]

(3) how many people, having sold their assets to pay for residential care, exhausted their funds in the last year for which figures are available; and how many such people remained in the same residential home. [16438]

Mr. Bowis: The information is not available centrally.

Mr. Cunningham: To ask the Secretary of State for Health what percentage of *(a)* over-65s and *(b)* over-80s need residential care. [16437]

Mr. Bowis: Information available centrally relates to people receiving residential care in residential care homes. At 31 March 1995, in England, the number of residents in such accommodation aged 65 and over was 220,400, 75 and over 195,700 and 85 and over 118,900 representing 2.9, 5.8, and 13.8 per cent. of the relevant mid-1994 populations respectively.

Mr. Cunningham: To ask the Secretary of State for Health what provision exists to assist elderly people who have sold all their assets and subsequently exhaust their funds to remain in the same residential home. [16434]

Mr. Bowis: Since April 1993, local authorities have had a responsibility to arrange accommodation in residential care and nursing homes for elderly people who, for whatever reason, are assessed as needing such care but are unable to meet the cost. Such people have the right to choose which home this care is provided in, subject to availability, cost and appropriateness of the home to the level of care needed.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Health which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16478]

Mr. Dorrell: If any Ministers did so, that is a matter for them.

NATIONAL HERITAGE

British Library

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage when she intends to publish the reports on the British Library drawn up by *(a)* Sir Peter Levene, *(b)* Sir Kenneth Eaton, *(c)* consultants Kennedy and Donkin and *(d)* consultants TBV. [16217]

Mr. Sproat: The efficiency unit scrutiny of construction procurement by the Government, which included the British library construction project as one of its case studies, was published on 7 November 1995 and is available for purchase through Her Majesty's Stationery Office bookshops. My right hon. Friend the Secretary of State also sought advice from Sir Peter Levene on the progress of the construction project. As a result, Sir Kenneth Eaton was asked by the Department to undertake a short review and reported back in March 1995. My right hon. Friend does not intend to publish the report by Sir Kenneth Eaton and Kennedy and Donkin. Sir Kenneth Eaton provided confidential advice to Ministers and the Kennedy and Donkin report contained commercially

sensitive information, some of which could be the subject of future litigation. TBV Consult, formerly the Property Services Agency, is in contract with the Department of National Heritage to provide on-going project management services and, as such has not been commissioned to produce consultant reports.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage when the British library reading rooms will be provided with open access to the world-wide sourced scientific technological and manufacturing journals, periodicals and books, classified as to subject matter. [16221]

Mr. Sproat: The British library's science reference and information service currently makes available to readers, on open access in its reading rooms, the most recently published material from its collections in these categories, and will continue to do so following the move of the library's science collections to the new building at St. Pancras. Older material can be obtained for readers on request. The open access material is classified according to a scheme developed specifically for scientific and technical literature.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what has been the total expenditure on buildings and fitments since 1972 on the British library's document supply centre. [16069]

Mr. Sproat: Expenditure on accommodation for the document supply centre over the last five years is set out in the table:

£000

	1990–91	*1991–92*	*1992–93*	*1994–95*	*1995–96*[1]
Rent and rates	119	150	152	145	147
Utilities	219	288	265	275	251
Building maintenance	488	435	558	712	526
Professional and estate fees	205	94	158	227	201
Cleaning	185	197	243	229	198
Total	1,216	1,164	1,376	1,589	1,324

[1] Estimate.

No capital costs have been incurred in relation to document supply centre accommodation during this period. Information in this format in relation to earlier years could be provided only at disproportionate cost.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage how many notices of intention to implement redundancy have been serviced by the British library by reading room and location. [16219]

Mr. Sproat: The British library has served no redundancy notices on members of staff. The chief executive has informed library staff of the need to reduce the overall staff number over the next four years, and invited all staff to consider whether they wish to indicate an initial expression of interest in voluntary redundancy.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what monitoring she has carried out in relation to binding costs for books and journals at the British library. [16210]

Mr. Sproat: My right hon. Friend does not routinely monitor the costs to the British library of binding books and journals, but the library reports to her annually on its performance. The most recent such report, for the financial year 1994–95, includes information on the number of volumes bound and on unit binding costs in the form of comparisons of performance during the year with plans before the year began. The library monitors unit costs for binding each month.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage if she will make a statement on the operation of the subject matter classification system used for British library holdings of books and journals and the time span of the systems utilised. [16071]

Mr. Sproat: The British library's science reference and information service provides readers with open access to a significant proportion of the material in its collections. The classification scheme used for open access material was originally introduced in the 1960s, and was developed specifically for scientific and technical literature by the national reference library for science and invention, which then held the science collections which are now part of the British library. The scheme is regularly updated to take account of developments in scientific disciplines. For general reference books which will be held on open access in the library's humanities reading rooms at the new St. Pancras building, the library is proposing to arrange material according to the Dewey decimal classification scheme, with an index based on library of Congress subject headings.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what revenues have been derived from reader-operated photocopier machines in the British library. [16072]

Mr. Sproat: Income to the British library for the last two years from charges for photocopier machines operated by readers is set out in the table:

£000

	1994–95	*1995–96*[1]
Newspaper library	19	21
Science reference and information service	217	228
Humanities and social sciences	98	93
National sound archive	2	2
Oriental and India Office collections	18	18
British library information science service	2	2
Document supply centre	16	16
Total	372	380

[1] Estimated.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what has been the total number of *(a)* reader visits to and *(b)* holdings at the corn merchants store conversion in relation to the British library's document supply centre since 1979. [16070]

Mr. Sproat: Building 23 on the Library's site at Boston Spa in Yorkshire, which was known before conversion as the corn store, is used to store books published before 1980 for the library's document supply centre. The total linear storage capacity of its shelves is 45.75 km, 31.13 km of which is currently taken up by books. Building 23 is not itself designed to accommodate

readers, but the annual number of reader visits to the document supply centre's reading room since 1985–86 is set out in the table:

Year	Number of reader visits
1985–86	4,605
1986–87	4,347
1987–88	4,502
1988–89	5,131
1989–90	5,688
1990–91	6,735
1991–92	7,403
1992–93	8,112
1993–94	9,210
1994–95	9,890
1995–96	[1]10,580

[1] Estimated.

Information is not available in this format for earlier years.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what provision has been made for the supply of books and journals from remote locations throughout the world to the British library. [16215]

Mr. Sproat: The British library's document supply centre obtains items on loan from other libraries throughout the world for use in the British library's reading rooms or in other libraries in the United Kingdom. The library currently obtains some 7,000 items annually for readers in the United Kingdom in this way.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage when the British library reading rooms supplying information for scientific research, manufacturing industry and technological innovation will be supplied with equipment allowing reader access to the Internet. [16220]

Mr. Sproat: The British library is considering, taking account of considerations such as the additional costs involved, how information on matters such as science, technology and business which is available on the Internet might be made available directly to readers. At present, staff in the library's science reference and information service have access tot he Internet which they may use in providing information to readers.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what reports she has received in relation to public surveys of reader groups and their requirements and the extent to which these factors were taken into account in planning of services at the British library. [16211]

Mr. Sproat: The British library consults extensively with its users through its advisory committees and by means of surveys of users, individual research projects, consultative papers, focus groups, open days and newsletters. The library's code of service sets out the standards which the library's users can expect, and provides them with the opportunity to comment on both the range and the level of the library's services. My right hon. Friend does not routinely receive reports on the results of these activities, but she expects the library to report to her on the range of services which the library provides, on service levels, and on readers' needs, as part of the annual process of planning and review of performance.

British Library and Patent Office

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what assessment she has made as to compliance by the British library with rule 34 of the patent co-operation treaty regulations in terms of open access to documents. [16222]

Mr. Sproat: Rule 34 of the patent co-operation treaty does not impose any obligations on the United Kingdom as to the maintenance of a collection of documents, or as to access to such a collection. The British library does, however, take note of rule 34 and provides access to its collections of patents and journals either by way of immediate open access, or from remote storage on request.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what plans she has for the future use of Southampton buildings, Holborn, following vacation by the British library and Patent Office. [16213]

Mr. Sproat: The current occupants of 25 Southampton buildings, Holborn are the British library, the Patent Office and the Office of Fair Trading. The British library's collections housed there will move to the library's new building at St. Pancras following completion of that building. The Government are considering the future of 25 Southampton buildings.

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what plans she has for the location and provision of an open access library containing world patent and scientific information free at the point of use in respect of the British library. [16214]

Mr. Sproat: The British library's collections of world patents and of scientific literature are at present available for consultation free of charge at the library's reading rooms in Holborn and Aldwych. A large proportion of patents and scientific literature is available on open access. The collections will be moved to the library's new building at St. Pancras once the building has been completed. Following the move, they will be available for consultation at the reading rooms in the new building. The library has no current plans to introduce charges for consultation of material in its reading rooms.

WALES

Late Payments of Debts

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the impact on Welsh firms of late payment by Government Departments. [16186]

Mr. Gwilym Jones: In 1995–96, the Welsh Office paid 95 per cent. of its bills within the normal 30-day period or the contract terms. Except where the invoice is disputed, the remainder will have been paid shortly thereafter.

Minority Languages

Mr. Ron Davies: To ask the Secretary of State for Wales if he will make a statement on his policy towards the Council of Europe's charter on minority languages. [15567]

Mr. Hague *[holding answer 19 February 1996]:* The Government are currently considering whether to sign the charter.

Business Failures

Mr. Wigley: To ask the Secretary of State for Wales if he will list for the last two available years the number of business failures for *(a)* each principal industrial sector and *(b)* for Wales as a whole; and if he will make a statement. [15879]

Mr. Hague: Official statistics on business failures are not available separately for Wales.

Company Grants

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make a statement on the practice of relocation by companies in search of grants between areas in Wales and other areas where grants are available. [16223]

Mr. Hague: Regional selective assistance is not normally available for projects which merely involve the transfer of jobs from one area to another.

Public Bodies

Dr. Wright: To ask the Secretary of State for Wales if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16174]

Mr. Hague: *(a)* The Curriculum and Assessment Authority for Wales, the Countryside Council for Wales, the Cardiff Bay development corporation, the Development Board for Rural Wales, the Further and Higher Education Funding Council, Housing for Wales, the Land Authority for Wales, the Residuary Body for Wales, the Welsh Development Agency, the Welsh Language Board, the Welsh National Board for Nursing, Midwifery and Health Visiting, the Wales tourist board and the agricultural wages committees are all established by statute. Other bodies are established under royal warrant or royal charter.

(b) Only the Residuary Body for Wales, as a levying body, is bound by a statutory requirement, under the Public Bodies (Admission to Meetings) Act 1960, to open its board meetings to the public. The public are allowed access to board meetings of CBDC, LAW and WNB but are asked to leave if confidential matters are to be discussed.

(c) No NDPB is statutorily required to hold open meetings for the public; CCW, the national library of Wales and the national museum of Wales—NMW—hold such meetings voluntarily.

Tandem plc

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will list all grants made by development agencies and other Government-funded bodies in Wales to Tandem plc and its subsidiaries including British Eagle Cycles of Newtown; and if he will make a statement. [16206]

Mr. Hague: No grants have been paid to Tandem plc or its subsidiaries, other than the grant paid to British Eagle Cycles by the Development Board for Rural Wales, to which I referred in my answer to the hon. and learned Member on 16 February, column *732*.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Wales which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16473]

Mr. Hague: If any Ministers did so, that is a matter for them.

Scott Inquiry

Mr. Tony Banks: To ask the Secretary of State for Wales if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16538]

Mr. Hague: No one.

Mrs. Dunwoody: To ask the Secretary of State for Wales when he first saw the report of the Scott inquiry. [16580]

Mr. Hague: Approximately 16.15 on Thursday 15 February 1996.

Mr. Madden: To ask the Secretary of State for Wales at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16495]

Mr. Hague: Approximately 16.15 on Thursday 15 February 1996.

Ambulance Trusts

Mr. Morgan: To ask the Secretary of State for Wales what guidelines he has issued to the chairmen of the Welsh ambulance trusts in relation to the payment of the bonuses for senior executives of trusts related to financial performance; and if he will make a statement. [16426]

Mr. Hague: I have published a code of conduct and accountability which makes it clear to trust boards that they are responsible for ensuring that total remuneration, which includes bonuses, to senior staff can be justified as reasonable. I have placed a copy of the code of conduct and accountability in the Library of the House.

South-East Wales Ambulance Trust

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with *(a)* the outgoing chairman and *(b)* the incoming chairman of the South-East Wales ambulance trust concerning the payment of bonuses to the chief executive, finance director and operations director for the year 1994–95 for achieving financial break-even. [16423]

Mr. Hague: I have had no such consultations. The payment of bonuses is a matter for the trust.

Mr. Morgan: To ask the Secretary of State for Wales what consultation he had with the out-going chairman of

the South East Wales ambulance trust concerning the impact of his agreement on deferral of the dividend payment on the trust's capital on the calculation of the financial break-even point for the trust. [16420]

Mr. Hague: None. My officials have maintained close contact with the trust since its financial problems became apparent. Appropriate decisions to defer dividend payments were taken to safeguard patient services and the long-term viability of the trust.

Mr. Glyn Davies

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will list the payments of *(a)* salary, *(b)* expenses and *(c)* other emoluments to Mr. Glyn Davies in respect of membership of (i) the Development Board for Rural Wales and (ii) other public appointments between 1985 and 1995. [15221]

Mr. Hague *[holding answer 15 February 1996]:* Mr. Glyn Davies was appointed as a board member of the Development Board for Rural Wales on 8 July 1986. He was subsequently appointed chairman of the DBRW on 1 April 1989 and at the same time was appointed as a board member of the Wales tourist board and an ex officio board member of the Welsh Development Agency. Mr. Davies resigned from all three appointments on 12 May 1994. Payments made to Mr. Davies in respect of these appointments are listed in the following table:

Payments made to Mr. Glyn Davies

	Salary £	*Expenses £*	*Other emoluments £*
DBRW member			
1986–87	3,173.31	573.45	—
1987–88	4,535.00	0.00	—
1988–89	4,757.50	0.00	—
DBRW chairman			
1989–90	25,445.00	5,665.70	—
1990–91	27,042.00	4,826.70	—
1991–92	29,471.63	4,739.36	—
1992–93	31,025.04	6,940.80	—
1993–94	31,924.94	6,685.14	—
1994–95	3,604.00	1,201.95	—
WTB member			
1989–90	5,030.00	905.00	—
1990–91	5,347.00	523.00	—
1991–92	5,793.00	1,268.00	—
1992–93	6,135.00	1,076.00	—
1993–94	6,315.00	1,189.00	—
1994–95	741.53	287.00	—
WDA member[1]			
1994–95	—	793.83	—

[1] Ex officio.

OVERSEAS DEVELOPMENT ADMINISTRATION

Rwanda and Burundi

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to increase assistance to *(a)* Rwanda and *(b)* Burundi. [9180]

Mr. Hanley *[pursuant to his reply 15 January 1996, c. 364]:* The reply should have read:

"Since October 1993, Britain has committed £53 million in bilateral emergency and rehabilitation assistance to Rwanda, including Rwandan refugees in neighbouring countries. Total assistance provided over the same period including the UK share of assistance provided by the European Community is £95 million."

Health Programmes

Mr. Frank Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government have taken since the international conference on population and development held in Cairo in 1994 to implement the agreements reached, with special reference to the allocation of more resources for reproductive health programmes. [16204]

Mr. Hanley: The Government continue to encourage a more effective international response to agreements reached in Cairo, especially from multilateral agencies. A total of £184 million of United Kingdom aid was committed for reproductive health in the two years 1994 and 1995. Of this total, £139 million will be passed through the bilateral programmes, including non-governmental organisations, and the balance through international agencies. To improve further the effectiveness of the UK's response to the Cairo conference, we have intensified technology development and research work and initiated a seedcorn fund to test innovative approaches for improving reproductive health.

Mr. Field: To ask the Secretary of State for Foreign and Commonwealth Affairs, in which ways the Government's policy has changed in respect of overseas reproductive and sexual health programmes since the agreements reached at the Cairo conference in 1994. [16205]

Mr. Hanley: The Government's policy in this area supports the programme of action agreed in Cairo in 1994, and has not altered since then. The approaches used to implement the policy are under continuous review to ensure that UK aid is as effective as possible in enabling more people to access reproductive health information and services.

Mr. Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of aid is currently given to develop reproductive and sexual health projects in overseas countries. [16203]

Mr. Hanley: In 1994, 2.3 per cent. of the aid for which a breakdown is available was invested in population and reproductive health activities. The figure for 1995 is not yet available.

ATTORNEY-GENERAL

Scott Inquiry

Mr. Hain: To ask the Attorney-General what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16573]

The Attorney-General: Access to the report itself prior to publication was restricted to a very small number of officials in my Departments in accordance with the procedures agreed with the Scott inquiry. No records are kept of the proportion of time spent by persons in my

Departments in considering the Government's response to the Scott inquiry in the course of their duties. It is not therefore possible to estimate the costs incurred.

Mr. Janner: To ask the Attorney-General what communication he received from the secretary of the Scott inquiry, concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16631]

The Attorney-General: I have had no such communications from Mr. Muttukumaru.

Mr. McNamara: To ask the Attorney-General what steps he will take as a result of the finding of the Scott inquiry that his advice to Ministers about signing public interest immunity certificates was based on a fundamental misconception of the principles of PII law. [16648]

The Attorney-General: The advice I gave on PII at the time of the Matrix Churchill trial was entirely in accordance with the law as it then stood. It was based on careful, detailed advice from a team of distinguished independent practitioners, was fully supported by the case law, and has been publicly endorsed by three of the defence counsel and a number of other eminent commentators.

Since the Matrix Churchill trial the decision of the House of Lords in *Ex parte Wiley* (1994) has brought about a change in the law on PII. The Government will consider carefully the recommendations on the subject made in the Scott report.

Mr. Tony Banks: To ask the Attorney-General if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16530]

The Attorney-General: A very small number of civil servants in my Departments had access to the report prior to publication for the purpose of preparing the Government's response. Such access was in accordance with the conditions laid down by the Scott inquiry.

Mr. Janner: To ask the Attorney-General how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16548]

The Attorney-General: I and my officials have responded to a number of letters from Mr. Muttukumaru. Sir Richard Scott is free to publish any document he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Mrs. Jane Kennedy: To ask the Attorney-General how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16559]

The Attorney-General: I refer to the answer given by the Prime Minister today.

Mr. Madden: To ask the Attorney-General at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16501]

The Attorney-General: During the afternoon of Wednesday, 7 February 1996.

Mrs. Dunwoody: To ask the Attorney-General when he first saw the report of the Scott inquiry. [16587]

The Attorney-General: Wednesday, 7 February 1996.

Mrs. Golding: To ask the Attorney-General if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16569]

The Attorney-General: I do not envisage making such changes. Where officials criticised in the Scott report had acted conscientiously, in good faith and in accordance with Government policy, it would not normally be appropriate to take disciplinary action against them. If there are cases where disciplinary action is considered appropriate this would be carried out under normal departmental disciplinary procedure.

Public Interest Immunity Certificates

Mrs. Clwyd: To ask the Attorney-General if he will list the criminal trials since 1966 at which Governments have invoked public interest immunity certificates on the basis of *(a)* class claim and *(b)* contents claim; and on what external legal advice he instructed Ministers that they must sign the PII certificates in the case of (i) Matrix Churchill and (ii) Ordtec. [16428]

The Attorney-General: No central record is held of public interest immunity certificates signed by Ministers. I list below the criminal cases in which PII certificates are known to have been used, on the basis of information provided by the prosecuting authorities for which I am responsible—the Crown Prosecution Service, the Serious Fraud Office and the Director of Public Prosecutions for Northern Ireland. In each case an indication is given of whether the claim was made on the basis of contents, class or both. The information has been obtained from those officials likely to have the relevant knowledge, and is not necessary exhaustive.

1989

R *v* Pottle and Randle (Class)

R *v* Batley (Class)

R *v* Saunders and others (Class)

1990

R *v* Kokabi (Class)

R *v* Coren and Greenwood (Class)

R *v* Deller, Page and Rycott (Class)

1991

R *v* NatWest Investment Bank Ltd. and others Class)

1992

Latimer, Hegan, Bell and Allen *v* Director of Public Prosecutions for Northern Ireland (Class)

R *v* Roberts, Davis and Williams (Both)

R *v* Bennett (Class)

1993

R *v* Attwell, Donaldson and Style (Both)

R *v* Mitchell and Mitchell (Class)

R *v* Smith (Both)

1994

R *v* Walker and Aquilina (Class)

R *v* Fryers and Jack (Both)

R *v* Mackin, Doherty and Macauley (Both)

R *v* McMonagle and Heffernan (Both)

R *v* Edgar (Class)

R *v* McNulty (Both)

R *v* Ohadhmaill (Both)

1995

R *v* Murphy (Contents)

R *v* Phipps and Nodjoema (Both)

R *v* Baalbaki (Both)

R *v* Baker, Hay and McCulloch (Both)

R *v* Mostafa (Both)

R *v* Paget-Harrison (Both)

Another case (Both)

The advice which I gave on PII in the Matrix Churchill trial was based on a joint opinion, dated 10 January 1992, from Mr. John Laws, then first junior Treasury counsel, common law, and now a judge of the High Court, Mr. Michael Kalisher QC, chairman of the Criminal Bar Association 1991–93, and Mr. Nicholas Ainley.

The PII claims upheld by the Court of Appeal in Ordtec were made on the basis of a further joint opinion obtained from Mr. Stephen Richards and Mr. William Charles, first junior Treasury counsel, common law and chancery, dated 9 October 1995, following the decision of the House of Lords in *Ex parte Wiley* (1994). Copies of both these opinions are in the Library.

Mr. Tony Banks: To ask the Attorney-General what steps he proposes to take in respect of the fact that he does not accept that he was not personally at fault and that the issues that had been raised by Mr. Heseltine's stand on PII certificates did not fall into the category of mundane, routine, run of the mill issues that could probably be left to be dealt with by officials. [16647]

The Attorney-General: Sir Richard Scott's criticism of my role results from the fact that he takes a fundamentally different view of the law on public interest immunity. My advice to my right hon. Friend the Deputy Prime Minister was given with great care and was fully in accordance with the law as it then stood. It involved the preparation of a specially drafted PII certificate which explained my right hon. Friend's role. The judge saw every document covered by the certificate and duly decided which should be disclosed, exactly as my right hon. Friend had been led to expect. The procedure was entirely fair.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Attorney-General which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16476]

The Attorney-General: If any Minister did so, that is a matter for them.

SOCIAL SECURITY

Rents, Gloucestershire

Mr. Gerrard: To ask the Secretary of State for Social Security if he will list for each local authority in Gloucestershire the range of local reference rents by property type determined by the rent officer service from 2 January to 2 February. [16143]

Mr. Clappison: I have been asked to reply.

The information requested is not yet available. Data on rents determined by rent officers since 2 January, including local reference rents, will be published in the Department's regular publication, "Rent Officer Statistics", which is available on a quarterly basis. I will arrange for the next edition of the bulletin, covering the first quarter of 1996, to be sent to the hon. Member as soon as it is available.

Child Support Agency

Ms Lynne: To ask the Secretary of State for Social Security, pursuant to his answer of 30 January, *Official Report,* column *738,* how the totals for reduced benefit directions imposed by each Child Support Agency centre in respect of, *(a)* good cause accepted, *(b)* absent parent named and *(c)* good cause not accepted were arrived at for both the Belfast and Plymouth centres; and what procedures are adopted by his Department in the checking of statistics provided to the hon. Members in written parliamentary questions. [15122]

Mr. Andrew Mitchell: This is a matter for the chief executive of the Child Support Agency, Miss Ann Chant. She will write to the hon. Member shortly.

Letter from Ann Chant to Ms Liz Lynne, dated 22 February 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about reduced benefit directions within the Child Support Agency.

Having looked again at this set of tables, I can see that for the second time they include an error. Although the monthly entries in the columns you have mentioned are accurate, a mistake has occurred in the totalling of these entries. I am extremely sorry that this error passed unnoticed by me and my colleagues who had prepared the tables: the responsibility for it is mine.

The Agency always aims to provide prompt and accurate responses to written parliamentary questions, and I cannot recall making one such error before, let alone two on the same set of figures. The procedures for checking statistical information supplied in written answers have been reviewed and made more stringent. This will guard against a similar error being made in future.

I have enclosed a version of the full tables supplied by way of answer to your Parliamentary Question set out in Official Report, column 738. You will note that the relevant columns do now show their correct totals.

Once again, please accept my apologies for the trouble you have had obtaining this information.

	Good cause accepted	Absent parent named	Good cause not accepted	Reduced benefit direction implemented	Investigations completed
Dudley					
April	335	63	580	311	978
May	503	98	617	306	1,218
June	450	243	820	389	1,513
July	493	354	548	265	1,395
August	576	371	749	531	1,696
September	541	370	599	464	1,510
October	619	391	682	384	1,692
November	568	386	595	386	1,549
Total	4,085	2,276	5,190	3,036	11,551
Hastings					
April	321	0	522	721	843
May	460	111	790	785	1,361
June	469	222	723	631	1,414
July	544	219	679	466	1,442
August	472	207	687	361	1,366
September	495	273	582	532	1,350
October	555	300	727	836	1,582
November	540	335	716	537	1,591
Total	3,856	1,667	5,426	4,869	10,949
Falkirk					
April	369	94	471	283	934
May	534	161	833	335	1,528
June	626	345	944	242	1,915
July	589	331	645	219	1,565
August	642	408	939	276	1,989
September	633	448	862	306	1,943
October	572	428	757	394	1,757
November	637	463	918	362	2,018
Total	4,602	2,678	6,369	2,417	13,649
Plymouth					
April	340	100	452	276	892
May	467	112	617	458	1,196
June	508	216	684	389	1,408
July	494	294	680	392	1,468
August	438	259	575	373	1,272
September	508	267	490	274	1,265
October	450	264	567	474	1,281
November	641	364	559	341	1,564
Total	3,846	1,876	4,624	2,977	10,346
Birkenhead					
April	389	96	470	510	955
May	556	185	615	511	1,356
June	592	287	713	445	1,592
July	625	361	786	278	1,772
August	582	334	637	430	1,553
September	678	428	686	455	1,792
October	722	536	775	401	2,033
November	801	567	951	382	2,319
Total	4,945	2,794	5,633	3,412	13,372
Belfast					
April	418	137	540	260	1,095
May	599	195	740	473	1,534
June	488	271	689	250	1,448
July	544	427	680	393	1,651
August	631	425	744	392	1,800
September	668	526	805	336	1,999
October	624	561	736	347	1,921
November	676	780	789	300	2,245
Total	4,648	3,322	5,723	2,751	13,693

Mr. Hinchliffe: To ask the Secretary of State for Social Security what targets are set by the Child Support Agency for time taken to reply to correspondence; and what progress has been made in attaining target levels. [15747]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Ann Chant to Mr. David Hinchliffe, dated February 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about targets set by the Child Support Agency for the time taken to reply to correspondence.

The only firm target the Agency has for correspondence is the Departmental target of replying to MPs' letters within 20 working days. The table below shows the performance against this target, highlighting the improvements achieved in this area.

Chief Executive replies to MPs' letters

Percentage

	1–20 days	*21–40 days*	*Over 40 days*
September 1994	14	55	31
May 1995	56	44	0
December 1995	60	40	0

The Agency currently has a charter standard to reply to written enquiries from the public "within 10 working days". This is being revised. During 1994/95, the Agency replied to 35% of written enquiries within the charter standard. In 1995/96, the figure to the end of December was almost 40%.

I hope this is helpful.

Disability

Ms Lynne: To ask the Secretary of State for Social Security what is the percentage of claimants of *(a)* severe disablement allowance, and *(b)* incapacity benefit currently undertaking limited paid work on the grounds that the work is (i) voluntary and (ii) therapeutic. [16083]

Mr. Andrew Mitchell: The information is not available and could be obtained only at disproportionate cost.

Local Government Finance

Mr. Corbyn: To ask the Secretary of State for Social Security what is the total contribution for each London borough paid from local authority sources in each of the past five years. [15946]

Mr. Andrew Mitchell: The information requested is insufficient for the purposes of providing an answer.

Departmental officials have tried unsuccessfully on four occasions to contact the hon. Member on my behalf in order to obtain clarification.

National Insurance Contributions

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the rates of employer national insurance contributions since 1979, the amount of revenue raised by these contributions in each year and the total of the increase in revenue resulting from changes in the employer rate. [15771]

Mr. Heald: The available information is in the table:

Year	*Employer national insurance[1] rates at 6 April each year Percentage*	*Revenue raised[6] £ billion*
1979–80	[2]13.5	9.83
1980–81	[2]13.7	11.51
1981–82	[2]13.7	12.24
1982–83	[2]13.7	12.20
1983–84	[2]11.95	12.06
1984–85	[2]11.45	11.94
1985–86	[3]10.45	12.35
1986–87	10.45	13.51
	9.0	
	7.0	
	5.0	
1987–88	10.45	14.95
	9.0	
	7.0	
	5.0	
1988–89	10.45	16.95
	9.0	
	7.0	
	5.0	
1989–90	10.45	19.14
	9.0	
	7.0	
	5.0	
1990–91	10.45	20.90
	9.0	
	7.0	
	5.0	
1991–92	10.4	21.77
	8.6	
	6.6	
	4.6	
1992–93	10.4	21.19
	8.6	
	6.6	
	4.6	
1993–94	10.4	23.08
	8.6	
	6.6	
	4.6	
1994–95	10.2	23.36
	7.6	
	5.6	
	3.6	
1995–96	10.2	[5][4]24.33
	7.0	
	5.0	
	3.0	

Notes:

[1] Not contracted-out rates shown. The level of the contracted-out rebate for the period shown was

4.5 per cent. 1979–80 to 1982–83

4.1 per cent. 1983–84 to 1987–88

3.8 per cent. 1988–89 to 1992–93

3.0 per cent. 1993–94 to 1995–96

[2] Includes the national insurance surcharge which was abolished October 1984.

[3] The upper earnings limit for employers' contributions was abolished and reduced rates for employers of the lower paid were introduced from October 1985.

[4] Figures have been subject to rounding.

[5] Estimate taken from the Government Actuary's report on the Benefits up-rating and Contributions re-rating Orders, published February 1996, Cm 3149.

[6] If the employers' contribution structure, rates and level of contracted-out rebates in force in 1979–80 and applied in 1995–96, employers would have paid about £5.6 billion more in national insurance contributions for that year.

Source:

Government Actuary's Department.

Benefit Claims

Mr. Hinchliffe: To ask the Secretary of State for Social Security what guidance has been issued to agents of his Department when assessing benefit claims for *(a)* myalgic encephalomyelitis and *(b)* fibromyalgia sufferers. [15748]

Mr. Burt: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. David Hinchliffe, dated 21 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what guidance has been issued to agents of his Department when assessing benefit claims for (a) Myalgic Encephalomyelitis (ME) and (b) fibromyalgia sufferers.

The Benefits Agency (BA) employs doctors through the BA Medical Services, who are trained in all physical, sensory and mental conditions including ME and fibromyalgia. Entitlement to benefit is decided by independent adjudication officers, who can seek the opinion of these doctors.

Various publications containing procedural guidance on the processing of claims are available to BA staff. These include Background Information on Incapacity for Work and the Disability Handbook which provide information on specific disabilities including ME and fibromyalgia, additionally they advise staff when to seek guidance from BAMS. The Disability Handbook is currently being redrafted following discussions with the ME Association. The Short Term Benefits Guide also provides procedural guidance regarding ME and fibromyalgia for BA staff.

I hope you find this reply helpful.

Incapacity Benefit

Mr. Chris Smith: To ask the Secretary of State for Social Security (1) how many of those failing to attend the medical examination for incapacity benefit applied on the basis of mental health problems; and what percentage of the total this represents; [15867]

(2) how many of those failing to return the incapacity benefit questionnaire are applying on the basis of mental health problems; and what percentage of the total this represents. [15866]

(3) how many of those appealing against the result of the all-work test for incapacity benefit applied for the benefit on the basis of mental health problems; and what percentage of the total this represents. [15865]

Mr. Burt: The information is not readily available and could be obtained only at disproportionate cost.

Long-term Sick and Disabled People

Mr. Frank Field: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Bradford, North (Mr. Rooney) on 12 February 1996, *Official Report*, column *476*, if he will represent the data in real terms, and to what extent the increase in the number of long-term sick and disabled is due to *(a)* the number of claimants to existing schemes, *(b)* new claimants to new benefits and *(c)* an increase in the real value of benefits. [15828]

Mr. Burt: The information is set out in the table.

£ million

Year	*1978–79*	*1985–86*	*1989–90*	*1994–95*
Long-term sick and disabled[1]	1,770	5,220	8,420	19,600
Long-term sick and disabled[2]	5,162	8,095	10,544	19,600

[1] Figures are in cash prices.
[2] Figures are in real-terms (1994–95 prices).

An explanation of increases in expenditure is not available in the format requested. The increases are due to increasing caseloads and average amounts. Individuals may also be entitled to receive more than one benefit from within this group.

In 1992 disability living allowance and disability working allowance were introduced, which added £3,129 million to expenditure in 1994–95. The increase in the real value of benefits from 1978–79 to 1994–95 accounts for a further £3,392 million.

Fraud, Northumberland

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Blyth Valley (Mr. Campbell) on 12 February 1996, *Official Report*, column *471*, if he will give *(a)* equivalent figures for Newcastle upon Tyne and *(b)* the sums of benefit subject to recovery. [16150]

Mr. Heald: The information is in the table. Figures for organised fraud investigations are not available locally.

	Number of cases where fraud established	*Benefit savings*	*Prosecutions*	*Overpayments*
1994–95	2,345	£4,324,451	149	£58,309
1995–31 January 1996	1,518	£4,402,524	104	£124,201

Bronchitis and Emphysema Report

Mr. Tipping: To ask the Secretary of State for Social Security when he received the report from the industrial injuries advisory Council on chronic bronchitis and emphysema; if he will place a copy in the Library; when he expects to respond to the advisory Council's report; and if he will make a statement. [15749]

Mr. Roger Evans: The report has not yet been received. I understand that the Industrial Injuries Advisory Council expects to submit it within the next few weeks. A copy will be placed in the Library when the report is published, normally within three months of receipt.

The Government will consider carefully any recommendations the council may make.

Housing Benefit

Mr. Corbyn: To ask the Secretary of State for Social Security what has been *(a)* the total level of housing benefit paid out and *(b)* the number of recipients in each London borough for each of the past five years. [15931]

Mr. Roger Evans: The available information is set out in the tables:

Table 1: Average number of housing benefit recipients in London boroughs

	1989–90	*1990–91*	*1991–92*	*1992–93*	*1993–94*
Barking and Dagenham	8,500	14,300	14,600	15,400	16,400
Barnet	8,500	13,200	14,800	16,900	19,000
Bexley	5,300	8,300	8,900	9,900	10,000
Brent	14,200	18,500	22,200	27,200	32,000
Bromley	7,800	12,400	13,500	14,600	15,600
Camden	16,300	23,400	25,900	30,800	32,600
City of London	700	900	600	1,100	1,100
Croydon	10,700	16,800	20,000	22,100	23,700
Ealing	12,400	18,600	16,900	20,400	24,300
Enfield	9,000	14,200	15,500	17,300	18,000
Greenwich	12,700	18,800	21,000	23,900	25,500
Hackney	21,200	25,900	32,300	35,500	37,500
Hammersmith and Fulham	12,600	17,200	18,700	20,500	22,500
Haringey	16,900	31,100	35,800	37,500	38,500
Harrow	4,100	6,900	7,800	9,100	10,000
Havering	5,800	9,900	10,400	10,800	13,900
Hillingdon	5,600	10,100	11,500	13,400	14,800
Hounslow	7,000	10,600	10,500	12,000	16,700
Islington	16,000	23,900	27,300	27,100	30,100
Kensington and Chelsea	9,500	11,400	13,200	15,500	17,600
Kingston upon Thames	3,100	6,000	6,300	6,800	7,400
Lambeth	22,400	29,600	34,700	37,900	42,800
Lewisham	19,600	31,400	34,100	33,000	36,100
Merton	5,400	9,900	10,900	11,600	12,100
Newham	15,800	27,500	29,600	34,800	35,800
Redbridge	6,300	10,300	11,100	12,300	13,500
Richmond upon Thames	4,500	8,000	8,100	8,700	9,600
Southwark	20,600	26,500	30,200	35,300	40,600
Sutton	4,700	8,200	8,900	9,600	10,300
Tower Hamlets	19,800	26,500	28,600	30,400	32,100
Waltham Forest	11,600	15,700	17,600	19,400	19,300
Wandsworth	16,300	24,800	26,300	29,500	29,700
Westminster	11,200	16,500	18,600	20,200	22,400

Source:
Housing Benefit Management Information System.
Figures given are an average of four quarters in each year.

Table 2: Housing benefit expenditure in London boroughs

£ millions

	1989–90	*1990–91*	*1991–92*	*1992–93*	*1993–94*
Barking and Dagenham	10.300	12.600	17.200	21.600	28.000
Barnet	19.500	24.500	32.100	44.100	59.500
Bexley	8.900	10.800	14.100	20.100	26.900
Brent	42.600	50.900	63.500	85.700	110.100
Bromley	17.400	21.000	27.600	34.000	41.600
Camden	41.200	53.900	67.100	87.300	104.700
City of London	1.400	1.700	2.000	2.400	2.800
Croydon	21.200	29.900	46.700	58.200	73.900
Ealing	36.000	41.600	56.600	78.900	104.800
Enfield	21.900	27.000	37.100	45.800	52.400
Greenwich	27.200	30.900	44.000	55.700	67.300
Hackney	40.000	58.200	89.000	114.500	144.200
Hammersmith and Fulham	33.600	36.600	48.200	57.300	69.900
Haringey	53.000	41.300	105.400	117.300	131.400
Harrow	10.200	13.100	19.500	26.300	33.900
Havering	11.000	14.000	16.100	20.100	24.900
Hillingdon	11.900	15.300	23.900	35.000	45.900
Hounslow	13.900	15.800	23.100	33.700	44.700
Islington	33.300	42.100	66.500	75.400	94.300
Kensington and Chelsea	21.300	24.100	34.700	48.700	64.600
Kingston upon Thames	8.000	10.200	14.400	18.500	23.700
Lambeth	40.400	47.600	66.900	90.600	114.300
Lewisham	33.300	41.900	54.800	68.000	86.000
Merton	12.500	18.100	24.700	29.700	34.500
Newham	33.300	47.600	64.100	81.100	105.300
Redbridge	17.200	25.100	35.500	44.400	50.300
Richmond upon Thames	9.700	12.300	16.600	21.400	26.100
Southwark	42.900	97.400	70.000	92.600	108.200
Sutton	9.800	11.700	16.600	21.000	25.400
Tower Hamlets	44.200	50.100	70.000	70.000	70.300
Waltham Forest	20.000	24.900	36.100	45.300	54.000
Wandsworth	38.800	46.800	62.800	79.300	98.100
Westminster	35.700	43.200	61.600	88.700	114.200

Sources:
Audited accounts provided to the Departments of Social Security and Environment.
Audited accounts for 1994–95 are not yet available.

Mr. Corbyn: To ask the Secretary of State for Social Security what was the total cost of administration of housing benefit for each London borough in the last financial year; and what proportion of this was borne by central Government for each borough. [15932]

Mr. Evans: The latest available information is set out in the table.

£ thousand

London borough	*Administration costs*
Barking and Dagenham	643
Barnet	2,411
Bexley	510
Brent	3,149
Bromley	1,466
Camden	4,722
City	205
Croydon	1,784
Ealing	2,946
Enfield	2,383
Greenwich	2,923
Hackney	2,872
Hammersmith and Fulham	3,192
Haringey	2,561
Harrow	885
Havering	453
Hillingdon	1,724
Hounslow	2,264
Islington	3,111
Kensington and Chelsea	2,971
Kingston upon Thames	596
Lambeth	3,694
Lewisham	3,618
Merton	612
Newham	3,698
Redbridge	1,330
Richmond upon Thames	737
Southwark	2,543
Sutton	774
Tower Hamlets	2,039
Waltham Forest	1,903
Wandsworth	1,815
Westminster	5,224

Note:
No figures are available for the proportion of Housing Benefit administration costs met by Central Government. This is because half of the subsidy is distributed by the Department for the Environment, via the Revenue Support Grant. This does not specify the exact amount attributable to Housing Benefit.
Source:
Department for the Environment return 'RO4 Housing Benefit, Sports and Other' 1994–95.

Public Bodies

Dr. Wright: To ask the Secretary of State for Social Security if he will list the executive non-departmental public bodies sponsored by his Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16178]

Mr. Heald: The Occupational Pensions Board is the only executive non-departmental public body sponsored by this Department. Its statutory base is in the Pensions Schemes Act 1993. There is no statutory requirement to admit members of the public to board or committee meetings, nor is it the practice to do so. There is a statutory requirement, under the provisions of the Occupational Pensions Board (Determinations and Review Procedure) Regulations 1973 to hold public hearings, in connection with reviews of the board's determinations, unless the board for any special reasons directs otherwise. If such a hearing is held privately, a member of the Council on Tribunals is entitled to attend.

Scott Inquiry

Mr. Tony Banks: To ask the Secretary of State for Social Security if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16534]

Mr. Lilley: No members of this Department saw the report of the Scott inquiry before it was published.

Mrs. Dunwoody: To ask the Secretary of State for Social Security when he first saw the report of the Scott inquiry. [16583]

Mr. Lilley: At 3.30 pm on 15 February.

Mr. Madden: To ask the Secretary of State for Social Security at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16497]

Mr. Lilley: Copies of the report of the Scott inquiry were delivered to my office shortly before noon on 15 February. The copies were in sealed packages which were not opened until 3.30 pm.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Social Security which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16474]

Mr. Lilley: If any Ministers did so, that is a matter for them.

LORD PRESIDENT OF THE COUNCIL

Scott Inquiry

Mr. Tony Banks: To ask the Lord President of the Council if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16537]

Mr. Newton: None.

Mrs. Jane Kennedy: To ask the Lord President of the Council how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16561]

Mr. Hain: To ask the Lord President of the Council what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16599]

Mrs. Golding: To ask the Lord President of the Council if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16571]

Mr. Newton: I refer to the answer given by the Prime Minister today.

Written Answers to Questions

Monday 26 February 1996

DEFENCE

British Military Forces (Control)

Mr. Cohen: To ask the Secretary of State for Defence what requests he has received for British military forces to come under local, non-British control; what has been his response; and if he will make a statement. [13266]

Mr. Soames: British military forces regularly come under non-British operational control when they take part in operations under UN, NATO or ad hoc coalition auspices. In all cases, British forces remain under UK national command.

Iraq

Mr. Llew Smith: To ask the Secretary of State for Defence if he will place in the Library a copy of the report, "Iraq's Growing Arsenal: Programs and Facilities," prepared by the Central Intelligence Agency in July 1990. [16004]

Mr. Arbuthnot: I have no responsibility for reports prepared by a foreign intelligence agency. Matters relating to Iraq's procurement programme are dealt with in the Scott report.

Public Bodies

Dr. Wright: To ask the Secretary of State for Defence which of the executive non-departmental public bodies sponsored by his Department have a statutory base and which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public; and whether in each case this is (i) under a statutory requirement or (ii) voluntarily. [16030]

Mr. Arbuthnot: None of my Department's executive non-departmental bodies has a statutory requirement to admit members of the public to board or committee meetings, or to hold open meetings.

Dr. Wright: To ask the Secretary of State for Defence if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16017]

Mr. Arbuthnot: While none of my Department's executive non-departmental bodies is subject to *(a)* investigation by the Parliamentary Commissioner or *(b)* the Audit Commission, they are all subject to *(c)* scrutiny by the National Audit Office, *(d)* the code of practice on access to Government information, *(e)* performance indicators and *(f)* citizens charter provisions.

Al Yamamah Project Office

Mr. Cousins: To ask the Secretary of State for Defence how many of his Department's staff formerly involved in the Al Yamamah project office have made applications under the business appointment rules. [16190]

Mr. Arbuthnot: The information is not held in the form requested and could be provided only at disproportionate cost.

Royal Yacht

Mr. Tony Banks: To ask the Secretary of State for Defence what efforts have been made to raise private sector finance to construct a new royal yacht. [16259]

Mr. Soames: No decision has been made on whether to replace Britannia and the Government have not invited contributions from the private sector to the costs of any replacement. A number of suggestions for a possible replacement have, however, been received from outside the Government, and some of these include private sector funding. The Government are continuing to consider the question of a replacement. An announcement will be made in due course.

Mr. Banks: To ask the Secretary of State for Defence what efforts have been made to raise funds from the private sector towards the financing of HMY Britannia; and if he will make a statement. [16258]

Mr. Soames: Private sector funding has not been sought for the operation of HMY Britannia. However, organisers of trade promotion events held on board the yacht meet all additional costs incurred, over and above normal running costs.

Air Vice-Marshal Howard

Mr. Cousins: To ask the Secretary of State for Defence what considerations led him to approve Air Vice-Marshal Howard's appointment as a consultant to Tripod Engineering Ltd. in November 1988 following his retirement in October 1988; and to what extent these considerations were based on *(a)* written policy guidelines and *(b)* assessment of the particular case. [16304]

Mr. Arbuthnot: As Sir Richard Scott's report makes clear, Air Vice-Marshal Howard did not seek permission before taking up his appointment with Tripod Engineering Ltd.

International Military Services Ltd.

Mr. Cousins: To ask the Secretary of State for Defence if he will make a statement on the present whereabouts and ownership of International Military Services Ltd. files relating to defence consultancies and contracts in Jordan, Iran and Iraq after 1981. [16313]

Mr. Arbuthnot: These are matters for the company.

Mr. Cousins: To ask the Secretary of State for Defence what assistance was provided by *(a)* serving and *(b)* recently discharged British officers to International Military Services Ltd. to provide advice to the Government of Iraq between July 1981 and August 1990. [16305]

Mr. Arbuthnot: Advice given by any IMS representatives is a matter for the company. I am not aware of any serving officers being involved in any such matters.

Mr. Cousins: To ask the Secretary of State for Defence on what date a final settlement of outstanding contractual issues with Iran in respect of contracts involving International Military Services Ltd. was concluded. [16309]

Mr. Arbuthnot: This is a matter for International Military Services Ltd., but I understand that not all of the company's outstanding contractual issues have been concluded.

Mr. Cousins: To ask the Secretary of State for Defence if his Department *(a)* was informed of and *(b)* approved the instruction of the chief executive of International Military Services Ltd. to remove material relating to Iraq from the company's files. [16394]

Mr. Arbuthnot: No. The maintenance of records is a matter for the company.

Integrated Weapon Complex (Basra)

Mr. Cousins: To ask the Secretary of State for Defence on how many occasions the integrated weapon complex constructed in Basra, Iraq, in 1985, was subjected to allied attack in Operation Desert Storm; and what assessment his Department made of the damage caused to it. [16399]

Mr. Soames: Full details of coalition operational combat sorties are not held by the MOD, but we have no record of any RAF attacks on such a facility. Battle damage assessment reports from recent conflicts remain classified.

Canira Technical Company Ltd.

Mr. Llew Smith: To ask the Secretary of State for Defence if he will make a statement on the ownership and trading activities of the Canira Technical Company Ltd. of Northern Ireland with particular reference to its involvement with the Iraqi arms procurement programme. [16325]

Mr. Arbuthnot: There is nothing that I can usefully add to the information contained in paragraph D5.25 (xvi) of the Scott report.

Iranian Naval Base (Bander-Abbus)

Mr. Cousins: To ask the Secretary of State for Defence how many serving British officers *(a)* on secondment and *(b)* temporarily discharged were made available for the repair of an Iranian naval base at Bander-Abbas in the period between July 1981 and August 1988 as a contribution to a contract held by IMS. [16401]

Mr. Arbuthnot: I am aware of none.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Defence if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16877]

Mr. Arbuthnot: Regulations require staff to declare to their line manager all investments in any company with which they have official dealings. These declarations should include details of such investments held by an individual's immediate family, as far as he or she is aware of those interests. Staff who are themselves directors, or partners or who hold any other appointment in a private sector commercial organisation must, if the private interest is associated in any way with their official duties, declare the interest to their line manager. Any information declared is confidential to the declarant and his or her line manager. No central records are kept, nor is it considered necessary to collect such information centrally.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for Defence if he will list those contracts his Department currently holds with EDS, indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17451]

Mr. Arbuthnot: The central data maintained by the Ministry of Defence procurement executive shows that there are more than 150 contracts currently open with the company with a total value of in excess of £50 million. To obtain the level of detailed information requested for each contract would require considerable further research which could not be undertaken without disproportionate cost.

Married Quarters Estate

Mr. Brazier: To ask the Secretary of State for Defence what progress he is making with his proposals to transfer the married quarters estate in England and Wales to the private sector. [17719]

Mr. Arbuthnot: The preliminary information memorandum, published on 30 November 1995, has attracted strong interest from a substantial number of companies and consortia. A full information memorandum has now been issued to prequalified bidders, on a commercially confidential basis, to enable them to submit bids for the estate.

Nigeria (Arms Sales)

Mrs. Wise: To ask the Secretary of State for Defence if he will make a statement on his policy on arms sales to Nigeria. [16967]

Mr. Arbuthnot: I refer the hon. Member to the answer I gave to the hon. Member for Newport, West (Mr. Flynn) on 12 February, *Official Report*, column *447*.

Services Sound and Vision Corporation (Cyprus)

Mr. Steen: To ask the Secretary of State for Defence, pursuant to his answer of 8 February, *Official Report*, column *358*, from what sources it is proposed to raise the estimated cost of encrypting and providing decoding equipment for the SSVC television service in Cyprus; and what are the estimated numbers of expatriates in Cyprus who will not be entitled to a decoding device. [15905]

Mr. Soames: If it is decided to provide an encrypted SSVC television service in Cyprus and to supply the necessary decoders to the entitled audience, the costs will be met from the Defence budget.

I am unable to give an estimate of the number of expatriates in Cyprus who view SSVC television and would not be entitled to receive a decoding device if the television service were encrypted.

Abbey Wood Building

Mr. Berry: To ask the Secretary of State for Defence, pursuant to his answer of 16 February, *Official Report*, column *722*, regarding the position of sub-contractors working on the new MOD building at Abbey Wood, Bristol, if he will make a statement on the disputes between the main construction contractor and his sub-contractors. [16961]

Mr. Arbuthnot: Commercial relationships between the main construction contractor and his sub-contractors are matters for the main contractor to deal with. However, the Department understands the normal process of settling final accounts for the sub-contractors who have completed their works continues.

Mr. Berry: To ask the Secretary of State for Defence, pursuant to his answer of 16 February, *Official Report*, column *722*, regarding the costs of the new MOD building at Abbey Wood, Bristol, what are the estimated and budgeted costs for *(a)* site acquisition, *(b)* construction, *(c)* fitting out, *(d)* professional works management fees and *(e)* VAT; and if the estimated cost of construction takes account of disputed payments to the contractor. [16974]

Mr. Arbuthnot: The estimated and budgeted costs for the Abbey Wood construction project, at 1992 prices and inclusive of VAT where appropriate, are as follows:

	£ million
Site acquisition and planning obligations	[1]24.9
Construction, including fitting out	[2]212.6
Works project management fees	[3]9.7
Total	247.2

[1] £27.3 million at 1995 prices.
[2] £235.5 million at 1995 prices.
[3] £10.5 million at 1995 prices.

Elements of the fit-out works are currently subject to procurement competitions and therefore the associated costs are commercially confidential. These figures reflect the Department's estimate of the likely outturn costs for the project.

Scott Inquiry

Mrs. Clwyd: To ask the Secretary of State for Defence, pursuant to paragraph C 2.62 of the Scott report, if he will list the equipment that was sent to Iraq under temporary licences and subsequently incorporated into the Iraqi weapon producing system between 1980 and 1991. [17342]

Mr. Arbuthnot: I am not in a position to state with certainty what equipment was incorporated into Iraqi weapons manufacture. Sir Richard Scott addresses these issues in detail in sections D2.46 to D2.51, D6.55 to D6.72 and D6.194 to D6.220 of his report and I have nothing to add to his description of what equipment was sent to Iraq under temporary licences.

United Nations Arms Register

Mr. Home Robertson: To ask the Secretary of State for Defence if he will make it his policy to reply to parliamentary questions concerning sales of defence equipment and arms covered by the 1991 United Nations arms register. [17124]

Mr. Arbuthnot: We intend to review the practice of successive Governments not to reveal details of the export of defence related equipment in reply to parliamentary questions.

A paper is today being placed in the Library of the House which sets out current policy and practice in informing Parliament about arms sales matters. We hope that this will be a useful document to take the discussion forward. Copies of the UK returns to the UN arms register covering the export of seven categories of conventional arms have been placed in the House Libraries, on an annual basis, since the system began in 1992.

Export Licences

Mr. Llew Smith: To ask the Secretary of State for Defence if he will now make it his policy to permit the disclosure of information contained in section C6 of the export licence application form where the prospective export is deemed to be a dual-use militarily sensitive technology. [15969]

Mr. Lang: I have been asked to reply.

I refer the hon. Member to the statement that I made on Thursday 15 February, *Official Report*, columns 1139–44, in relation to Sir Richard Scott's recommendations on this matter.

CHURCH COMMISSIONERS

Pensions and Stipends

Mr. Frank Field: To ask the right hon. Member for Selby, representing the Church Commissioners, what powers the Synod has to instruct the commissioners to *(a)* reduce the level of pensions already in payment and *(b)* reduce the level of stipends in payment. [15546]

Mr. Alison: The General Synod has no power to instruct the commissioners to reduce the level of pensions in payment. The levels are determined in accordance with the pensions regulations. Under the current arrangements, the legislation gives to the commissioners the power to increase the figures, which they customarily exercise in line with the Church's pensions policy. There is no provision for any reduction to be made in the monetary amounts payable.

Stipend levels are determined on a diocesan basis by the bishop with the concurrence of the Diocesan Board of Finance in accordance with section 5 of the Diocesan Stipends Funds Measure 1953, having regard to the advice of the commissioners as central stipends authority. The commissioners were appointed as central stipends authority by a General Synod Regulation in 1972, which was revised in 1982. The Synod has the power to amend this regulation if it so wishes by appointing another authority, but cannot directly reduce the level of stipends.

The Synod also has the power to amend the above legislation, subject to the agreement of Parliament.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid (Maxwell Case)

Mr. John Marshall: To ask the Parliamentary Secretary, Lord Chancellor's Department how much has been paid by the legal aid fund on account in respect of defendants of the Maxwell case. [15959]

Mr. Jonathan Evans: To date, £8.3 million has been paid on account from the legal aid fund to lawyers representing Kevin and Ian Maxwell—Trachtenberg, Bunn, Fuller, and Stoney. That sum includes £829,000 paid in respect of the magistrates court proceedings.

Statutory Instruments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to reduce the number and length of statutory instruments. [15764]

Mr. Jonathan Evans: In respect of the areas of law for which he is responsible, the Lord Chancellor endeavours to combine and streamline regulations wherever possible and to ensure that they are as concise as is consistent with clarity and legal certainty.

Children Act

Mr. Gapes: To ask the Parliamentary Secretary, Lord Chancellor's Department what efforts are being made to monitor the operation of section 8 orders under the Children Act 1989. [15948]

Mr. Jonathan Evans: I have been asked to reply. The Lord Chancellor's Department is undertaking a review of the operation of the Children Act, with a particular emphasis on minimising delay. The Children Act advisory committee is also monitoring the implementation of the Act and a number of research projects are being undertaken.

The Department collects statistics on the number of applications for section 8 orders received, orders made, orders refused, orders of no order made and applications withdrawn.

Public Bodies

Dr. Wright: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open Government, *(e)* performed indicators and *(f)* provisions under the citizen's charter. [16010]

Mr. Jonathan Evans: The Lord Chancellor's Department sponsors two such bodies—the Legal Aid Board and the Authorised Conveyancing Practitioners Board. However, the latter has been inactive since March 1992, when the Lord Chancellor announced his decision to postpone the implementation of the authorised practitioners scheme.

The Legal Aid Board is not subject to scrutiny by the Audit Commission but *(a)* and *(c)* to *(f)* all apply to the board.

Dr. Wright: To ask the Parliamentary Secretary, Lord Chancellor's Department which of the executive non-departmental public bodies sponsored by his Department have a statutory base and which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public; and whether in each case is (i) under a statutory requirement or (ii) voluntarily. [16028]

Mr. Evans: The Lord Chancellor's Department sponsors two such bodies—the Legal Aid Board and the Authorised Conveyancing Practitioners Board. Both have a statutory basis. However, the latter has been inactive since March 1992, when the Lord Chancellor announced his decision to postpone implementation of the authorised practitioners scheme.

The Legal Aid Board does not, nor is it required to, admit members of the public to board or committee meetings or hold open meetings for members of the public.

Mental Incapacity

Mr. Khabra: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects to publish the Government's consultation paper on mental incapacity, following the Law Commission's report on the subject; how long the consultation period will be; and when he expects the results will be published. [16151]

Mr. Jonathan Evans: No date has yet been set for publication of the Government's consultation paper on mental incapacity. The length of the consultation period has yet to be decided.

PRIME MINISTER

Scott Inquiry

Mr. Llew Smith: To ask the Prime Minister if he will make a statement on the consistency between his statement in *The Sun* on 17 February as to United Kingdom arms exports to Iraq with the details of export licences provided on pages 21, 33, 34 and 77 of the appendix A of volume V of the Scott report. [16907]

The Prime Minister: Appendix A of volume V of the Scott report confirms that the UK did not on any occasion approve the export of lethal defence equipment to Iraq. This is the point that I was making in my article in *The Sun* on 17 February.

Mr. Smith: To ask the Prime Minister what guidelines he has issued to Departments in respect of the retention of papers dealing with export licences since the Scott inquiry commenced. [15979]

The Prime Minister: No specific guidance has been issued on the retention of papers dealing with export licences. Central guidance on the retention of Government

papers generally is issued by the Public Records Office. More detailed criteria are applied by each Government Department to meet its own needs.

Mr. Smith: To ask the Prime Minister if he will place in the Library the briefing note prepared for him in support of his oral answer to the right hon. Member for Yeovil (Mr. Ashdown) of 12 November 1992, *Official Report*, column 990. [15629]

The Prime Minister *[holding answer 16 February 1996]:* This document was submitted as evidence to Sir Richard Scott's inquiry. Sir Richard Scott is free to publish any document which he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible. Documents which Sir Richard does not consider relevant to his report and which contain internal discussion and advice will not be made available.

Iraq

Mr. Llew Smith: To ask the Prime Minister if he will now place in the Library a copy of the chronology of United Kingdom trade with Iraq, prepared for his Office by the Cabinet Office in November 1992. [16050]

The Prime Minister: This document was submitted as evidence to Sir Richard Scott's inquiry. Sir Richard Scott is free to publish any document which he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Ministers' (Resignations)

Mr. Sheerman: To ask the Prime Minister how many Ministers have resigned in each year since 1979. [16985]

The Prime Minister: This is a matter of public record.

Ministers (Broadcasting)

Mr. Spearing: To ask the Prime Minister if he will make arrangements for the transcripts of all television and radio broadcasts made by Ministers of the Crown to be deposited in the Library. [16729]

The Prime Minister: This is a matter for departmental Ministers. The cost of making it a universal practice would be very substantial.

DUCHY OF LANCASTER

Deregulation

11. **Mr. Rathbone:** To ask the Deputy Prime Minister what steps he is taking to measure the impact of the deregulation process. [15247]

Mr. Willetts: Savings to business arising from recent deregulatory measures include £41 million a year from simplification of food temperature controls and £18 million a year by removing unnecessary gold plating from the collective redundancies directive. New guidelines on compliance cost assessment require departments to assess the impact of all regulatory proposals likely to impact on business and to place copies in the House Libraries.

26. **Mr. Jenkin:** To ask the Chancellor of the Duchy of Lancaster what discussions he has had with the United Kingdom representative office in Brussels with regard to deregulation in the United Kingdom and the EC. [15623]

Mr. Freeman: I last discussed deregulation with the UK permanent representation to the European Union on 23 November last year. The United Kingdom representation in Brussels is fully aware of the Government's deregulatory objectives and takes every opportunity to advance the case for deregulation in its work with the Commission and other member states.

Departmental Priorities

12. **Mr. Hain:** To ask the Deputy Prime Minister what plans he has to re-assess the priorities of his Department. [15248]

The Deputy Prime Minister: I have no such plans.

Regulations (Cost-benefit Analyses)

13. **Mr. French:** To ask the Chancellor of the Duchy of Lancaster what progress has been made in preparing the cost benefit analyses of regulations. [15249]

Mr. Freeman: New guidance on measuring the costs to business of regulatory proposals was issued to departments on 25 January. Guidance on measuring the benefits of regulatory proposals is currently being prepared and we hope to publish this by April. Copies of our compliance cost assessment guidance has been circulated to Ministers in other European Union nations.

Scott Inquiry

14. **Dr. Godman:** To ask the Deputy Prime Minister what recent representations he has received concerning the presentation of Government policy relating to the Scott inquiry. [15250]

Mr. Willetts: We have received a small number of representations concerning the Scott inquiry.

16. **Ms Rachel Squire:** To ask the Deputy Prime Minister if he will make a statement on the presentation of Government policy relating to the Scott inquiry. [15252]

18. **Ms Eagle:** To ask the Deputy Prime Minister if he will make a statement on the Scott inquiry. [15254]

Mr. Freeman: The Scott report will be debated later today.

24. **Mr. Clapham:** To ask the Deputy Prime Minister what representations he has received concerning open government and the export of defence-related equipment to Iraq. [15261]

The Deputy Prime Minister: None.

23. **Mr. Gunnell:** To ask the Deputy Prime Minister what discussions he has had with the Prime Minister about the implications of the Scott report for the civil service. [15260]

Mr. Freeman: My right hon. Friend has discussed a number of the conclusions and recommendations of the Scott report with the Prime Minister. Many of these have implications for the civil service.

27. **Mrs. Jane Kennedy:** To ask the Deputy Prime Minister if he will make a statement on the Scott report and the workings of his Department. [15264]

The Deputy Prime Minister: The Scott report will be debated later today.

Government Policies (Presentation)

15. **Mr. Dykes:** To ask the Deputy Prime Minister if he will list the Government's key policy priorities for presentation to the public throughout 1996. [15251]

The Deputy Prime Minister: The Government will continue to stress that their policies are designed to: pursue economic prosperity and security for all, based on an enterprise economy; create a nation of opportunity, reflecting the Government's values of choice, ownership and reward; uphold decent common-sense values in the pursuit of law, order and justice; provide the people of Britain with first-class public services; and reflect pride in the nation and its place in the world.

Ministerial Responsibility

17. **Mr. Simon Hughes:** To ask the Deputy Prime Minister what responsibility he takes for circulating information on the exercise of ministerial responsibility. [15253]

The Deputy Prime Minister: This information is contained in the "List of Ministerial Responsibilities", which is published and circulated by my Department.

Civil Service (Morale)

19. **Mr. Touhig:** To ask the Deputy Prime Minister if he will make a statement on his proposals to improve the morale of the civil service. [15255]

Mr. Willetts: Morale in the civil service is best maintained by allowing staff to perform to the best of their abilities in the career they have chosen. As the Deputy Prime Minister made clear in his recent speech on the civil service, the Government's civil service reforms enable staff to focus their attention on delivering high-quality public services. This is the best way of satisfying both them and the users of their services.

Forms and Surveys

22. **Mr. Hawkins:** To ask the Chancellor of the Duchy of Lancaster what plans he has to reduce the number of forms and survey which businesses are required to complete and return to Government Departments and agencies. [15259]

Mr. Freeman: Departments have been asked to report annually on the burden that they impose on business through forms and surveys by setting targets and reporting achievements in meeting them. I have also established a study group to investigate ways of reducing the compliance cost of Government surveys of business. I announced the appointment of the chairman of the study group and its terms of reference in a written reply to my hon. Friend the Member for Ribble Valley (Mr. Evans) on 9 February 1996 at column *372*.

Pay (Ministers and Special Advisers)

25. **Dr. Goodson-Wickes:** To ask the Deputy Prime Minister what account is taken of special advisers' pay in determining the pay of Ministers. [15262]

Mr. Willetts: None. Ministerial salaries are determined by the Ministerial and Other Salaries Act 1975.

Iraq (Exports)

28. **Mr. Gapes:** To ask the Deputy Prime Minister what representations he has received concerning the presentation of Government policy regarding the export of machine tools to Iraq. [15265]

The Deputy Prime Minister: None.

Cabinet Policies

29. **Mr. MacShane:** To ask the Deputy Prime Minister which Cabinet policies he has spent most time promoting in 1996. [15266]

The Deputy Prime Minister: My colleagues and I have promoted policies that pursue economic prosperity and security for all, based on an enterprise economy; create a nation of opportunity, reflecting the Government's values of choice, ownership and reward; uphold decent common-sense values in the pursuit of law, order and justice; provide the people of Britain with first-class public services; and reflect pride in the nation and its place in the world.

Departmental Publications

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster how many copies of the booklets *(a)* "Getting a good deal in Europe" and *(b)* "Guidance on preparations of Compliance Cost Assessments" have been printed; and how many of each have been distributed to civil servants. [15882]

Mr. Freeman: The numbers printed and distributed were:

	Number printed	*Total distributed to date*
Getting a good deal in Europe ...		
Deregulatory Principles in Practice	20,000	7,600
Checking the Cost of Regulation: A Guide to Compliance Cost Assessment	15,000	3,200

Information on the numbers distributed to civil servants is not separately available.

EU Legislation

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 13 February, *Official Report*, column *484*, what improvements in the regulatory systems he has pressed for at the EU level; and if he will list the directives he has assessed as burdensome on which hopes to take action. [15906]

Mr. Freeman: I refer the hon. Member to the paper "UK Priorities for European Regulatory Reform", which has been placed in the Library of the House.

Government Car Service

Mrs. Lait: To ask the Chancellor of the Duchy of Lancaster if he plans to study the scope for privatisation of the Government car service. [17521]

Mr. Freeman: No. As my right hon. Friend the Secretary of State for the Environment made clear on 8 November when he announced the transfer to my department of the Security Facilities Executive, the agency of which the Government car service forms part, the only study proposed into the scope for more private sector involvement in the work of the agency was in respect of the custody service. I have nothing to add to that statement.

Next Steps Programme

Mr. Sykes: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the progress of the next steps programme. [17520]

Mr. Freeman: The Government today published the sixth Next Steps Review—Cm 3164—which was laid in both Houses. It brings together information on the 109 next steps agencies and the executive organisations of HM Customs and Excise and the Inland Revenue established in Government at the end of 1995. Two out of three civil servants work under next steps arrangements.

The review has been developed from being a report on the next steps project to one that focuses on agency performance. It shows that in different areas and in different ways, many next steps agencies are delivering services to improved standards with increased efficiency and effectiveness.

For the first time, as announced in the second competitiveness White Paper "Competitiveness: Forging Ahead", the review includes results for each agency against its key targets over the last three financial years as well as the performance targets set for 1995–96. This indicates trends and facilitates comparison.

The individual commentaries on each agency include new features, such as whether the agency is involved in a private finance initiative project; its progress in securing investors in people accreditation; comment on external responses to completed prior options reviews; and more consistent coverage of market testing initiatives. The competing for quality returns reveal for the first time results for individual agencies. Between April 1992 and March 1995, agencies reviewed £1.3 billion of activities under the competing for quality programme, half of all the activity reviewed in the civil service. Agencies produced annual savings of £313 million, nearly 60 per cent. of the civil service total savings. This represents an average saving of 24 per cent.

Taken together, the individual entries in the review report on more than 1,400 key performance targets. Of these, the overall proportion met by agencies rose to 83 per cent. in 1994–95. This shows a continuing trend of improvement over the three preceding years when the results were 80 per cent. in 1993–94, 77 per cent. in 1992–93 and 76 per cent. in 1991–92.

Within government, agencies continue to be at the forefront of implementing the principles of the citizens charter. Sixty two charter marks are now held by agencies, HM Customs and Excise and Inland Revenue, reflecting the commitment of agency chief executives and their staff to high standards of customer service.

While improvements in performance and standards of service are being achieved, the data contained in the review also show that there is scope to do more. The Government's policy is to seek continuous improvement; and building on the present level of experience of target setting and monitoring, agencies will be required to demonstrate that they are delivering genuinely challenging levels of performance. Ministers will take an even closer interest in ensuring this is so.

The year ahead will see most remaining candidates established as agencies. By 1997, assuming that currently identified functions are all launched as agencies, I expect around three quarters of civil servants will be working under next steps arrangements. That is a significant achievement and a tribute to the way in which staff at all levels have committed themselves to change and to improved performance. The benefits for taxpayers, customers and staff are set out in the review and are clear to see.

Freedom of Information

Ms Coffey: To ask the Deputy Prime Minister if he will make a statement on Government policy in respect of freedom of information. [15257]

Mr. Willetts: Our policy is based on the code of practice on access to Government information, which has been operating since 1994, together with legislation covering specific areas of information that the Government have introduced or supported. We believe that this meets the aims of freedom of information in a way that is less legalistic, less rigid and less costly than a general statutory access regime.

OVERSEAS DEVELOPMENT ADMINISTRATION

British Council

37. **Mr. Rathbone:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the chairman of the British Council to discuss the level of Overseas Development Administration grant in aid to the council. [15274]

Mr. Hanley: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs visited the British Council on 7 February. Among other subjects, he and the chairman discussed planned funding from both wings of the FCO.

Emergency Disaster Relief

39. **Mr. Jacques Arnold:** To ask the Secretary of State for Foreign and Commonwealth Affairs what support the Government have given recently to emergency disaster relief. [15276]

Mr. Hanley: Since 1 January, the ODA has responded to six new emergencies—in China, Madagascar, Mali, Morocco, Nicaragua and South Africa—with grants totalling £515,000. It has also continued funding actions is more than 20 other long-term situations.

Fundamental Expenditure Review

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the effect of the recommendation in the Overseas Development Administration's fundamental expenditure review that the technical assistance functions of the United Nations Development Programme, United Nations Children's Fund and the United Nations Population Fund be consolidated. [16397]

Mr. Hanley: The ODA fundamental expenditure review did not make a specific recommendation for the consolidation of the technical assistance functions of UNDP, UNICEF and UNFPA. We nevertheless keep under continuous review measures for improving the efficiency and effectiveness of all UN development agencies.

Montserrat

Mr. Alfred Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial help has been and is now being given to the people of Montserrat in relation to problems associated with increased volcanic activity in the dependency; what assessment he has made of its adequacy; what further help is being considered; and if he will make a statement. [16975]

Mr. Hanley: Through the official aid programme, the Government have committed £4.6 million since July 1995 to problems raised by the volcanic emergency. A list of the main elements of this continuing programme has been placed in the Libraries of both Houses.

Monitoring and assessment of the existing funding is continuous through the governor's office, which is assisted by a full-time ODA consultant on Montserrat and visits from the regional office in Barbados. Further funds are available if necessary.

Mr. Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people have given up their homes in Montserrat and left for Antigua and elsewhere due to increased volcanic activity on the island; what contingency plans have been made for dealing with the worsening of the situation; and if he will make a statement. [16976]

Mr. Hanley: It is estimated that up to 1,000 Montserratians are now off the island. Most are working elsewhere in the Caribbean. There are no figures on the number of households involved. A range of plans for differing situations have been formulated. The lessons learnt from two recent evacuations into the northern safe zone are influencing continuing preparations for any third such event. Thanks to the co-operation of the Government of Antigua, facilities exist on Antigua should evacuation of Montserrat be necessary.

Nigeria (Arms Flights)

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many flights of arms and ammunition were made from Manaston airport to Nigeria in the course of the Biafra problems; and what assessment he has made of the delivery of the manifests. [17246]

Mr. Hanley: I regret that to provide the information which relates to the period 1966 to 1970 would incur disproportionate costs.

United Nations High Commissioner for Refugees

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received, and what discussions he has held, about the present funding situation of the UNHCR humanitarian operation in the great lakes region. [17025]

Mr. Hanley: Representations were made by the United High Commissioner for Refugees to the ODA and UK mission officials in Geneva on 4 February and the matter was subsequently discussed by European Union ambassadors in Geneva on 5 February. The release since then of US$ 26 million by the European Commission has now alleviated UNHCR's funding problems.

On 31 January, my noble Friend Baroness Chalker announced a further UK bilateral commitment of £3 million towards the water and sanitation needs of refugees and local population in Tanzania. A large proportion of this will be channelled through UNHCR.

TRADE AND INDUSTRY

Scott Report

Mr. Michael Brown: To ask the President of the Board of Trade what was the cost to public funds of the printing and publishing of the Scott report. [16218]

Mr. Lang: HMSO normally bears the costs of printing, publishing and distributing all Parliamentary publications, with the overall aim of recovering these from sales revenue.

However, in this case, and at the request of Sir Richard Scott, my Department has agreed to pay a subsidy in the region of £85,000 so that the cover price can be contained at a level which ensures that the report is as accessible as possible to the general public.

Price and Market Agreements (Foods)

Mr. Campbell-Savours: To ask the President of the Board of Trade what representations he has received alleging an agreement on price and markets between manufacturers of pickles and other canned food products in the United Kingdom. [16229]

Mr. John M. Taylor: None. Any evidence suggesting that manufacturers of pickles and other canned food products may be acting anti-competitively should be brought to the attention of the Director General of Fair Trading, who has the responsibility to consider and, if appropriate, investigate such allegations.

Wind Turbines

Mr. Nigel Evans: To ask the President of the Board of Trade what assessment he has made of the comparative efficiency of energy production of wind turbines and conventional forms of energy production. [16418]

Mr. Page: Reviews spanning the technical, economic and environmental status of the range of technologies available or potentially available, including wind energy,

to meet the UK's energy requirement over a 40-year time horizon were published in two reports, copies of which are available in the Library of the House. They are "ETSU R83: An Appraisal of UK Energy Research, Development, Demonstration and Dissemination" and "ETSU R82: An Assessment of Renewable Energy for the UK."

Dogs (Exports)

Mr. Gale: To ask the President of the Board of Trade how many dogs were exported for sale from the United Kingdom in each of the past five years; and to what destinations. [17043]

Mr. Nelson: The information requested is not available as the United Kingdom trade classification does not separately identify dogs.

Industrial Tribunals (Utilities)

Mr. Ian McCartney: To ask the President of the Board of Trade if he will list *(a)* the number of industrial tribunal cases heard involving (i) British Gas (ii) British Telecom, (iii) National Power, Powergen, National Grid and Nuclear Electric, (iv) the East Midlands Electricity, (v) Eastern Electricity, (vi) London Electricity, (vii) MANWEB, (viii) Midlands Electricity, (ix) Northern Electricity, (x) Norweb (xi) Seeboard, (xii) Southern Electricity, (xiii) South Wales Electricity, (xiv) South Western Electricity and (xv) Yorkshire Electricity in 1995, *(b)* in how many cases, and in what percentage of occasions, the tribunal found against the company and (c) the monetary value of any award set by the tribunal in each case. [16619]

Mr. John M. Taylor: I regret that the information requested is not readily available and could be obtained only at disproportionate cost.

Mr. McCartney: To ask the President of the Board of Trade if he will list *(a)* the number of industrial tribunal cases heard involving (i) British Gas in 1985, (ii) British Telecom in 1983, (iii) the Central Electricity Generating Board in 1988, (iv) the East Midlands Electricity Board in 1989, (v) Eastern Electricity Board in 1989, (vi) the London Electricity Board, (vii) MANWEB in 1989, (viii) the Midlands Electricity Board in 1989, (ix) the Northern Electricity Board in 1989, (x) Norweb in 1989, (xi) Seeboard in 1989, (xii) the Southern Electricity Board in 1989, (xiii) the South Wales Electricity Board in 1989, (xiv) the South Western Electricity Board in 1989 and (xv) the Yorkshire Electricity Board in 1989, *(b)* in how many cases, and in what percentage of occasions, the tribunal found against the company and (c) the monetary value of any award set by the tribunal in each case. [16618]

Mr. Taylor: I regret that the information requested is not readily available and could be obtained only at disproportionate cost.

Textile Manufacturing

Mr. Gordon Prentice: To ask the President of the Board of Trade what percentage of household textiles retailing in the United Kingdom were manufactured in the United Kingdom. [16831]

Mr. Eggar: The information is not available for the retail market. However, in 1994, UK manufacturers' ex-factory domestic sales of household textiles represented 61 per cent. of the UK market, calculated from these and overseas trade statistics.

Marks and Spencer

Mr. Gordon Prentice: To ask the President of the Board of Trade what discussions he has had with Marks and Spencer since 1992 concerning its policy on United Kingdom sourcing of goods sold by it. [16832]

Mr. Page: Ministers and officials from my Department have regular contact with Marks and Spencer, as with other major UK companies. These discussions have covered the company's strong relationship with its UK suppliers and how it can be maintained.

Exports

Mr. David Shaw: To ask the President of the Board of Trade what was the level of exports of *(a)* military goods and services, *(b)* dual-use goods and services and *(c)* other goods and services between 1974 and 1979. [16902]

Mr. Nelson: Information on UK exports of identified defence equipment and total goods and services is given in the table. Information on defence services and on dual-use goods and services is not available.

Value of UK exports

£ million, current prices

Year	*Military goods*	*Total goods*	*Total services*	*Total goods and services*
1974	179	16,191	6,597	22,788
1975	198	19,429	7,678	27,107
1976	218	25,139	10,010	35,149
1977	356	31,921	11,615	43,536
1978	392	35,280	12,495	47,775
1979	393	40,400	14,427	54,827

Sources: UK Defence Statistics, Ministry of Defence.
The Pink Book, United Kingdom Balance of Payments.

Scott Inquiry

Mr. Llew Smith: To ask the President of the Board of Trade what changes have been made since the opening of the Scott inquiry into the criteria adopted by his Department in deciding whether to give substantive replies to parliamentary questions seeking details of arms or military equipment exports from the United Kingdom. [15971]

Mr. Lang: No such changes have been made. It has been the policy of successive Administrations not to disclose details about export licences that have been issued. However, the Government have from time to time released such information in exceptional circumstances where it was clearly in the public interest. I refer the hon. Member to the statement that I made on Thursday 15 February, *Official Report*, columns 1139-44, in relation to Sir Richard Scott's recommendations on this matter.

Mrs. Clwyd: To ask the President of the Board of Trade, pursuant to paragraph C 2.62 of the Scott report, if he will list the exports of *(a)* machine tools and

(b) other equipment sent to Iraq under temporary licences and subsequently incorporated into the Iraqi weapon producing system between 1980 and 1991. [17343]

Mr. Lang: I am not in a position to state with certainty what equipment was incorporated into the Iraqi weapon producing system. Sir Richard Scott addressed these issues in detail in sections D2.46 to D2.51, D6.55 to D6.72 and D6.194 to D6.220 of his report and I have nothing to add to his description of what equipment was sent to Iraq under temporary licences.

Mr. Tony Banks: To ask the President of the Board of Trade if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16539]

Mr. Lang *[holding answer 22 February 1996]:* A small number of civil servants in each of the main Departments concerned had access to the report prior to publication for the purpose of preparing the Government's response. Such access was in accordance with the conditions laid down by the Scott inquiry.

Mrs. Dunwoody: To ask the President of the Board of Trade when he first saw the report of the Scott inquiry. [16578]

Mr. Lang *[holding answer 22 February 1996]:* On Wednesday 7 February 1996.

Mr. Hain: To ask the President of the Board of Trade what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16598]

Mr. Lang *[holding answer 22 February 1996]:* Access to the report itself prior to publication was restricted to a very small number of officials in the main Departments concerned in accordance with the procedure agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give the cost of the work.

Mrs. Jane Kennedy: To ask the President of the Board of Trade how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry. [16562]

Mr. Lang *[holding answer 22 February 1996]:* Access to the report itself prior to publication was restricted to a very small number of officials in the main departments concerned in accordance with the procedures agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials will have contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give their number or grades.

Mr. Madden: To ask the President of the Board of Trade at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16494]

Mr. Lang *[holding answer 22 February 1996]:* During the afternoon of Wednesday 7 February 1996.

Public Bodies

Dr. Wright: To ask the President of the Board of Trade if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16023]

Mr. John M. Taylor: The information is as follows:

Those non-departmental public bodies that are:

(a) Subject to investigation by the Parliamentary Commissioner:

Advisory, Conciliation and Arbitration Service

Coal Authority

Commissioner for Protection Against Unlawful Industrial Action

Commissioner for the Rights of Trade Union Members and the DTI's seven Research Councils

(b) Subject to scrutiny by the Audit Commission:

None.

(c) Subject to scrutiny by the National Audit Office

The NAO's access to DTI's NDPBs is detailed in "Public Bodies 1995" which is available in the Library of the House

(d) Subject to statutory provisions for open government:

NDPBs subject to the jurisdiction of the Parliamentary Commission for Administration are covered by the code of practice on access to government information. Other NDPBs will be asked to draw up their own codes of openness.

(e) Subject to performance indicators:

Performance measures have been or are being introduced to all DTI's NDPBs when they are appropriate.

(f) Subject to provisions under the citizens charter:

All DTI's NDPBs are encouraged to follow citizens charter principles where they are appropriate.

Export Controls

Mrs. Clwyd: To ask the President of the Board of Trade what plans he has to review the Government's powers under the Import, Export and Customs Powers (Defence) Act 1939. [17232]

Mr. Lang: The Government are considering Sir Richard Scott's recommendations and will be publishing a consultation paper.

Business Links

Mr. Wigley: To ask the President of the Board of Trade what considerations led him to provide a freephone business link telephone service for businesses in England; and if he will make a statement. [15880]

Mr. Page: Business link inquiries have been handled by the original enterprise initiative freephone number, 0800 500 200, since May 1995. This will be discontinued at the end of the current financial year because the enterprise initiative is no longer operational.

A dedicated business link helpline was set up in October 1995 at the time of the business link national launch. The 0345 567765 lo-call number provides callers

with a central inquiry point with direct switching to their nearest business link. A single national number is essential for any reference to business link in the national media.

Christopher Muttukumaru

Mr. Janner: To ask the President of the Board of Trade how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16554]

Mr. Lang *[holding answer 22 February 1996]:* My officials and I have responded to a number of letters from Mr. Muttukumaru. Sir Richard is free to publish any document he considers relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Iraq (Export Credit Guarantees)

Mr. Llew Smith: To ask the President of the Board of Trade if he will list for each year since 1985–86 the proportions attributable to awards to Iraq of *(a)* the amount in default and *(b)* the amount written off relating to export credit guarantees. [16005]

Mr. Nelson *[holding answer 19 February 1996]:* The information is as follows:

Claims paid and amounts written off by ECGD on Iraq by financial year from 1985–86:

£ million

Year	*Claims paid*	*Amounts written off*
1985–86	3	0
1986–87	4	0
1987–88	6	0
1988–89	28	4
1989–90	56	0
1990–91	193	0
1991–92	181	0
1992–93	104	0
1993–94	61	0
1994–95	46	3
1995–96[1]	14	2
Total	696	9

[1] To 31 January.

The above table reports all claims paid by the ECGD on Iraq. For this reason, the total of £696 million is higher than the claims figure of £683 million which I cited in my written reply to the hon. Member for Oldham, West (Mr. Meacher) on 15 January 1996, *Official Report*, columns *353-54*. The latter figure excluded claims cases under the ECGD's now privatised credit insurance operations where the debt has been recovered in its entirety. All such cases predate the invasion of Kuwait in August 1990.

HOUSE OF COMMONS

Scottish Grand Committee

Mr. Foulkes: To ask the right hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, what has been the cost of each meeting of the Scottish Grand Committee in the current session to date; and what is the estimated cost of each of those planned for the remainder of the Session. [12960]

Mr. Beith *[holding answer 22 February 1996]:* The information is not readily available in the form requested, because not all costs are analysed to individual meetings. The extra costs which relate to travel, accommodation, communication and additional staff time for those meetings of the Scottish Grand Committee held in Scotland have been forecast at £102,000 for the financial year to 31 March 1996 and £162,000 for the financial year to 31 March 1997. Sums expended in the current Session, to 31 January 1996, amount to £28,501.

TRANSPORT

East Coast Main Line

Mr. Wilson: To ask the Secretary of State for Transport what was the amount of debt outstanding at the time of train operations being wound up by Stagecoach on the east coast main line; how much has been repaid to date; and at what times. [17131]

Mr. Watts: This is a commercial matter between British Rail and Stagecoach. I understand that BR allowed Stagecoach Holdings plc to withdraw without penalty from its contract or provide overnight seated train services from Aberdeen, Dundee and Edinburgh to London and return.

Scott Inquiry

Mr. Tony Banks: To ask the Secretary of State for Transport if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16535]

Sir George Young *[holding answer 22 February 1996]:* No member of my Department saw the report of the Scott inquiry before it was presented to the House.

Mr. Madden: To ask the Secretary of State for Transport at what hour and minute of which day the report of the Scott inquiry was delivered to this office. [16496]

Sir George Young *[holding answer 22 February 1996]:* During the afternoon of Friday 16 February.

Mrs. Dunwoody: To ask the Secretary of State for transport when he first saw the report of the Scott inquiry. [16582]

Sir George Young *[holding answer 22 February 1996]:* At 3.30 pm on Thursday 15 February, when I collected a copy from the Vote Office at the House of Commons.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Transport which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16472]

Sir George Young *[holding answer 22 February 1996]:* None.

Rail Franchising

Ms Short: To ask the Secretary of State for Transport, pursuant to his answer of 7 February, *Official Report*, column *273*, what instructions he has issued since 1 January to the Director of Passenger Rail Franchising regarding the rate at which services are to be franchised. [17036]

Mr. Watts: None.

Rail Timetables

Ms Short: To ask the Secretary of State for Transport what guidance he has issued to the Director of Passenger Rail Franchising and the chairman of the British Railways Board regarding the inclusion of additional recovery time in timetables. [16986]

Mr. Watts: None.

Railway Privatisation

Ms Short: To ask the Secretary of State for Transport what sanctions exist for refusal by private sector railway operating companies to affiliate to the Association of Train Operating Companies. [16981]

Mr. Watts: Membership of ATOC is not mandatory. However, all passenger operators are required under the terms of their licences and/or franchise agreements to participate in a number of mandatory schemes which are administered by ATOC. These are the ticketing and settlement scheme, the London Regional Transport scheme, discount card schemes for the elderly, disabled and young, the telephone inquiry bureaux scheme and the staff travel scheme.

Railways (Disabled Access)

Mr. Cox: To ask the Secretary of State for Transport when he next plans to meet the rail regulator to discuss disabled persons' access to the rail network. [16781]

Mr. Watts: My right hon. Friend the Secretary of State meets the rail regulator on a regular basis to discuss a wide range of rail transport issues. His next meeting is planned for Tuesday 5 March.

Railtrack

Ms Short: To ask the Secretary of State for Transport how many staff are currently employed at the head office of Railtrack; and how many he expects to be employed in the financial years 1996–97 and 1997–98. [16984]

Mr. Watts: At 3 February, the headquarters directorates of Railtrack employed a total of 1,300 people; staffing levels for the company after it is privatised will be a matter for Railtrack.

Regulatory Bodies

Mr. Steen: To ask the Secretary of State for Transport if he will list each regulatory body for which he is responsible indicating for each the percentage of business people on the board. [15736]

Mr. Watts: The table lists the agencies and authorities for which the Secretary of State is responsible and which could be defined as regulatory bodies.

Agency or authority	*Percentage of business representatives*
Vehicle Certification Agency	17
Vehicle Inspectorate Executive Agency	33
Marine Safety Agency	20
Driving Standards Agency	33
Driver Vehicle and Licensing Agency	43
Civil Aviation Authority	36

Although not part of this Department, the Secretary of State, under the Railways Act 1993, also appointed an independent rail regulator, John Swift QC, to head the Office of Rail Regulation, which has no advisory board and is directly answerable to Parliament.

Gospel Oak to Barking Line

Mr. Gerrard: To ask the Secretary of State for Transport how many valentine cards he has received from users of the Gospel Oak to Barking line. [16230]

Mr. Norris: About 700.

Traffic Congestion

Mr. Butterfill: To ask the Secretary of State for Transport if he will publish maps showing projections, at national and regional level, of future traffic congestion on the trunk road system as a basis for assessing likely requirements for improvement to the United Kingdom's infrastructure; and if he will undertake also to publish revised projections in future taking account of changes to economic and traffic forecasts. [13987]

Mr. Watts *[holding answer 8 February 1996]:* I am placing maps of current congestion, and projections of future congestion, in the Library of the House together with an explanatory note. The maps will be kept up to date as appropriate.

Sea Empress Incident

Mr. Tony Banks: To ask the Secretary of State for Transport what is his latest estimate of costs arising from efforts to control oil pollution originating from the Sea Empress. [17074]

Mr. Norris: As at midday Friday 23 February, the known costs to the marine pollution control unit exceeded £2 million, excluding some significant costs where information is not yet available. We would seek to recover these costs from the ship's insurers or from the international oil pollution compensation fund. Estimates of costs incurred by others is not currently available.

Mr. Banks: To ask the Secretary of State for Transport what quantity of oil-dispersant chemicals have so far been used on oil slicks originating from the Sea Empress. [17077]

Mr. Norris: By midday Friday 23 February, 444 tonnes of dispersants had been used.

Mr. Banks: To ask the Secretary of State for Transport how many crew were on the Sea Empress at the time it ran aground; and what was their nationality. [17076]

Mr. Norris: Twenty-seven Russian crew members and a local pilot were on board.

Mr. Banks: To ask the Secretary of State for Transport how many oil-retaining sea booms have been used to control oil coming from the Sea Empress. [17078]

Mr. Norris: As at 10:00 on Monday 26 February, some 2,250 metres of boom were in place.

Mr. Banks: To ask the Secretary of State for Transport what tests were carried out on the captain of the Sea Empress following the ship running aground. [17125]

Mr. Norris: Drug and alcohol tests were carried out on all 27 crew of the Sea Empress. None were found to be positive.

Mr. Banks: To ask the Secretary of State for Transport what consideration is being given to bringing criminal charges against *(a)* the owner and *(b)* the captain of the Sea Empress. [17126]

Mr. Norris: Whether it is appropriate to consider criminal proceedings against any party in respect of the Sea Empress will depend on the findings of the investigations that are being undertaken into the incident.

Mr. Banks: To ask the Secretary of State for Transport what is his latest estimate of sea birds affected by oil originating from the Sea Empress. [17075]

Mr. Norris: As at 10:00 on Monday 26 February, it was reported that 1,640 birds had been affected.

Land Compensation Act 1973

Mr. Jim Cunningham: To ask the Secretary of State for Transport what plans he has to amend the Land Compensation Act 1973 to allow tenants to claim compensation for disturbance to carpets and curtains, without being relocated to another property. [16042]

Sir Paul Beresford: I have been asked to reply.

Under the 1973 Act, tenants are entitled to certain categories of compensation, such as a fixed amount of £1,500 as a home loss payment. Tenants may claim some disturbance compensation for incidental losses such as removal expenses, the cost of altering soft furnishings and moveable fixtures and fittings. Tenants who need professional help in preparing and negotiating a claim may also claim for the fee of a surveyor or solicitor, but there is no power, and there are no plans to introduce a power, to pay compensation to tenants where they do not have to move.

FOREIGN AND COMMONWEALTH AFFAIRS

Know-how Funds (Tourism)

Mrs. Lait: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the tourism projects which have been supported by the know-how funds. [16336]

Sir Nicholas Bonsor: The know-how fund has supported 19 tourism projects since 1989 at a total cost of approximately £1.63 million. The projects are listed in the table.

Country	*Project title*	*Financial year*	*Approved costs £*
Bulgaria	Tourism Management Development	1994–98	500,000
	Pirin and Rila Eco and Sustainable Tourism Project	1993–97	378,400
Estonia	Tourism Training Course	1993–94	12,289
Hungary	Sustainable Tourism National Park Project	1995–97	234,000
Latvia	Seminar on Sustainable Tourism in Protected Areas	1993–94	1,095
	Transport/Tourism Minister Visit	1992–93	5,095
	Tourism Training	1994–95	12,768
Lithuania	Tourism Training	1993–94	13,032
Pan Baltic	Baltic Tourism—UK Visit	1992–93	2,379
	Project Identification Visits	1993–94	6,157
	Tourist Information Centre	1994–95	23,557
Poland	Cracow Tourism Study	1989–90	37,000
	Wiekiczka Salt Mine	1995–96	110,000
	Strategic Cultural Plan Gdansk	1992–94	35,000
Russia	Sustainable Tourism in Protected Areas Seminar	1995–96	2,500
Slovakia	SME Tourism Development Poprad	1994–95	34,000
	Rural Tourism Development—Gemer Region	1995–96	198,800
Slovenia	Sustainable Tourism	1993–94	1,500
	Timeshare Legislation	1994–95	20,700

Mrs. Lait: To ask the Secretary of State for Foreign and Commonwealth Affairs what small business projects have been supported by the know-how funds; of these which related to tourism; and if she will list them. [16326]

Sir Nicholas Bonsor: The know-how fund has supported more than 650 small business projects. Of these, the following four related directly to tourism:

Poland

Cracow Tourism Study, 1989–90: Approved costs £37,000

Slovakia

SME Tourism Development Poprad, 1994–95: Approved costs £34,000

Slovenia

Timeshare Legislation, 1994–95: Approved costs £20,700
Sustainable Tourism, 1993–94: Approved costs £1,500

Indonesia

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans *(a)* he has and *(b)* other Ministers in his Department have to visit Indonesia. [16395]

Mr. Hanley: We have no immediate plans to do so.

Italian Constitution

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions HM ambassador to Rome has had with Italian political parties about proposals to reform the Italian constitution; and if he will make a statement. [16308]

Mr. David Davis: In the course of normal contacts, HM ambassador to Rome and colleagues have discussed proposals to reform the Italian constitution with representatives of parties across the Italian political spectrum.

Ministerial Visit (Cyprus)

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he *(a)* has had and *(b)* will have with the leader of the British delegation to the Council of Europe following his visit to the Karpass area of occupied northern Cyprus; and if he will make a statement. [16310]

Mr. David Davis: My right hon. and learned Friend the Foreign Secretary has not been in contact with Lord Finsberg following his recent visit to Cyprus. The British high commissioner in Nicosia spoke with Lord Finsberg during his visit.

We support efforts to uphold the human rights of Cypriots in whatever part of the island they live. We welcome the recent announcement by the Turkish Cypriots of measures to improve the living conditions for Greek Cypriots and Maronites living in northern Cyprus. There is no reason why the remaining restrictions on basic freedoms for minorities should not be lifted.

United Nations Special Commission on Iraq

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current United Kingdom financial commitment to the United Nations Special Commission on Iraq. [16303]

Mr. David Davis: We have made a significant contribution to the work of the United Nations Special Commission since its inception in 1991 through the provision of specialist personnel and equipment. In the current financial year this has had a value of some £1 million, which is broadly in line with the support provided in previous years. We do not make a direct financial contribution.

Social Welfare Provision (Germany)

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment Her Majesty's ambassador to Bonn has made of Germany's ability to maintain its current level of social welfare provision over the next 20 years; and if he will make a statement. [16307]

Mr. David Davis: Due to the many factors which have to be taken into consideration, such an assessment is impossible to make. It is up to individual states to establish their economic priorities.

Sri Lanka

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Sri Lanka; and what plans he has to visit the country. [16511]

Mr. Hanley: Relations with Sri Lanka are good. We support the Sri Lankan Government's efforts to secure a lasting and peaceful settlement and urge all who are concerned to make every effort to persuade the Liberation Tamil Tigers Eelam to respond positively to the constitutional opportunities on offer. I visited Sri Lanka last October and have no immediate plans to visit again.

Visa Applications (Waiting Times)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the current waiting times for interviews for visa application in respect of *(a)* spouses, *(b)* fiances, *(c)* visitors, *(d)* dependants, *(e)* business visitors and *(f)* quota vouchers, at (i) Bombay, (ii) New Delhi, (iii) Dacca, (iv) Karachi, (v) Islamabad, (vi) Nairobi, (vii) Dar-es-Salaam and (viii) Kampala. [17055]

Mr. Hanley: In December 1995, the waiting times for interview for visa applicants at the posts listed were:

(i) Bombay
(a) spouses: 3 months
(b) fiance(e)s: 6 months
(c) visitors: same day
(d) dependants: 3 months
(e) business visitors: same day

(ii) New Delhi
(a) spouses: 3 months
(b) fiance(e)s: 7 months
(c) visitors: same day
(d) dependants: 3 months
(e) business visitors: same day

(iii) Dhaka
(a) spouses: 6 months
(b) fiance(e)s: 5 months
(c) visitors: same day
(d) dependants: 6 months
(e) business visitors: same day

(iv) Karachi
(a) spouses: 3 to 7 weeks
(b) fiance(e)s: 3 to 7 weeks
(c) visitors: same day
(d) dependants: 3 to 7 weeks
(e) business visitors: same day

(v) Islamabad
(a) spouses: 4 months
(b) fiance(e)s: 6 months
(c) visitors: same day
(d) dependants: 4 months
(e) business visitors: same day

The waiting times for interview for visa applicants in Nairobi, Dar-es-Salaam and Kampala are not yet available.

For waiting times for persons applying for a special voucher, I refer the hon. Member to the answer given by Under-Secretary of State for the Home Office, my hon. Friend the hon. Member for Leeds, North (Mr. Kirkhope) to the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) on 9 January, *Official Report*, column *198*.

Police Training

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Indonesian police officers have received training in the United Kingdom in each year since 1990; and if he will list for each officer the *(a)* name, *(b)* rank, *(c)* cost of training, *(d)* duration of training, *(e)* United Kingdom police force which provided the training and *(f)* Government department which provided the funding. [16941]

Mr. David Davis: The details of training given under the United Kingdom military training assistance scheme are confidential between Governments. Details of training funded by other Government Departments are not available.

Scott Inquiry

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions he *(a)* has taken and *(b)* plans to take as a result of the recommendations of the Scott report. [16959]

Mr. Hanley: The recommendations of the Scott report are being carefully considered by the FCO and other interested Departments. Some recommendations, for example on intelligence handling, have already been adopted.

Kashmir

Sir Michael Grylls: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the potential role of the Commonwealth in facilitating peace negotiations between the Governments of India and Pakistan and representatives of the Kashmiri people. [16940]

Mr. Hanley: We believe that the Commonwealth could play a mediatory role only at the request of both India and Pakistan. We continue to urge the two countries to resolve their differences over Kashmir through dialogue.

Yugoslavia

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to give a substantive reply to the letter dated 13 December 1995 from the hon. Member for Bradford, North concerning visa facilities in former Yugoslavia. [16915]

Mr. Hanley: I replied on 8 January. I have arranged for a copy to be sent to the hon. Member.

Montserrat

Mr. Alfred Morris: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice he has received in relation to possible worsening of volcanic activity on the island of Montserrat; and if he will make a statement. [16977]

Sir Nicholas Bonsor: Since 18 July 1995, we have received regular reports from scientists from the UK and the Trinidad-based seismic research unit, which is monitoring the volcano 24 hours a day.

Montserrat remains on a state of alert and we have put in place contingency plans to evacuate Montserratians to the north of the island in the event of a partial eruption. Contingency plans also exist for a full evacuation of the island if it became necessary.

Ecuador (Father Colin MacInnes)

Mr. Wilson: To ask the Secretary of State for Foreign and Commonwealth Affairs what report he has received on progress by the central bank of Ecuador in recovering funds gathered by Father Colin MacInnes in Scotland and other moneys intended for community development purposes. [17166]

Sir Nicholas Bonsor: The recovery of these funds is a matter for the Ecuadorian authorities. However, our embassy is closely monitoring the situation.

Mr. Wilson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to the Ecuadorian authorities concerning the safety of Father Colin MacInnes. [17165]

Sir Nicholas Bonsor: Our embassy in Quito is in direct contact with Father MacInnes about his situation. It has also registered its interest with the Ministry of Foreign Affairs.

Imia

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs what international agreements govern the sovereignty of the island of Imia. [15671]

Mr. David Davis *[holding answer 16 February 1996]:* The two sides do not agree on the question precisely because they take different views of the relevance of international documents concerned. The 1923 treaty of Lausanne, two agreements of 1932, and the 1947 Paris treaty of peace with Italy are among these.

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 February, if the 1947 agreement is the basis of the international law in respect of sovereignty over Imia. [15723]

Mr. Davis *[holding answer 19 February 1996]:* The two sides do not agree on the question precisely because they take different views of the relevance of international documents concerned. The 1923 treaty of Lausanne, two agreements of 1932, and the 1947 Paris treaty of peace with Italy are among these.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessments were made by *(a)* his departmental officials and *(b)* departmental Ministers of the reliability of information provided by Mr. Paul Henderson, while managing director of Matrix Churchill, on the status of the Iraqi military procurement network. [15692]

Mr. Hanley *[holding answer 16 February 1996]:* Details of the information supplied by Mr. Paul Henderson on the Iraqi military procurement network are covered in sections D and G of the report of Sir Richard Scott's inquiry. We do not propose to comment further on the sources of intelligence material.

HEALTH

Drug Purchases

Mr. Loyden: To ask the Secretary of State for Health what is the monitoring mechanism to ensure that hospital trusts that purchase drugs from abroad meet British standards. [15889]

Mr. Malone: Licensed medicinal products imported from outside the European Union are required to undergo a full qualitative and quantitative analysis of at least all the active constituents and all other tests or checks necessary to ensure that the product is in full compliance with its marketing authorisation. Unlicensed medicines may be imported to fulfil a bona fide unsolicited order from a doctor or dentist on his or her personal responsibility. A condition of this exemption is that the importer should hold the appropriate wholesale dealer's licence and comply with its conditions.

Thalidomide

Mr. Loyden: To ask the Secretary of State for Health what guidelines have been issued to hospital trusts about purchasing thalidomide, and if he will make a statement. [15896]

Mr. Malone: No guidance specifically relating to purchasing has been issued for the drug thalidomide. "Guidance on thalidomide" was published by the Committee on Safety of Medicines and the Medicines Control Agency in the May 1994 issue of "Current Problems in Pharmocovigilance", a drug safety bulletin circulated to all doctors, dentists, pharmacists and coroners. This guidance note strongly advised all doctors considering the use of thalidomide to follow detailed external guidelines on the clinical use and distribution of thalidomide, which were published in a widely available medical journal. A reminder was published in the July 1995 issue.

Management Consultancy

Mr. Bayley: To ask the Secretary of State for Health what was the total expenditure incurred by *(a)* his Department and *(b)* the NHS executive on management consultancy in each year since 1992–93. [16245]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Peckham (Ms Harman) on 20 February at column *109*.

Professions Supplementary to Medicines Act

Miss Hoey: To ask the Secretary of State for Health (1) when the review of the Professions Supplementary to Medicine Act 1960 will be completed; [16246]

(2) what findings the review of the Professions Supplementary to Medicine Act 1960 has made in relation to physiotherapy; [16247]

(3) if he can now release the findings of the review of the Professions Supplementary to Medicine Act 1960. [16248]

Mr. Horam: We expect to receive a report on this shortly. An announcement will be made in due course.

Registered Homes Tribunal

Mrs. Clwyd: To ask the Secretary of State for Health how appeals to the registered homes tribunal are processed and investigated; and if she will place in the Library a copy of the rules or guidelines which govern the work of the tribunal. [16410]

Mr. Bowis: The registered homes tribunal hears all appeals made under part III of the Registered Homes Act 1984. The registered homes tribunal secretariat receives notices of appeals and makes the administrative arrangements for appeals to be heard. The registered homes tribunal is an independent judicial body and is wholly responsible for reaching and making its decisions taking account of all the evidence laid before it. It operates within the Registered Homes Tribunal Rules 1984, SI 1984 No. 1346. A copy of the public booklet about appeals process is available in the Library.

Mrs. Clwyd: To ask the Secretary of State for Health how many appeals have been considered by the registered homes tribunal in each year since 1984; and how many have been upheld. [16408]

Mr. Bowis: The information is shown in the table.

Year	*Total*	*Allowed*
1985	9	2
1986	37	7
1987	17	5
1988	14	7
1989	24	8
1990	24	12
1991	34	16
1992	37	16
1993	25	4
1994	24	11
1995	25	5

1. In six of the cases above, part of the appeal was also dismissed.
2. The tribunal considered a further three cases but ruled that they had no jurisdiction to hear the appeals.
3. The figures do not include the appeals withdrawn before hearing.

Mrs. Clwyd: To ask the Secretary of State for Health how members of the registered homes tribunal are appointed; and if he will list the names and occupations of tribunal members in each year since 1984. [16409]

Mr. Bowis: All chairmen are barristers or solicitors and are appointed by my noble and learned Friend the Lord Chancellor. Expert members are appointed by my right hon. Friend the Lord President of the Council from nominations made by various professional and other organisations involved in the nursing and residential care sector.

The registered homes tribunal began hearing appeals in 1985. Tribunal chairmen and expert members are normally appointed to serve for five years. Supplementary appointments are made when necessary. The names and occupations of those appointed from and including 1985 to 1994 are shown. I refer the hon. Member to the reply

I gave the Member for Darlington (Mr. Milburn) on 16 February at columns *741-43*, for the list of members appointed in 1995.

Appointments to Registered Homes Tribunal

	Occupation
1985	
CHAIRMEN	
R. H. Christie QC	
J. C. R. Fieldsend	
His Honour B. H. Gerrard	
G. F. Harwood	
W. M. Jones	
Mrs. M. Rutherford	
PANEL MEMBERS	
Mr. G. Banner	Consultant on social services to voluntary organisation
Mr. R. Bessell	Managing Director, the Retirement Society Ltd.
Dr. G. Brackenridge	District Medical Officer for Health Authority
Mary Brown	Administrator
Dr. S. Brown	Medical consultant
Mr. M. Burrell	Retired home owner
Dr. J. Chawner	Medical consultant
Mr. K. Coleman	Deputy Director of Commissioning, health authority
Betty Cowell OBE, JP	Retired Principal, Midwife Teachers Training College
Miss R Dawson-Shepherd	Resident of residential home
Mr. G. Dunn	P/t consultant to voluntary sector Housing Association
Dr. B. Gray	Retired university lecturer
Mr. J. Hanson	Retired Director of Social Services
Mrs. M. Joynson	Retired Director of Child care for national voluntary organisation
Dr. D. L. Kerr	Chief Executive, private hospital
Col. R. MacKeith	Chief Executive, private hospital group
Mr. G. Neal	Director of Residential Services, national voluntary organisation
Miss M. Nurse	State Registered Nurse
Dr. J. R. Oxley	Physician-in-Charge, private hospital caring for people with epilepsy
Miss M. Phillips	Retired local government officer
Mr. Mervyn Phillips	Chief Executive of County Council
Mr. D. Prettyman	Social Worker
Dr. R. Rao	General practitioner
Brig J. Regan	Head of voluntary sector residential home
Mrs. I. Shepherd	Assistant Director of Nursing Services
Mr. J. Stephens	Retired assistant Director of Social Services
Prof O. Stevenson	University lecturer in child care
Ms E. Tait	Ex-home manager
Miss K. Wells	Social worker, member of governing body of national voluntary organisation
Dr. J. Williams	Medical Director, hospice
Margaret Woodier	Consultant in child care issues
1986: additional appointments	
Carole Alford	Nursing home owner
Susan Blanchard	Nursing homes matron/owner
Mary Blincoe	Ex-Director of Nursing Services
Mr. P. Carr	Nurse

Appointments to Registered Homes Tribunal

	Occupation
Rosalind Davies	Director, British Nursing Association
Mr. R. Guest	District Nursing Officer, Health Authority
Dorothy Harris	Retired Director of Nursing Services
Mr. M. McGeorge	Nurse
Mr. Tooley	Consultant Surgeon
Mary Parker	Nursing home matron/owner
Margaret Pilbeam	Chief Nursing Officer, district health authority
Maureen White	Senior officer, Royal College of Nursing
1987: additional appointments	
Mr. B. Maurice	Consultant surgeon
1990	
CHAIRMEN	
Mr. S. Pacey	
Mr. J.C.R. Fieldsend	
Mr. G.F. Harwood	
M. W.M. Jones	
Mrs. M. Rutherford	
Mr. J.W. Tinnion	
PANEL MEMBERS	
Dr. A. Admani	Retired consultant physician
Ms C. Alford	Nursing home owner
Ms S. Adams	Health authority inspection officer
Dr. A. Bannerjee	Consultant physician
Mr. R. Bessell	Managing Director, the Retirement Society Ltd.
Mr. D. Browne	Consultant in social care
Mr. M. Burrell	Retired home owner
Mr. W. Churchill	Executive Secretary of an organisation representing independent sector care providers
Mr. K. Coleman	Deputy Director of Commissioning, health authority
Dr. J. Cox	Consultant physician
Mr. K. Dainty	Head of health authority inspection unit
Ms R. Doidge	Director of Nursing Services
Mr. G. Dunn	Consultant to voluntary sector Housing Association
Mr. F. Edwards	Home Owner
Mr. J. Fisher	Residential home owner
Ms T. Galletly	Nursing home owner
Mr. B. Garner	Director of organisation representing independent sector care providers
Dr. B. Gray	Retired university lecturer/serving magistrate
Dr. Griffiths	Medical practitioner
Dr. G. Hall	Consultant physician
Mr. G. Harper	Director of Social Services
Mr. J. Hanson OBE	Retired Director of Social Services
Dr. M. Hildick-Smith	Consultant physician
Mr. R. Humphries	Consultant, social care issues
Mr. D. James	Retired Director of Social Services
Ms P. Jenkins	Health authority Inspector Officer
Mr. M. Jobbin	Local authority inspection officer
Dr. Jones-Davies	Medical practitioner
Mrs. M. Joynson	Retired Director of Child Care for national voluntary organisation

Appointments to Registered Homes Tribunal

	Occupation
Ms N. Kelly	Matron in charge of nursing home
Dr. D. Kerr	Retired Director of private hospital
Dr. S. McDougall	Employee of Health Authority
Ms M. McGregor	Nursing home owner
Dr. B. Marcus	Consultant Surgeon
Ms J. Mathieson	Former Assistant Director of Social Services
Mr. Maurice	Consultant surgeon
Dr. N. Merali	General Practitioner
Miss A. Packer	Information not available
Miss S. Poupard	Retired Deputy Director of Social Services
Brig J. Regan	Trustee of voluntary sector organisation
Mr. J. Sharp	Operations Manager, private nursing home group
Mr. J. Stephens	Information not available
Dr. P. Tiplady	District Medical Officer
Mr. V. Tyndall	Coordinator of Social Services, University
Mr. D. Wakefield	Retired Director of Social Services
Mrs. J. Waldron	Head of health authority Inspection Unit
Mr. F. Watts	Consultant to homeowners
Miss K. Wells	Retired social worker
Mr. K. White	Director of voluntary organisation
M. Wilson	Retired Director of Nursing Services
Miss M. Woodier	Consultant, residential care issues
1993: additional appointments	
Mr. G. Thomas	Retired Director of Social Services
Mrs. J. Tunstill	Professor of Social Work Studies

Coronary Angiography

Mr. French: To ask the Secretary of State for Health if he will make a statement on the guidelines provided under the terms of the patients charter on acceptable waiting times for coronary angiography. [16459]

Mr. Horam: The patients charter does not contain guidelines specifically on waiting times for coronary angiography. This procedure is normally carried out on an in-patient or day-care basis and where a patient is placed on a waiting list they must be admitted within 18 months of joining the list.

Mental Health

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer of 18 December 1995, *Official Report*, column *939*, if he will make a statement on the arrangements for making payments out of the mental health challenge fund. [16789]

Mr. Bowis: My right hon. Friend the Secretary of State for Health published, on 20 February, the detailed criteria for applications to the mental health challenge fund, copies of which are available in the Library.

Dr. Jones: To ask the Secretary of State for Health, pursuant to his answer of 18 December 1995, *Official Report*, column *939*, what assessment he has made of the reports from regional directors of the NHS executive relating to health authorities' purchasing plans for mental health services. [16788]

Mr. Bowis: My right hon. Friend the Secretary of State for Health published, on 20 February, a review of the purchasing of mental health services by health authorities in England, copies of which are available in the Library.

Mr. Milburn: To ask the Secretary of State for Health how many private finance initiative schemes for mental health services have now been agreed. [16796]

Mr. Horam: Four private finance initiative schemes specifically for mental health services in the national health service have been approved, each valued at £1 million or more. Details of schemes with a capital cost of less than £1 million are not available centrally.

Psychiatric Beds

Mr. Milburn: To ask the Secretary of State for Health how many psychiatric beds have closed in each year since 1980–81. [16795]

Mr. Bowis: Information on the numbers of beds closed is not available centrally.

Wheelchairs

Mr. Tom Clarke: To ask the Secretary of State for Health (1) how many people have been provided with electrically powered indoor-outdoor wheelchairs by health authorities in England in each of the last three years; [17031]

(2) what expenditure has been incurred by health authorities in England for the purchase of electrically powered indoor wheelchairs in each of the last three years; [17072]

(3) what expenditure has been incurred by health authorities in England for the purchase of electrically powered indoor-outdoor wheelchairs in each of the last three years; [17186]

(4) how many people have been provided with electrically powered indoor wheelchairs by health authorities in each of the last three years. [17196]

Mr. Bowis: This information is not available centrally.

Mr. Clarke: To ask the Secretary of State for Health (1) what is the most recent figure available for the cost of providing an individual with an electrically powered indoor-outdoor wheelchair; [16995]

(2) what is the most recent figure available for the cost of providing an individual with an electrically powered indoor wheelchair. [17188]

Mr. Bowis: The cost will depend on individual circumstances and the type of chair supplied.

Mr. Clarke: To ask the Secretary of State for Health what conclusions have been reached by the departmental working group set up by his Department to look at the feasibility of introducing a voucher scheme for the

provision of indoor-outdoor and indoor electrically powered wheelchairs; and what is the proposed value of the voucher. [17016]

Mr. Bowis: I refer the hon. Member to the reply that I gave my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on 22 February at column *291*.

Residential Care

Mr. Milburn: To ask the Secretary of State for Health (1) if the additional resources he proposes to make available to social services authorities in England will fully reimburse the costs those authorities will incur as a result of the proposals relating to the treatment of capital for those in long-term residential care and nursing homes announced in November 1995; [16800]

(2) if he will monitor actual expenditure incurred by social services authorities in order to meet the requirements of the proposals relating to the treatment of capital for all people in long-term residential care and nursing homes announced in November 1995; and if he will make available additional funding to meet any shortfall between the resources provided for authorities and the expenditure they actually incur. [16802]

Mr. Bowis: We are currently discussing with local authority representatives the resources to be made available in respect of the changes in the treatment of capital. Decisions will be announced shortly.

Mr. Milburn: To ask the Secretary of State for Health if he intends to raise the thresholds for treatment of capital for people in long-term residential care and nursing homes in future years. [16801]

Mr. Bowis: We have already announced such an increase to come into effect on 8 April. Thereafter, the levels will be kept under review.

Private Finance Initiative

Mr. Milburn: To ask the Secretary of State for Health what data his Department collects on the costs to the NHS of the process of applying for private finance initiative schemes. [16790]

Mr. Horam: I refer the hon. Member to the reply I gave him on 15 January at column *337*. Further information is not available centrally.

Mr. Milburn: To ask the Secretary of State for Health if he will publish details of the consortiums that have been successful in private finance initiative bids. [11211]

Mr. Horam *[pursuant to his reply, 23 January 1996, c. 159–61]:* I regret that there was an error in the information provided.

The private sector partner for the United Leeds teaching hospital power station scheme is AHS Emstar Plc, not ULTH Charitable Trust/Medley as stated previously.

Renal Services

Mr. Churchill: To ask the Secretary of State for Health, pursuant to his answer of 8 February, *Official Report*, column *348*, what have been the factors that have led to the delay in the publication of the report by the national review of renal services. [17093]

Mr. Horam: Although the review was completed some time ago, it has taken a considerable time to consider all its implications. It was also necessary to commission additional work to develop a model to predict the changing pattern of need in this area. This is nearly complete and will be published with the purchasing guidance.

NHS Administration

Ms Harman: To ask the Secretary of State for Health what is the total remuneration of each NHS district health authority general manager. [17402]

Mr. Malone: The information will be placed in the Library. The figures need to be treated with caution. The payments listed represent renumeration in respect of the total gross salary, bonus payments, monetary value of benefits in kind, taxable expenses allowances and compensation payments in relation to the offices described—rather than to an individual. Thus payments listed for a particular district health authority could refer to more than one individual.

Mr. Congdon: To ask the Secretary of State for Health what was the total remuneration of NHS district health authorities' general managers in each year since 1990, 1991, 1992, 1993, 1994 and 1995. [17163]

Mr. Malone: The salaries and wages costs of national health service district health authority general managers for the years 1990–91 to 1994–95 are shown in the table:

	£
1990–91	11,363,000
1991–92	11,219,218
1992–93	11,685,299
1993–94	8,800, 247
1994–95	6,881,200

Source: The annual financial returns of district health authorities.
Notes:
1. The figures include employers' national insurance and superannuation contributions.
2. The 1994–95 figures are provisional.

Children Act 1989 (Contact Orders)

Mr. Gapes: To ask the Secretary of State for Health what is the most frequent pattern of contact arranged under orders made under section 8 of the Children Act 1989. [15950]

Mr. Jonathan Evans: I have been asked to reply. The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and accordingly I have asked him to reply direct.

Letter from M. D. Huebner to Mr. Mike Gapes, dated 23 February 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about section 8 orders. He was originally asked to reply to this Question by the Secretary of State for Health.

The information requested is not held centrally and could be provided only at disproportionate cost.

Mr. Gapes: To ask the Secretary of State for Health how many court orders relating to contact or access broke down and involved the need for further court action *(a)* prior to and *(b)* since the coming into operation of the Children Act 1989. [15962]

Mr. Evans: I have been asked to reply.

The information requested is not available and could be obtained only at disproportionate cost.

Mr. Gapes: To ask the Secretary of State for Health what was the most frequent pattern of access or contact arranged by court orders prior to the Children Act 1989. [15949]

Mr. Evans: I have been asked to reply.

The information requested is not available and could be obtained only at disproportionate cost.

TREASURY

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what assessment he has made of the expenditure of his Department, agencies and non-departmental public bodies on all external consultants including management consultants for each of the years *(a)* 1979–80, *(b)* 1989–90, *(c)* 1991–92, *(d)* 1993–94, *(e)* 1994–95 and *(f)* 1995–96 (i) to date and (ii) as estimated for the whole year; what estimate he has made of such expenditure for 1996–97; and if he will estimate the savings accruing to his Department from the use of consultants in each of these years. [11367]

Mrs. Angela Knight *[holding answer 25 January 1996]:* Information prior to 1991 and details of savings accruing, which are not held centrally, could be provided only at disproportionate cost.

The cost of employing consultants in the other years requested is shown in the table. The figures include expenditure incurred on professional fees in connection with the privatisation programme.

Expenditure on consultancy

	£ million (excluding VAT)
1991–92	9.1
1993–94	6.4
1994–95	5.5
1995–96 (to date)	1.9
1995–96 (whole year estimate)	2.0

Detailed figures as to expenditure on consultants in future years are not yet available.

Pensioners

Mr. Redmond: To ask the Chancellor of the Exchequer what action he is taking to ensure that pensioners will benefit from any increased prosperity of the United Kingdom; and if he will make a statement. [15060]

Mr. Waldegrave: As a result of the Government's successful economic policies, average pensioner incomes have risen by more than 50 per cent. in real terms since 1979.

Tax-exempt Investments

Mr. Frank Field: To ask the Chancellor of the Exchequer how much of the investment in *(a)* personal equity plans and *(b)* tax-exempt special savings accounts is new investment; if he will estimate the proportion and sources diverted from other forms of savings; and if he will list the research his Department has (i) commissioned and (ii) evaluated in respect of this data. [15195]

Mr. Jack: Both PEPs and TESSAs have been very successful in achieving the objectives, respectively, of widening share ownership and encouraging longer-term saving. The most directly relevant research on savings is based on 1991 market research data from RSGB Ltd., from which Inland Revenue purchased additional analyses, and on work that is now part of the Institute for Fiscal Studies savings project, for which HM Treasury and Inland Revenue are among the sponsors, using data from the financial research survey. Both sources suggest that most of the funds going to TESSAs do not represent new savings, which a considerable amount coming from other deposit accounts, but for PEPs the IFS work so far suggests that there may be a somewhat greater element of new equity investment.

Construction Industry (Cash Payments)

Mr. Elletson: To ask the Chancellor of the Exchequer what guidelines govern the Inland Revenue's powers to make assumptions as to the annual amount of work undertaken by firms in the construction and building industries for cash payments; and if he will make a statement. [15386]

Mr. Jack: Where business accounts have not been submitted to the Inland Revenue or, if submitted, the tax inspector is not satisfied that the full extent of the profits have been declared, the inspector may make an assessment to tax to the best of his or her judgment. The Revenue has not issued guidance specific to the construction industry, but its general guidance to inspectors is to estimate as reasonably and accurately as possible the likely income, cash or otherwise. In making estimated assessments, inspectors will take into account the facts and circumstances of each case—for example, profits agreed in previous years, trends in the particular trade of profession, specific evidence of the extent of the taxpayer's income and so on. Any assessment is open to appeal by the taxpayer to the independent appeal commissioners.

Pension Funds

Mr. Frank Field: To ask the Chancellor of the Exchequer, pursuant to his answer of 16 January, *Official Report*, column *582*, if he will estimate the value of pension entitlement which has accrued in each of the unfunded public sector pension schemes. [15397]

Mr. Waldegrave: Precise and up-to-date figures are not held centrally and could be provided only at disproportionate cost. The latest information available, for the main unfunded public service schemes referred to in the answer of 16 January, relates to 31 March 1993 data and salary levels. The estimate of total liabilities in respect of the then active and former members, accrued to that date—including allowance for anticipated future salary and pension increases—is about £230 billion, made up approximately as follows:

	£ billion
NHS	55
Teachers	70
Civil Service	40
Armed Forces	35
Police	25
Fire	5
Total	230

Taxation

Mr. Andrew Smith: To ask the Chancellor of the Exchequer if he will update to include information from 1993–94 to 1997–98 the figures for the burden of direct and indirect taxation in the format used in his answer of 19 December 1994, *Official Report*, columns *944–50*, taking account of changes made in the November 1995 Budget, listing separately the effects of the council tax and value added tax. [15106]

Mr. Jack *[holding answer 14 February 1996]:* A family on average earnings should be around £450 a year better off next year than this after tax and inflation, taking the total rise since 1978–79 to £4,500 a year. The tables show estimates of tax payments for various specimen households for the years 1993–94 to 1996–97. Changes in tax payments between years mainly reflect assumed growth in average earnings and should not be taken as the impact of Budget measures.

Income tax, national insurance and indirect taxes at multiples of average earnings
1993–94

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Single											
£ per week											
Gross income	179.55	269.33	359.10	538.65	718.20	1,077.30	1,436.40	1,795.50	2,513.70	3,591.00	7,182.00
Income tax and NICs	38.16	68.68	99.21	152.07	223.89	367.53	511.17	654.81	942.09	1,373.01	2,809.41
VAT		14.81	19.77	30.37							
Other indirect taxes		19.56	24.10	33.80							
Total excluding council tax		103.05	143.07	216.24							
Percentage of earnings											
Income tax and NICs	21.3	25.5	27.6	28.2	31.2	34.1	35.6	36.5	37.5	38.2	39.1
VAT		5.5	5.5	5.6							
Other indirect taxes		7.3	6.7	6.3							
Total excluding council tax		38.3	39.8	40.1							
Married, no children											
£ per week											
Gross income	179.55	269.33	359.10	538.65	718.20	1,077.30	1,436.40	1,795.50	2,513.70	3,591.00	7,182.00
Income tax and NICs	29.89	60.41	90.94	141.31	210.66	354.30	497.94	641.58	928.86	1,359.78	2,796.18
VAT		13.57	18.98	30.75							
Other indirect taxes		21.93	26.55	36.62							
Total excluding council tax		95.92	136.46	208.68							
Percentage of earnings											
Income tax and NICs	16.6	22.4	25.3	26.2	29.3	32.9	34.7	35.7	37.0	37.9	38.9
VAT		5.0	5.3	5.7							
Other indirect taxes		8.1	7.4	6.8							
Total excluding council taxes		35.6	38.0	38.7							
Married, two children											
£ per week											
Gross income	179.55	269.33	359.10	538.65	718.20	1,077.30	1,436.40	1,795.50	2,513.70	3,591.00	7,182.00
Income tax and NICs	11.79	42.31	72.84	123.21	192.56	336.20	479.84	623.48	910.76	1,341.68	2,778.08
VAT		13.44	19.56	32.89							
Other indirect taxes		21.71	25.38	33.39							
Total excluding council tax		77.47	117.78	189.49							
Percentage of earnings											
Income tax and NICs	6.6	15.7	20.3	22.9	26.8	31.2	33.4	34.7	36.2	37.4	38.7
VAT		5.0	5.4	6.1							
Other indirect taxes		8.1	7.1	6.2							
Total excluding council tax		28.8	32.8	35.2							

Income tax, national insurance and indirect taxes at multiples of average earnings
1993–94

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Married, two earners, no children:											
Earnings split 60:40											
£ per week											
Gross income	179.55	269.33	359.10	538.65	718.20	1,077.30	1,436.40	1,795.50	2,513.70	3,591.00	7,182.00
Income tax and NICs	11.11	37.86	68.05	129.10	189.16	304.58	434.55	578.19	865.47	1,296.39	2,732.79
VAT		15.64	21.53	33.25							
Other indirect taxes		25.46	29.47	37.43							
Total excluding council tax		78.96	119.05	199.78							
Percentage of earnings											
Income tax and NICs	6.2	14.1	19.0	24.0	26.3	28.3	30.3	32.2	34.4	36.1	38.1
VAT		5.8	6.0	6.2							
Other indirect taxes		9.5	8.2	6.9							
Total excluding council tax		29.3	33.2	37.1							

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earners, including wives, are assumed to pay class 1 NI contributions at the contracted-in rate. Child benefit is treated as a negative income tax in order to provide comparability with support given through child tax allowances.
2. Earnings are taken to be the average gross weekly earnings of all full-time males on adult rates with pay unaffected by absence. Estimates of earnings in 1995–96 and 1996–97 are based on earnings growth assumptions of 3½ per cent. in 1995–96 and 4 per cent. in 1996–97.
3. Figures for indirect taxes include estimates of the intermediate taxes on households as well as the impact of taxes on final goods and services. Estimates of the impact of taxes on final goods and services assume that these taxes are fully incident on households. Estimates of the impact of intermediate taxes are based on the relation between intermediate production costs and final consumption derived using input-output techniques.
4. Estimates for most indirect taxes are based on equations derived from the 1985 Family Expenditure Survey uprated to later years using forecasts of aggregate tax receipts. Estimates of VAT on domestic fuel and power, airline passenger duty and insurance premium tax are based on equations using results from the 1991 and 1992 Family Expenditure Survey uprated using a similar methodology. All estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.
5. Estimates of net council tax payments are based on analysis of the Family Expenditure Survey for the relevant year. Payment data for these years is affected by uncertainty about transitional relief, appeals and late payment. The estimates are therefore particularly uncertain and subject to a wide margin of error. No reliable estimates are available for 1993–94.
6. Estimates of indirect taxes are very approximate, even within the range for which figures are shown, because spending patterns vary widely between households with the same composition and income. The margin of error is even higher outside the range shown, and even illustrative estimates cannot be made. Because of sampling variation, there can be substantial differences between estimates obtained from Family Expenditure Surveys for different years.

Income tax, national insurance and indirect taxes at multiples of average earnings
1994–95

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Single											
£ per week											
Gross income	184.55	276.83	369.10	553.65	738.20	1,107.30	1,476.40	1,845.50	2,583.70	3,691.00	7,382.00
Income tax and NICs	40.59	72.88	105.18	162.15	235.97	383.61	531.25	678.89	974.17	1,417.09	2,893.49
VAT		15.94	21.09	32.06							
Other indirect taxes		20.86	25.62	35.73							
Total excluding council tax		109.68	151.89	229.95							
Council tax		6.21	6.78	7.99							
Percentage of earnings											
Income tax and NICs	22.0	26.3	28.5	29.3	32.0	34.6	36.0	36.8	37.7	38.4	39.2
VAT		5.8	5.7	5.8							
Other indirect taxes		7.5	6.9	6.5							
Total excluding council tax		39.6	41.2	41.5							
Council tax		2.2	1.8	1.4							

Income tax, national insurance and indirect taxes at multiples of average earnings
1994–95

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Married, no children											
£ per week											
Gross income	184.55	276.83	369.10	553.65	738.20	1,107.30	1,476.40	1,845.50	2,583.70	3,691.00	7,382.00
Income tax and NICs	33.97	66.27	98.56	155.53	229.35	376.99	524.63	672.27	967.55	1,410.47	2,886.87
VAT		14.67	20.28	32.21							
Other indirect taxes		23.24	28.16	38.62							
Total excluding council tax		104.18	119.13	188.29							
Council tax		9.37	10.17	11.88							
Percentage of earnings											
Income tax and NICs	18.4	23.9	26.7	28.1	31.1	34.0	35.5	36.4	37.4	38.2	39.1
VAT		5.3	5.5	5.8							
Other indirect taxes		8.4	7.6	7.0							
Total excluding council taxes		37.6	32.3	34.0							
Council tax		3.4	2.8	2.1							
Married, two children											
£ per week											
Gross income	184.55	276.83	369.10	553.65	738.20	1,107.30	1,476.40	1,845.50	2,583.70	3,691.00	7,382.00
Income tax and NICs	15.52	47.82	80.11	137.08	210.90	358.54	506.18	653.82	949.10	1,392.02	2,868.42
VAT		14.37	20.71	34.21							
Other indirect taxes		23.15	26.95	35.04							
Total excluding council tax		85.33	127.78	206.33							
Council tax		7.29	8.12	9.89							
Percentage of earnings											
Income tax and NICs	8.4	17.3	21.7	24.8	28.6	32.4	34.3	35.4	36.7	37.7	38.9
VAT		5.2	5.6	6.2							
Other indirect taxes		8.4	7.3	6.3							
Total excluding council tax		30.8	34.6	37.3							
Council tax		2.6	2.2	1.8							
Married, two earners, no children: Earnings split 60:40											
£ per week											
Gross income	184.55	276.83	369.10	553.65	738.20	1,107.30	1,476.40	1,845.50	2,583.70	3,691.00	7,382.00
Income tax and NICs	13.13	42.92	74.56	139.15	202.45	329.55	465.32	612.96	908.24	1,351.16	2,827.56
VAT		16.75	22.89	35.06							
Other indirect taxes		27.25	31.51	39.90							
Total excluding council tax		86.92	128.96	214.11							
Council tax		9.63	9.83	10.23							
Percentage of earnings											
Income tax and NICs	7.1	15.5	20.2	25.1	27.4	29.8	31.5	33.2	35.2	36.6	38.3
VAT		6.0	6.2	6.3							

Income tax, national insurance and indirect taxes at multiples of average earnings
1994–95

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Other indirect taxes		9.8	8.5	7.2							
Total excluding council tax		31.4	34.9	38.7							
Council tax		3.5	2.7	1.8							

1. Income tax payments are calculated on the assu[illegible] that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earne[illegible]uding wives, are assumed to pay class 1 NI contributions at the contracted-in rate. Child benefit is treated as a negative income tax in order to provide comparability with support given through child tax allowances.
2. Earnings are taken to be the average gross weekly earnings of all full-time males on adult rates with pay unaffected by absence. Estimates of earnings in 1995–96 and 1996–97 are based on earnings growth assumptions of 3½ per cent. in 1995–96 and 4 per cent. in 1996–97.
3. Figures for indirect taxes include estimates of the intermediate taxes on households as well as the impact of taxes on final goods and services. Estimates of the impact of taxes on final goods and services assume that these taxes are fully incident on households. Estimates of the impact of intermediate taxes are based on the relation between intermediate production costs and final consumption derived using input-output techniques.
4. Estimates for most indirect taxes are based on equations derived from the 1985 Family Expenditure Survey uprated to later years using forecasts of aggregate tax receipts. Estimates of VAT on domestic fuel and power, airline passenger duty and insurance premium tax are based on equations using results from the 1991 and 1992 Family Expenditure Survey uprated using a similar methodology. All estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.
5. Estimates of net council tax payments are based on analysis of the Family Expenditure Survey for the relevant year. Payment data for these years is affected by uncertainty about transitional relief, appeals and late payment. The estimates are therefore particularly uncertain and subject to a wide margin of error. No reliable estimates are available for 1993–94.
6. Estimates of indirect taxes are very approximate, even within the range for which figures are shown, because spending patterns vary widely between households with the same composition and income. The margin of error is even higher outside the range shown, and even illustrative estimates cannot be made. Because of sampling variation, there can be substantial differences between estimates obtained from Family Expenditure Surveys for different years.

Income tax, national insurance and indirect taxes at multiples of average earnings
1995–96

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Single											
£ per week											
Gross income	191.00	286.50	382.00	573.00	764.00	1,146.00	1,528.00	1,910.00	2,674.00	3,820.00	7,640.00
Income tax and NICs	42.19	75.61	109.04	168.27	244.67	397.47	550.27	703.07	1,008.67	1,467.07	2,995.07
VAT		15.86	21.01	31.94							
Other indirect taxes		21.70	26.70	37.30							
Total excluding council tax		113.17	156.75	237.51							
Percentage of earnings											
Income tax and NICs	22.1	26.4	28.5	29.4	32.0	34.7	36.0	36.8	37.7	38.4	39.2
VAT		5.5	5.5	5.6							
Other indirect taxes		7.6	7.0	6.5							
Total excluding council tax		39.5	41.0	41.5							
Married, no children											
£ per week											
Gross income	191.00	286.50	382.00	573.00	764.00	1,146.00	1,528.00	1,910.00	2,674.00	3,820.00	7,640.00
Income tax and NICs	37.22	70.65	104.07	163.31	239.71	392.51	545.31	698.11	1,003.71	1,462.11	2,990.11
VAT		14.34	19.94	31.84							
Other indirect taxes		24.01	29.17	40.11							
Total excluding council tax		109.00	153.18	235.26							
Percentage of earnings											
Income tax and NICs	19.5	24.7	27.2	28.5	31.4	34.3	35.7	36.6	37.5	38.3	39.1
VAT		5.0	5.2	5.6							
Other indirect taxes		8.4	7.6	7.0							
Total excluding council taxes		38.0	40.1	41.1							

Income tax, national insurance and indirect taxes at multiples of average earnings
1995–96

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Married, two children											
£ per week											
Gross income	191.00	286.50	382.00	573.00	764.00	1,146.00	1,528.00	1,910.00	2,674.00	3,820.00	7,640.00
Income tax and NICs	18.37	51.80	85.22	144.46	220.86	373.66	526.46	679.26	984.86	1,443.26	2,971.26
VAT		13.90	20.23	33.69							
Other indirect taxes		23.80	27.86	36.44							
Total excluding council tax		89.50	133.31	214.59							
Percentage of earnings											
Income tax and NICs	9.6	18.1	22.3	25.2	28.9	32.6	34.5	35.6	36.8	37.8	38.9
VAT		4.9	5.3	5.9							
Other indirect taxes		8.3	7.3	6.4							
Total excluding council tax		31.2	34.9	37.5							
Married, two earners, no children: Earnings split 60:40											
£ per week											
Gross income	191.00	286.50	382.00	573.00	764.00	1,146.00	1,528.00	1,910.00	2,674.00	3,820.00	7,640.00
Income tax and NICs	15.94	46.72	79.41	146.26	211.27	343.09	484.38	637.18	942.78	1,401.18	2,929.18
VAT		16.34	22.49	34.64							
Other indirect taxes		28.17	32.60	41.34							
Total excluding council tax		91.23	134.50	222.24							
Percentage of earnings											
Income tax and NICs	8.3	16.3	20.8	25.5	27.7	29.9	31.7	33.4	35.3	36.7	38.3
VAT		5.7	5.9	6.0							
Other indirect taxes		9.8	8.5	7.2							
Total excluding council tax		31.8	35.2	38.8							

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earners, including wives, are assumed to pay Class 1 NI contributions at the contracted-in rate. Child benefit is treated as a negative income tax in order to provide comparability with support given through child tax allowances.

2. Earnings are taken to be the average gross weekly earnings of all full-time males on adult rates with pay unaffected by absence. Estimates of earnings in 1995–96 and 1996–97 are based on earnings growth assumptions of 3½ per cent. in 1995–96 and 4 per cent. in 1996–97.

3. Figures for indirect taxes include estimates of the intermediate taxes on households as well as the impact of taxes on final goods and services. Estimates of the impact of taxes on final goods and services assume that these taxes are fully incident on households. Estimates of the impact of intermediate taxes are based on the relation between intermediate production costs and final consumption derived using input-output techniques.

4. Estimates for most indirect taxes are based on equations derived from the 1985 Family Expenditure Survey uprated to later years using forecasts of aggregate tax receipts. Estimates of VAT on domestic fuel and power, airline passenger duty and insurance premium tax are based on equations using results from the 1991 and 1992 Family Expenditure Survey uprated using a similar methodology. All estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.

5. Estimates of net council tax payments are based on analysis of the Family Expenditure Survey for the relevant year. Payment data for these years is affected by uncertainty about transitional relief, appeals and late payment. The estimates are therefore particularly uncertain and subject to a wide margin of error. No reliable estimates are available for 1993–94.

6. Estimates of indirect taxes are very approximate, even within the range for which figures are shown, because spending patterns vary widely between households with the same composition and income. The margin of error is even higher outside the range shown, and even illustrative estimates cannot be made. Because of sampling variation, there can be substantial differences between estimates obtained from Family Expenditure Surveys for different years.

Income tax, national insurance and indirect taxes at multiples of average earnings 1996–97

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Single											
£ per week											
Gross income	198.65	297.98	397.30	595.95	794.60	1,191.90	1,589.20	1,986.50	2,781.10	3,973.00	7,946.00
Income tax and NICs	42.28	76.05	109.83	168.58	248.04	406.96	565.88	724.80	1,042.64	1,519.40	3,108.60
VAT		16.84	22.35	34.11							
Other indirect taxes		23.11	28.51	40.00							
Total excluding council tax		116.01	160.68	242.68							
Percentage of earnings											
Income tax and NICs	21.3	25.5	27.6	28.3	31.2	34.1	35.6	36.5	37.5	38.2	39.1
VAT		5.7	5.6	5.7							
Other indirect taxes		7.8	7.2	6.7							
Total excluding council tax		38.9	40.4	40.7							
Married, no children											
£ per week											
Gross income	198.65	297.98	397.30	595.95	794.60	1,191.90	1,589.20	1,986.50	2,781.10	3,973.00	7,946.00
Income tax and NICs	37.12	70.89	104.66	163.41	242.87	401.79	560.71	719.63	1,037.47	1,514.23	3,103.43
VAT		15.17	21.16	33.95							
Other indirect taxes		25.51	31.07	42.91							
Total excluding council tax		111.57	156.89	240.27							
Percentage of earnings											
Income tax and NICs	18.7	23.8	26.3	27.4	30.6	33.7	35.3	36.2	37.3	38.1	39.1
VAT		5.1	5.3	5.7							
Other indirect taxes		8.6	7.8	7.2							
Total excluding council tax		37.4	39.5	40.3							
Married, two children											
£ per week											
Gross income	198.65	297.98	397.30	595.95	794.60	1,191.90	1,589.20	1,986.50	2,781.10	3,973.00	7,946.00
Income tax and NICs	17.52	51.29	85.06	143.81	223.27	382.19	541.11	700.03	1,017.87	1,494.63	3,083.83
VAT		14.62	21.40	35.87							
Other indirect taxes		25.35	29.76	39.19							
Total excluding council tax		91.25	136.22	218.87							
Percentage of earnings											
Income tax and NICs	8.8	17.2	21.4	24.1	28.1	32.1	34.0	35.2	36.6	37.6	38.8
VAT		4.9	5.4	6.0							
Other indirect taxes		8.5	7.5	6.6							
Total excluding council tax		30.6	34.3	36.7							
Married, two earners, no children: Earnings split 60:40											
£ per week											
Gross income	198.65	297.98	397.30	595.95	794.60	1,191.90	1,589.20	1,986.50	2,781.10	3,973.00	7,946.00
Income tax and NICs	15.71	46.76	79.40	146.95	212.31	345.75	490.91	649.83	967.67	1,444.43	3,033.63
VAT		17.18	23.79	36.78							
Other indirect taxes		30.00	34.79	44.23							
Total excluding council tax		93.94	137.99	227.96							

Income tax, national insurance and indirect taxes at multiples of average earnings
1996–97

Percentage of male average earnings

	50	*75*	*100*	*150*	*200*	*300*	*400*	*500*	*700*	*1,000*	*2,000*
Percentage of earnings											
Income tax and NICs	7.9	15.7	20.0	24.7	26.7	29.0	30.9	32.7	34.8	36.4	38.2
VAT		5.8	6.0	6.2							
Other indirect taxes		10.1	8.8	7.4							
Total excluding council tax		31.5	34.7	38.3							

1. Income tax payments are calculated on the assumption that the households receive no tax reliefs other than the standard allowances and only have income from employment. All earners, including wives, are assumed to pay Class 1 NI contributions at the contracted-in rate. Child benefit is treated as a negative income tax in order to provide comparability with support given through child tax allowances.
2. Earnings are taken to be the average gross weekly earnings of all full-time males on adult rates with pay unaffected by absence. Estimates of earnings in 1995–96 and 1996–97 are based on earnings growth assumptions of 3½ per cent. in 1995–96 and 4 per cent. in 1996–97.
3. Figures for indirect taxes include estimates of the intermediate taxes on households as well as the impact of taxes on final goods and services. Estimates of the impact of taxes on final goods and services assume that these taxes are fully incident on households. Estimates of the impact of intermediate taxes are based on the relation between intermediate production costs and final consumption derived using input-output techniques.
4. Estimates for most indirect taxes are based on equations derived from the 1985 Family Expenditure Survey uprated to later years using forecasts of aggregate tax receipts. Estimates of VAT on domestic fuel and power, airline passenger duty and insurance premium tax are based on equations using results from the 1991 and 1992 Family Expenditure Survey uprated using a similar methodology. All estimates are based on the illustrative assumption that 10 per cent. of disposable income is saved.
5. Estimates of net council tax payments are based on analysis of the Family Expenditure Survey for the relevant year. Payment data for these years is affected by uncertainty about transitional relief, appeals and late payment. The estimates are therefore particularly uncertain and subject to a wide margin of error. No reliable estimates are available for 1993–94.
6. Estimates of indirect taxes are very approximate, even within the range for which figures are shown, because spending patterns vary widely between households with the same composition and income. The margin of error is even higher outside the range shown, and even illustrative estimates cannot be made. Because of sampling variation, there can be substantial differences between estimates obtained from Family Expenditure Surveys for different years.

Private Medical Insurance

Mr. Colvin: To ask the Chancellor of the Exchequer if he will add osteopathic and chiropractor treatments to the list of those paid for from private medical insurance policies that are eligible for tax relief. [15467]

Mr. Jack: Private medical insurance relief is aimed at policies that offer types of treatment normally provided free of charge by the NHS. When the relief was introduced in 1989, the then Chief Secretary to the Treasury said in Committee: "We shall not include treatments not normally available under the National Health Service". [*Official Report, Standing Committee G*, 25 May 1989, c.229].

Osteopathy and chiropracty are usually provided privately, so insurance policies that indemnify the cost of these treatments are not eligible for private medical insurance relief.

I have no plans to alter the current rules regarding eligibility of polices.

Income Tax

Mr. Forman: To ask the Chancellor of the Exchequer what would the single positive rate of income tax need to be in 1996–97, assuming a personal allowance of £5,000 and the abolition of all other tax expenditures, exemptions and reliefs now allowable against income tax, in order to introduce it on a revenue rental basis. [16078]

Mr. Jack: It is estimated that a single rate of about 23 per cent. would be needed in 1996–97 to achieve revenue neutrality. This assumes a personal allowance of £5,000 and the abolition of all other income tax allowances, and mortgage interest relief, tax relief on employees contributions to occupational and personal pension schemes, reliefs for TESSAs, PEPs, profit-related pay, national savings certificates, employee share schemes and charitable giving.

This estimate does not take into account the substantial behavioural effects which might result from the introduction of such a change nor do they allow for any subsequent changes to the tax system, such as changes to tax relief on employer's contributions to pension schemes or relief for investment income in pension funds.

Mr. Forman: To ask the Chancellor of the Exchequer what would be the estimated full year cost in 1996–97 of making the 20 per cent. rate the only positive rate of tax for all income tax payers. [16079]

Mr. Jack: The estimated full year cost of introducing a single 20 per cent. rate of income tax at 1996–97 income levels would be about £16 billion. These estimates do not take account of any behavioural effects that might result from the introduction of the new regime.

Departmental Bills

Mrs. Roche: To ask the Chancellor of the Exchequer how many civil servants, and at what civil service grades are involved in paying the Treasury's bills. [16201]

Mrs. Angela Knight *[holding answer 20 February 1996]:* Staff in many grades throughout the Treasury are involved in checking invoices for purchases made by their directorates.

In addition, there is a central team for purchasing and bill paying of eight personal at administrative and executive officer grades.

Mrs. Roche: To ask the Chancellor of the Exchequer to what extent payment of bills by his Department is computerised. [16196]

Mrs. Knight *[holding answer 20 February 1996]:* Bill paying is computerised, as is the registration of invoices; checking and other steps are not.

Scott Inquiry

Mr. Alan Williams: To ask the Chancellor of the Exchequer how much has been spent on external legal advice for Ministers and civil servants in relation to the Scott inquiry and report since the period covered by his answer of 16 January, *Official Report*, column *527*. [15929]

Mr. Kenneth Clarke *[holding answer 20 February 1996]:* The value of accounts settled from public funds by my departments in the period since the making of the payments comprising the sum given in my answer of 16 January, *Official Report*, column *527*, for the provision of external legal services on behalf of civil servants in connection with the Scott inquiry and report, is £3,037. There has been no comparable expenditure on behalf of ministers.

Self-assessment

Mrs. Roche: To ask the Chancellor of the Exchequer how much money his Department expects to be collected under self-assessment in 1996–97 from overpayment of income tax. [16202]

Mr. Jack *[holding answer 20 February 1996]:* No estimate has been made. The payments collected under self-assessments in 1996–97 will be the first payments on account for 1996–97, due on 31 January 1997. The amounts due will be based on taxpayers' 1995–96 liabilities. Taxpayers will have the right to claim to reduce the amounts due if they think their tax liability for 1996–97 will be less than for 1995–96.

Mrs. Roche: To ask the Chancellor of the Exchequer what assessment his Department has made of the proportion of taxpayers due to pay under the self-assessment system who are likely to make errors leading to financial penalties. [16198]

Mr. Jack *[holding answer 20 February 1996]:* The Department does not expect straightforward errors by taxpayers under self-assessment to lead to financial penalties. The Revenue intends to put right such errors when the return is processed, and taxpayers will not face financial penalties when such "repairs" are made.

Unqualified Tax Advisers

Mrs. Roche: To ask the Chancellor of the Exchequer what plans his Department has to regulate unqualified tax advisers. [16199]

Mr. Jack *[holding answer 20 February 1996]:* We currently have no plans to do so.

Low Pay

Dr. Marek: To ask the Chancellor of the Exchequer what estimate he has made of the effective cost to public funds or low pay; and what plans he has to reduce it. [16389]

Mr. Waldegrave: There is no such cost: having more people in work increases output and reduces public expenditure.

Sustainable Development

Mr. Dafis: To ask the Chancellor of the Exchequer (1) what response he has made to the section on environmental accounting in the second report of the British Government panel on sustainable development; [16612]

(2) if he will make a statement on the conclusions of the British Government panel on sustainable development in paragraph 22 of its second report about the effect of the current emphasis on gross domestic product and gross national product on the decision-making process. [16627]

Mr. Heathcoat-Amory: The Government expect to publish their response to the second report of the Government panel on sustainable development towards the end of March.

Earnings

Mr. Ian McCartney: To ask the Chancellor of the Exchequer how many (i) men and (ii) women, between the ages of *(a)* 16 to 24 years, *(b)* 25 to 49 years and *(c)* 50 to 64 years are employed but earn less than the lower earnings limit for national insurance contributions; and what proportion such people make of the total working population of each sex in each age group. [16616]

Mrs. Angela Knight: Information from the labour force survey of spring 1995 is shown in the table:

LFS—Spring 1995 (GB)

Age	*Employees[1] earning less than £58 per week (thousands)*	*Percentage of total age group*
Males		
16–24	312.5	17.8
25–49	73.9	1.0
50–64	47.6	2.3
Females		
16–24	423.0	25.1
25–49	1,017.4	15.4
50–64	390.3	20.3

[1] Earnings information is not available for the self employed.

Mr. Meacher: To ask the Chancellor of the Exchequer, pursuant to the answer of 13 February, *Official Report*, column *537*, regarding wages council rates, what were the average wages per hour and per week in each of these industries; what is the national average wage referred to per week; what date the figures relate to; and how many employees were receiving these minimum hourly rates in each industry and in total. [16346]

Mrs. Knight *[holding answer 22 February 1996]:* The average wages referred to by my hon. Friend in his reply of 13 February were calculated from information taken from the new earnings survey of April 1993. The national wage referred to the average gross hourly earnings, excluding overtime, of all full-time employees on adult rates whose pay for the survey period was not affected by absence. This was equal to £7.82 in April 1993. The equivalent average weekly wage was £316.90. Further information from the new earnings survey is provided in the attached table.

SOCIAL SECURITY

National Insurance Numbers

Mr. Churchill: To ask the Secretary of State for Social Security how many national insurance numbers have been issued in each of the past five years for which figures are available to individuals who are not citizens of the United Kingdom but are *(a)* European Economic Area nationals or *(b)* nationals of countries outside the European Economic Area. [13734]

Mr. Heald: The information requested is not available in the format requested. Such information as is available is in the table.

National Insurance numbers issued to persons arriving from:

	An EEA member state	*Outside the EEA*
1990–91	64,800	119,900
1991–92	44,000	100,500
1992–93	43,100	86,000
1993–94	52,700	85,400
1994–95	50,600	72,500

Notes:

EEA—European Economic Area.

The differentiation between EEA member states and countries outside the EEA is not based on nationality, it is based on the person's country of residence before arrival in the UK.*Source:*

1 per cent. sample of the national insurance recording system (NIRS).

Cold Weather Payments

Mr. Gordon Prentice: To ask the Secretary of State for Social Security if he will list for each parliamentary constituency in the United Kingdom the number of cold weather payments made in each year since 1992. [15158]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is contained in the social fund statistical series, "Cold Weather Payments by District Offices" held in the statistical section of the Library.

Disability Living Allowance

Mr. Clelland: To ask the Secretary of State for Social Security (1) how many new claimants appealed against the rejection of their claim to disability living allowance in the year 1994–95; and how many of those claimants were successful in their appeal; [15199]

(2) if he will estimate the average cost to the Benefits Agency of each appeal against the rejection of a new claim to disability living allowance in 1994–95. [15200]

Mr. Andrew Mitchell: The information is not available in the format requested. Such information as is available is below.

In 1994–95, 33,799 appeals against adjudication officers' decisions on claims to disability living allowance, disability working allowance or attendance allowance were heard by disability appeal tribunals at an estimated average cost to the independent tribunal service of £315 per appeal.

Benefits (Pensioners)

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list in real terms the amount paid out in benefits in the past 30 years; and if he will divide the data according to the amount paid to pensioners and non-pensioner claimants. [15234]

Mr. Heald *[holding answer 15 February 1996]:* The information is not available in the format requested. Such information as is available is in the tables.

The clients group analysis is available only for 1978–79 onwards.

Client group expenditure real terms (1994–95 prices) 1965–66 to 1994–95

£ million

	Total benefit expenditure
1965–66	23,581
1966–67	23,947
1967–68	26,430
1968–69	28,597
1969–70	29,061
1970–71	28,774
1971–72	30,630
1972–73	32,211
1973–74	33,191
1974–75	35,204
1975–76	37,898
1976–77	40,088
1977–78	42,270

Client group anlysis

£ million

	Pensioners	*Non-pensioners*	*Total benefit expenditure*
1978–79	25,526	20,769	46,295
1979–80	25,335	21,589	46,924
1980–81	25,627	22,227	47,854
1981–82	27,648	25,691	53,339
1982–83	28,952	27,906	56,858
1983–84	29,990	30,712	60,702
1984–85	30,255	32,275	62,530
1985–86	31,283	33,385	64,668
1986–87	32,664	34,948	67,613
1987–88	32,687	34,058	66,744

£ million

	Elderly	Non elderly	Total benefit expenditure
1988–89	31,684	31,726	63,410
1989–90	32,201	30,628	62,828
1990–91	33,199	32,245	65,444
1991–92	34,495	37,659	72,154
1992–93	36,219	42,609	78,828
1993–94	37,672	46,272	83,944
1994–95	37,926	47,295	85,221

Note:
Information on pensioners is only available between 1978–79 and 1987–88; with the introduction of income support in April 1988, the definition was changed to elderly, ie to include expenditure for men aged 60–64.
Source:
The information has been calculated using data from the Annual Abstract of Statistics 1995.

Local Exchange and Trading Schemes

Mr. Chris Davies: To ask the Secretary of State for Social Security how participation in a local exchange and trading scheme affects an individual's benefit entitlement. [15431]

Mr. Roger Evans: Credits obtained from participation in local exchange and trading schemes can be exchanged for goods and services in the same way as money. For benefit purposes, therefore, the value of credits is treated in exactly the same way as other earnings. In income support, family credit and disability working allowance, work undertaken within such schemes will also be taken into consideration when applying the 16 hours remunerative work rule.

Housing Benefit

Mr. Sheerman: To ask the Secretary of State for Social Security what is the figure of housing benefit paid to private landlords in the most recent year. [15910]

Mr. Roger Evans: Information on the amount of housing benefit paid by local authorities directly to private landlords on behalf of their tenants is not routinely collected. However, during the 1994–95 financial year, a total of £4,878 million was paid in housing benefit to tenants of private landlords and housing associations.

Industrial Injury Benefit

Mr. Allen: To ask the Secretary of State for Social Security when he expects to reply to the letter of 23 January from the hon. Member for Nottingham, North regarding Mr. D. Mitchell in respect of repayment of industrial injury benefit. [15714]

Mr. Roger Evans: The reply was sent on 16 February.

Housing and Council Tax Benefit

Mr. Gerrard: To ask the Secretary of State for Social Security if he will list the information contained in housing benefit and council tax benefit subsidy claim form MPF 720A submitted by each local authority in Gloucestershire in *(a)* 1992–93, *(b)* 1993–94 and *(c)* 1994–95. [16141]

Mr. Roger Evans: The information has been placed in the Library.

Mr. Gerrard: To ask the Secretary of State for Social Security if he will list for each local authority in Gloucestershire in *(a)* 1992–93, *(b)* 1993–94 and *(c)* 1994–95 (i) statistic 124 of local authority housing benefit and council tax benefit administration data, (ii) statistic 122, quarterly stock costs, giving caseload—claimants with housing benefit and/or council tax benefit not in receipt of income support—and (iii) statistic 122, quarterly stock costs, giving caseload—claimants with housing benefit and/or council tax benefit also in receipt of income support. [16140]

Mr. Evans: Form STATS 124 is used to collect data concerning the administration of the housing benefit and council tax benefit schemes, and is used essentially for the purposes of producing national estimates. The Department does not publish information from this form on an individual local authority basis due to concerns about its robustness at that level.

Information from the quarterly caseload stock counts, taken on forms STATS 121 and 122, is set out in the tables.

Table 1: Average housing benefit/council tax benefit caseload for each local authority in Gloucestershire—1994–95

Local authority	Housing benefit with income support	Council tax benefit with income support	Housing benefit without income support	Council tax benefit without income support
Cheltenham	4,860	5,610	2,670	3,370
Cotswold	2,130	2,690	2,120	2,450
Forest of Dean	2,500	3,680	1,580	2,690
Gloucester	5,460	6,360	2,400	3,240
Stroud	3,300	4,380	2,410	3,640
Tewkesbury	1,880	2,460	1,500	2,330

Notes:
1. Figures given are an average of the four quarters in each year.
2. Figures refer to benefit rules which may be a single person or couple.
3. Figures have been rounded to the nearest ten.
4. Council tax benefit was introduced from April 1993.

Source:
Housing benefit management information system, quarterly 100 per cent. caseload enquiries taken at the end of May, August, November and February in each year given.

Table 2: Average housing benefit caseload for each local authority in Gloucestershire—1992–93

Local authority	Housing benefit with income support	Housing benefit without income support
Cheltenham	4,210	2,640
Cotswold	1,900	2,120
Forest of Dean	2,020	1,560
Gloucester	4,580	2,380
Stroud	2,940	2,500
Tewkesbury	1,690	1,550

Table 3: Average housing benefit council tax benefit caseload for each local authority in Gloucestershire—1993–94

Local authority	*Housing benefit with income support*	*Council tax benefit with income support*	*Housing benefit without income support*	*Council tax benefit without income support*
Cheltenham	4,610	5,330	2,690	3,550
Cotswold	2,090	2,730	2,140	2,700
Forest of Dean	2,350	3,530	1,620	2,780
Gloucester	4,970	5,800	2,420	3,410
Stroud	3,210	4,320	2,410	3,910
Tewkesbury	1,840	2,460	1,520	2,520

Mr. Gerrard: To ask the Secretary of State for Social Security if he will list for each local authority in Gloucestershire in *(a)* 1992–93, *(b)* 1993–94 and *(c)* 1994–95 the housing benefit expenditure incurred in meeting rents above the rent officer determined level for applicants not belonging to the groups described in regulations 11(3) and 6(b) of the Housing Benefit General Regulations 1987. [16142]

Mr. Evans: The information is as set out in the table:

	1992–93 (£)	*1993–94 (£)*	*1994–95 (£)*
Cheltenham	1,840	3,206	1,304
Cotswold	4,143	3,042	3,688
Forest of Dean	1,272	2,157	1,928
Gloucester City	0	9,962	17,223
Stroud	5,331	13,154	13,581
Tewkesbury	1,674	2,254	2,836

Source:

Audited final housing benefit and community charge benefit/council tax benefit claim forms for each year.

Mr. Gerrard: To ask the Secretary of State for Social Security if he will list for each local authority in Gloucestershire the budget for the current year for discretionary payments of housing benefit in cases of exceptional hardship. [16144]

Mr. Evans: To meet cases of exceptional hardship, local authorities are able to spend up to 0.15 per cent. of their expenditure on deregulated tenancies referred to the rent officer. To help authorities with this cost, central Government provide a contribution by way of a subsidy addition. For 1995–96 the amount of subsidy addition available to authorities in Gloucestershire is as follows:

Authority	*Amount £*
Cheltenham	5,532
Cotswold	2,309
Forest of Dean	1,968
Gloucester City	7,951
Stroud	3,272
Tewkesbury	1,578

The maximum amount authorities will be able to spend is approximately double these sums.

Myalgic Encephalomyelitis

Mr. Barnes: To ask the Secretary of State for Social Security what record his Department holds of the number of people in the United Kingdom who are diagnosed as having myalgic encephalomyelitis or chronic fatigue syndrome and who are in receipt of disability living allowance. [16139]

Mr. Andrew Mitchell: The information is not available in the format requested. The number of people in receipt of disability living allowance at 30 November 1995, where the main disabling condition is shown as chronic fatigue syndrome, including myalgic encephalomyelitis, is estimated to be 7,400.

Source:

Analytical Services Division—based on a 5 per cent. sample of cases resident in Great Britain and a 100 per cent. sample of cases in Northern Ireland.

Fraud (Northumberland)

Mr. Cousins: To ask the Secretary of State for Social Security what recent special investigations have been undertaken by multi-agency investigation teams into housing benefit and fraud in the west end of Newcastle; and how many charges have been brought. [16148]

Mr. Heald: Joint operations to tackle housing benefit fraud are undertaken from time to time by the local authority with the help of the police, the Benefits Agency and other bodies. A recent operation in the west end of Newcastle involving those organisations has resulted in 18 charges being brought. It would not be appropriate to comment in greater detail on operational matters in order to avoid compromising any future operations.

Weekly benefit savings of £½ million have been achieved.

Benefits Agency

Mr. Corbyn: To ask the Secretary of State for Social Security what are the recorded staffing levels and average daily attendance at the Benefits Agency offices at Highgate and Finsbury park for *(a)* January 1992, *(b)* June 1992, *(c)* January 1993, *(d)* June 1993, *(e)* January 1994, *(f)* June 1994, *(g)* January 1995, *(h)* June 1995 and *(i)* January 1996; and what estimated level of public expenditure was planned for in each month. [15942]

Mr. Roger Evans: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jeremy Corbyn, dated 22 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what are the recorded staffing levels and average daily attendance at the Benefit Agency offices at Highgate and Finsbury Park for (a) January 1992, (b) June 1992, (c) January 1993, (d) June 1993, (e) January 1994, (f) June 1994, (g) January 1995, (h) June 1995 and (i) January 1996; and what estimated level of public expenditure was planned for in each month.

The information available is shown in the table at Annex A.

I hope you find this reply helpful.

Annex A: Staffing and Caller Levels at Finsbury Park and Highgate Branch Offices

	Finsbury Park			Highgate		
Period (calendar months)	*Staffing*	*Average daily attendance*	*Planned monthly staffing expenditure*	*Staffing*	*Average daily attendance*	*Planned monthly staffing expenditure*
January 92	31	n/a	n/a	29	n/a	n/a
June 92	26	204	n/a	27	205	n/a
January 93	32	247	n/a	35	218	n/a
June 93	34	298	£38,044	36	237	£44,438
January 94	36	295	£46,939	40	240	£45,486
June 94	35	244	£41,211	38	154	£44,783
January 95	33	292	£40,866	38	230	£44,141
June 95	31	255	£43,625	32	245	£46,468
January 96	30	275	£43,268	32	276	£45,085

These figures are provisional and subject to change. The statistics for average daily attendance prior to June 1995 are for Income Support callers only.
Contributory Benefit callers prior to June 1995 are only available at a district level.
n/a = not available.

Motability

Mr. Simpson: To ask the Secretary of State for Social Security, pursuant to his answer of 30 January, *Official Report,* column *735,* on the Schroeders merchant bank report, if officials of his Department have seen the report. [16797]

Mr. Andrew Mitchell: With the permission of Motability, officials have had sight of this confidential report.

AGRICULTURE, FISHERIES AND FOOD

Milk Marque

Mr. John Marshall: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the change in *(a)* investment, *(b)* prices and *(c)* employment in the diary industry since the introduction of Milk Marque. [16460]

Mr. Baldry: On employment and the price of milk for processing, I refer my hon. Friend to the answer he was given by my predecessor on 26 June 1995, *Official Report,* column *525.* We do not monitor retail prices, but in general the price of cheese and butter has gone up since 1 November 1995 while the price of liquid milk has remained fairly static. As regards investment in the diary industry since the abolition of the milk marketing boards, several companies have demonstrated their confidence in the new arrangements by undertaking or announcing major investment programmes.

Live Animal Transport

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many of the veterinary officers and technical assistants were involved on *(a)* 15 February and *(b)* 16 February at lairages near Dover in inspecting animals to ensure that they were fit to travel under the Welfare of Animals During Transport Order 1994 and to deal with other related matters; on each such day how many consignments were inspected by his veterinary officers and technical assistants; how many (i) sheep and (ii) calves were inspected; how many hours were spent in carrying out the inspections; and if he will make a statement. [16339]

Mrs. Browning *[holding answer 22 February 1996]:* On 15 February, there were 13 consignments of calves totalling 1,651 calves and one consignment of 231 sheep. Six Ministry veterinary officers, one temporary veterinary inspector and 10 technical staff were present at Dover lairages at various times between 0700 and 1630.

On 16 February, there were two consignments of calves totalling 205 calves and one consignment of 250 sheep. There were two veterinary officers and two technical staff carrying out the inspections. In addition, the opportunity was taken to train three technical staff. Ministry staff were present at lairages between 0730 and 1230.

Bovine Somatotropin

Mr. Morley: To asks the Minister of Agriculture, Fisheries and Food what trials of bovine somatotropin are *(a)* being conducted in the United Kingdom and *(b)* planned; how many animals are involved; how is the BST being administered; in what quantities is it being administered; what effects are being measured; and if he will make a statement. [16344]

Mrs. Browning *[holding answer 22 February 1996]:* Although the European Commission has accepted that there is no risk to humans from the consumption of milk from cows treated with bovine somatotropin, a moratorium on its marketing and use was introduced throughout the EC in 1990, and after twice being extended is now scheduled to last until 31 December 1999. The terms of the current extension to the moratorium were agreed by the Council Agriculture Ministers at its meeting in December 1994, and allow limited practical tests in order to obtain any other scientific data that might be taken into account by the Council when taking a final decision on the authorisation of BST. No such trials of BST are currently taking place in the UK or any other member state.

Any plans for other scientific research outside the terms of the moratorium are a matter for the pharmaceutical companies concerned. Such research could be conducted only under the terms of an animal test certificate issued by the Veterinary Medicines Directorate, or a Home Office licence.

Abattoir Industry

Mr. Nicholas Winterton: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking both domestically and in Europe to assist the British abattoir industry; and what steps he is taking to increase business for that industry. [16656]

Mrs. Browning *[holding answer 22 February 1996]:* MAFF Ministers support and encourage the work of British abattoirs through frequent trade visits to promote British meat both here and abroad. For example, I recently visited trade fairs in Cologne and Milan, and plan to visit the Paris fair next week.

On the export front, we continue to work to open up world markets closed to British meat because of unjustified public or animal health concerns. MAFF also encourages good applications for export initiatives to come forward under our marketing development scheme.

Domestically, for small abattoirs, the UK was instrumental in obtaining less onerous structural requirements and increase in the throughput limits from 12 to 20 livestock units per week under the single market fresh meat directive. More recently, the Government set up the Meat Hygiene Service, which has since April 1995 provided a more consistent, cost-effective inspection service to abattoirs than was possible under the previous local authority arrangements.

EDUCATION AND EMPLOYMENT

Teachers' Superannuation Scheme

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment what safeguards will exist to ensure that a successful bidder for the administration of the teachers' superannuation scheme does not use the names of contributors for direct marketing purposes. [15071]

Mr. Robin Squire: The statement of service requirements which will form part of any contract that we decide to let for the administration of the teachers' superannuation scheme contains the following condition: that the contractor must not use, or allow anyone else to use, any of the information to which he has access through the contract for the purpose of selling other services or products such as personal financial planning, or for any purpose other than administering the TSS.

Skills Centres

Mr. Byers: To ask the Secretary of State for Education and Employment which of the sites formerly used as skills centres have so far been sold by the Skills Training Agency; and how much has been received in total for the sites sold. [15082]

Mr. Robin Squire *[holding answer 13 February 1996]:* The Skills Training Agency was established as a self-contained agency of the former Department of Employment in 1985. It was transferred into the private sector in 1990. In May 1990 the Government completed the sale of 36 skills centre businesses with associated freehold property interests. Professional advisers were appointed to assist the Department with the disposal of the residual property interests.

Since May 1990, 15 of the residual sites have been either sold or surrendered to landlords. These were in:

Leicester, Chesterfield, East Lancs, Chelmsford, Leeds, Wakefield, Edinburgh, Southampton, Slough, Reading, Twickenham, Portsmouth, St. Helens, Cardiff, Deptford.

Where an outright sale could not be affected, despite prolonged marketing, properties were offered for subletting. Five properties are currently sublet, wholly or in part.

The total amount received for sales and leases is £14,731,372.

Access to Work Scheme

Mrs. Helen Jackson: To ask the Secretary of State for Education and Employment if she will list the bodies from which she has received representations in respect of the reduction in the budget of the access to work scheme. [15333]

Mr. Paice: A number of letters have been received about the access to work budget. Additional funds have been allocated to this year's budget and planned provision for 1996–97 has been maintained at £12.9 million.

Travellers and Displaced Persons

Mr. Kilfoyle: To ask the Secretary of State for Education and Employment if she will list the total amount under section 210 grant for travellers and displaced persons in each year since 1990–91, *(a)* allocated and *(b)* paid out to local education authorities under the Education Reform Act 1988. [16462]

Mr. Robin Squire: Total amounts of grant allocated and spent in each of the years in question are as follows:

Year	*Supply estimate* £	*Amount spent* £
1990–91	6,068,000	5,387,405
1991–92	7,199,000	6,542,623
1992–93	7,419,000	7,530,497
1993–94	7,644,000	7,584,642
1994–95	7,867,000	7,802,941
1995–96	7,197,000	[1]—

[1] Not yet available.

The figures are for England only. Any underspending in particular years is due to local education authorities failing to take up their available grant allocations in full.

Mr. Kilfoyle: To ask the Secretary of State for Education and Employment what is the projected total amount payable to local education authorities in 1996–97 as section 210 grant for travellers and displaced persons, under the Education Reform Act 1988; and what percentage this represents of the grant paid in *(a)* 1990–91 and *(b)* 1995–96. [16463]

Mr. Squire: The projected total amount of grant payable under this programme to local authorities in 1996–97 is £6,762,000, subject to parliamentary approval of the estimates. This represents a 25 per cent. increase on the grant paid in 1990–91 and 94 per cent. of the total grant allocated in 1995–96.

Mr. Kilfoyle: To ask the Secretary of State for Education and Employment what plans she has to supplement the section 210 grant under the Education

Reform Act 1988 for travellers and displaced persons; and what changes in weighting of the selection 210 grant for travellers and displaced persons have been affected since 1990–91. [16461]

Mr. Squire: The financial support provided under this programme, over and above basic educational funding, is pitched at a level which the Government regard as realistic and appropriate. Grant recipients are free to provide supplementary funding of their own, if they deem this a particular local priority. The grant rate in England was set at 75 per cent. in 1990–91. It was reduced to 65 per cent. from 1 April 1995, bringing it more into line with other specific grant programmes.

Further Education Funding Council

Mrs. Anne Campbell: To ask the Secretary of State for Education and Employment what plans she has to allow private companies to bid for FEFC funding. [16406]

Mr. Paice: The Further and Higher Education Act 1992 already allows private companies to obtain funding from the Further Education Funding Council, provided that they are sponsored by an institution within the further education sector. The Government plan to legislate to remove the sponsorship requirements.

Schools (Staffordshire)

Ms Walley: To ask the Secretary of State for Education and Employment (1) what assessment she has made of the full cost of bringing all schools in Staffordshire up to acceptable standards of repair and maintenance; [16298]

(2) what assessment has been made, and by whom, of the current state and condition of existing schools and equipment in Staffordshire; [16279]

(3) which bodies currently have responsibility for ensuring that school buildings and equipment in Staffordshire are kept and maintained in a proper state of repair; [16278]

(4) what information she has collated in respect of each school in Staffordshire as to the outstanding repairs to buildings and equipment necessary to ensure compliance with health and safety regulations. [16280]

Mrs. Gillan: Local authorities and school governors are responsible for the upkeep of their schools.

Ms Walley: To ask the Secretary of State for Education and Employment if she will list all deregulation measures relating to schools in Staffordshire; and if she will make a statement on their impact. [16297]

Mr. Forth: The Department is currently taking the following deregulatory measures, which relate to all maintained schools:

the Education (Length of School Day) Deregulation Order 1996, now before Parliament; and

the proposed new school premises regulations.

The deregulation order will help speed up the process by which schools may alter the length of their school day. The proposed new school premises regulations will abolish statutory minimum area standards for teaching space and playgrounds giving local authorities and school governors greater flexibility in building management.

In addition, the Department is working to relieve the administrative burdens on schools caused by the volume and frequency of communications from central Government and their agencies.

Employment Schemes

Mr. Ian McCartney: To ask the Secretary of State for Education and Employment if she will list by region *(a)* the number of people taking part in the (i) jobplan, (ii) restart and (iii) workwise schemes, *(b)* the budgets for (i) to (iii), *(c)* the number and percentage of people who found jobs immediately on completion of (i) to (iii), *(d)* the number and percentage of people who become unemployed and in receipt of benefit after taking part in (i) to (iii) and *(e)* the number and percentage of people who become unemployed and are unable to claim benefit after taking part in (i) to (iii) for the last year for which figures are available. [16713]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Ian McCartney, dated 26 February 1996:

The Secretary of State has asked me to reply to your question about Jobplan, Restart and Workwise schemes.

These programmes aim to help people who have been unemployed for some time to compete successfully for jobs and opportunities. About 80% of people who become unemployed leave the unemployment register within a year. Those who remain can lose confidence and believe there are few options open to them. These programmes provide a stepping stone towards employment for people at greatest disadvantage in the labour market. It is important that after a long period of unemployment people take time to have a fresh look at their situation and assess their strengths and skills. After 12 months of unemployment people are asked to attend Jobplan, or Workwise if they are aged 18 to 24, unless they take up a place on another Department for Education and Employment (DfEE) programme. Workwise is a new programme which was piloted in 1994/95 and introduced nationally in April 1995/96. The course lasts for four weeks and helps young people to relaunch and refocus their job search.

Restart Courses are for people who have been unemployed for two years or more. Many of the clients who attend will face very severe difficulties in finding work and so there is a strong emphasis on looking at employers' needs and how clients can 'sell' their strengths and abilities. As a result, clients are then better able to apply for job vacancies, or to select another suitable option which will help them progress towards getting back into work.

The number of people who started on Jobplan and Restart Courses during 1994/95 and the expenditure on these programmes, by region, is shown in the tables attached. Information on Workwise is currently being collected but as yet a full year's figures are not available.

Separate details of the numbers going into work were not routinely collected until 1995/96. However, I have instead supplied information on all positive outcomes achieved by Jobplan and Restart Courses during 1994/95. This includes entry into DfEE programmes such as Jobclub and Training for Work as well as job outcomes. Positive outcomes are counted within 13 weeks of participants completing the programme.

Clients remain on the unemployment register and in receipt of benefit during the time they spend on these programmes. Therefore there is no break in their claim as a result of attending and those who do not take up a job or leave the register for another option continue to be unemployed.

I hope this is helpful.

Jobplan performance—operational year April 1994 to March 1995

	Expenditure £	*Starters*	*Positive outcomes*
Northern	1,610,970	15,821	3,414 (23 per cent.)
Y&H	2,230,355	21,442	5,774 (29 per cent.)
EM&E	2,445,836	21,845	3,036 (15 per cent.)
London and South East	10,164,408	79,919	21,605 (29 per cent.)
South West	2,194,802	18,864	4,108 (24 per cent.)
Wales	1,273,122	11,375	2,635 (25 per cent.)
West Midlands	2,456,016	22,820	6,765 (33 per cent.)
North West	3,450,905	31,590	6,083 (21 per cent.)
Scotland	2,563,496	24,712	6,943 (31 per cent.)
Total	28,389,91	248,388	60,363 (26 per cent.)

1. Expenditure includes VAT, fees, fares, marketing and publicity, leader training.
2. Total positive outcomes are starts into—
(i) Jobcentre jobs, non-jobcentre jobs and self-employment
(ii) ES TEC/LEC programmes: jobclub, community action, JIG, JRW, worktrials, JSS, career development loan, PDF
(iii) Further eduction, Prince's Trust, voluntary work or where activity is being undertaken.
3. Outcomes are gained within 13 weeks of the end of the course.
4. Outcomes into jobs were not routinely collected as a separate figure in 1994–95.

Restart course performance—operational year April 1994 to March 1995

	Expenditure £	*Starters*	*Positive outcomes*
Northern	625,031	8,335	1,028 (14 per cent.)
Y&H	1,056,168	13,728	2,526 (22 per cent.)
EM&E	1,206,653	13,339	1,506 (13 per cent.)
London and South East	4,912,566	47,191	9,564 (23 per cent.)
South West	1,035,007	10,959	1,940 (21 per cent.)
Wales	720,008	6,945	1,281 (22 per cent.)
West Midlands	1,293,884	14,358	3,265 (27 per cent.)

Restart course performance—operational year April 1994 to March 1995

	Expenditure £	*Starters*	*Positive outcomes*
North West	1,664,055	19,673	2,963 (18 per cent.)
Scotland	1,061,082	12,592	2,456 (23 per cent.)
Total	13,574,454	147,120	226,529 (21 per cent.)

1. Expenditure includes VAT, fees, fares, marketing and publicity, leader training.
2. Total positive outcomes are starts into—
(i) Jobcentre jobs, non-jobcentre jobs and self-employment
(ii) ES TEC/LEC programmes: jobclub, community action, JIG, JRW, worktrials, JSS, career development loan, PDF
(iii) Further education, Prince's Trust, voluntary work or where activity is being undertaken.
3. Outcomes are gained within 13 weeks of the end of the course.
4. Outcomes into jobs were not routinely collected as a separate figure in 1994–95.

Awarding Bodies

Mrs. Anne Campbell: To ask the Secretary of State for Education and Employment if she will list the cost to her Department of each of the different awarding bodies. [16413]

Mr. Paice: The main examining and awarding bodies are independent commercial organisations that do not rely on grant in aid from the Department for their normal course of business.

School Premises Regulations 1981

Mr. Chris Davies: To ask the Secretary of State for Education and Employment if she will list those local education authorities which responded *(a)* favourably and *(b)* unfavourably to proposals in her Department's consultation document issued in August 1995 to abolish the School Premises Regulations 1981. [16834]

Mrs. Gillan: The consultation document issued in July 1995 proposed replacing the Education (School Premises) Regulations with new, revised regulations.

Of the 49 local education authorities that responded during the consultation exercise, the following responded favourably to the proposal that the current school premises regulations should be revised: Barking and Dagenham, Barnet, Doncaster, East Sussex, Enfield, Hammersmith and Fulham, Hounslow, Knowsley, Solihull, Somerset, Stockport, Suffolk, Trafford, Wandsworth and Warwickshire.

The following authorities responded unfavourably to the proposal that the current regulations should be revised: Kent, Harrow and Sutton.

School Inspectors

Mr. Kilfoyle: To ask the Secretary of State for Education and Employment (1) what estimate she has made of the number of lay inspectors of schools who have not yet participated in a school inspection; [16910]

(2) how much is being spent in 1995–96 on further training of lay inspectors; and if she will make a statement; [16912]

(3) how many lay inspectors have been used in inspections in private schools in the last year. [16911]

Mr. Robin Squire: These are matters for Her Majesty's chief inspector of schools,who heads the Office for Standards in Education. I have asked Mr. Woodhead to write to the hon. Member.

Literacy Levels

Mr. Cohen: To ask the Secretary of State for Education and Employment if she will make it her policy to collect information on literacy levels on the basis of the definitions in the Organisation for Economic Co-operation and Development report, "Literacy, Economy and Society"; and if she will make a statement. [16904]

Mr. Paice: Yes.

The OECD report covers literacy levels for countries which took part in the first stage of the international adult literacy survey. The UK is taking part in the second stage. The Department is helping to fund the survey of UK literacy levels by the Office of Population Censuses and Surveys. This uses the same definitions as the first stage.

School Sports Fields (Manchester)

Mr. Callaghan: To ask the Secretary of State for Education and Employment what is the value of the land sold by local authorities in the Greater Manchester area formerly used as school sports fields. [17037]

Mrs. Gillan: The information requested is not held centrally.

Schools (Administrative Burden)

Mr. Steen: To ask the Secretary of State for Education and Employment when the Government set up an official inquiry into the administrative burden on schools; when she expects it to report; who was on the official inquiry; what were its terms of reference; what was the cost of setting up the inquiry; and when she expects to act on the areas for action which the inquiry team highlights.[15617]

Mr. Robin Squire: My right hon. Friend commissioned the efficiency scrutiny into the administrative burden on schools in December 1994. The report was published on 31 July 1995.

There were four full-time members of the scrutiny team, who were departmental officials, and three part-time members; two head teachers and one Her Majesty's inspector.

The terms of reference were:

To report on, and make recommendations about, the scope to reduce and minimise the burden of bureaucracy on schools. In particular to consider:

the cumulative administrative burden of all communication with schools by Government and related bodies;

likely future trends in this burden given current policies;

the potential benefits for reducing administrative burdens of action to improve internal control mechanisms;

the scope for improving the nature, format and timing of communications with schools by DFE and other centrally sponsored bodies so as to minimise the administrative burden.

The cost of the scrutiny was £100,000. Copies of the report are in the Library.

Action in response to most of the recommendations is already in progress. The Department has established a "Gatekeeper" team to control and reduce the overall flow of communications from the DFEE and related bodies to schools. The team has issued—to DFEE staff and others—guidance on communicating with schools, and has set up an advisory group of heads, teachers and governors to give "customer feedback" on DFEE communications.

Training and Enterprise Councils

Mr. Meacher: To ask the Secretary of State for Education and Employment how many different types of Government audits each TEC has undergone in the Greater London area. [16439]

Mr. Paice: During the 12 months ending 20 February 1996, London TECs have participated in the following audits:

AZTEC:
Two financial controls audits; one PRF audit; one quality and health and safety audit.

CENTEC:
Two financial controls audits; one PRF audit; one quality and health and safety audit; one European Social Fund Audit.

CILNTEC:
One financial controls audit; one PRF audit; one quality and health and safety audit.

LETEC:
Two financial control audits; one PRF audit; one quality and health and safety audit.

NLTEC:
One financial controls audit; one PRF audit; one quality and health and safety audit.

NWLTEC:
Two financial controls audits; one PRF audit; one quality and health and safety audit.

SOLOTEC:
One financial controls audit; one PRF audit; one quality and health and safety audit.

"Jobs: How the UK Compares"

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many copies of "Jobs: How the UK Compares" were printed; how many were distributed and to whom; and what was *(a)* the cost of printing, *(b)* the cost of distribution and *(c)* the total cost. [16440]

Mr. Forth: Seven thousand five hundred copies of "Jobs: How the UK Compares" were printed.

So far, 3,000 copies have been distributed to the United Kingdom embassies of European Union countries, the European Commission, all Members of Parliament, all British Members of the European Parliament, training and enterprise councils; major British companies, and other Government Departments.

Production costs were £5,050 and distribution added around £500, giving a total of £5,550.

Head Teachers (Salaries)

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many grant-maintained schools fall into each of the school teachers' pay and conditions document groups 1 to 6; and, in each case, how many of the head teachers' salaries fall into each pay spine point in the scale in the last year for which figures are available. [17027]

Mr. Robin Squire: The following table shows the head teachers of grant-maintained schools in England and Wales identified in the Teachers Pensions Agency database of teachers' records on a spine point of at least the minimum for the appropriate school group.

Head teachers of grant-maintained schools by school group number and spine point—England and Wales—provisional March 1994 data

	School group number					
Spine Point	*1*	*2*	*3*	*4*	*5*	*6*
3	0	—	—	—	—	—
4	1	—	—	—	—	—
5	0	—	—	—	—	—
6	3	—	—	—	—	—
7	4	—	—	—	—	—
8	10	0	—	—	—	—
9	1	2	—	—	—	—
10	3	8	—	—	—	—
11	1	5	—	—	—	—
12	0	4	—	—	—	—
13	3	22	—	—	—	—
14	1	4	—	—	—	—
15	2	14	0	—	—	—
16	2	9	1	—	—	—
17	0	12	1	—	—	—
18	0	7	10	—	—	—
19	0	7	4	—	—	—
20	1	11	3	—	—	—
21	1	5	2	—	—	—
22	0	13	7	—	—	—
23	0	2	2	2	—	—
24	0	0	8	1	—	—
25	0	4	9	1	—	—
26	0	1	4	6	—	—
27	0	0	5	1	—	—
28	0	0	6	1	—	—
29	0	0	10	4	—	—
30	0	1	1	22	—	—
31	0	0	1	8	3	—
32	0	0	2	9	1	—
33	0	0	1	7	4	—
34	0	0	2	14	26	—
35	0	0	0	8	7	—
36	0	1	1	4	13	—
37	0	0	1	11	20	—
38	1	0	0	3	49	7
39	0	1	0	4	16	0
40	0	0	0	0	38	6
41	0	0	1	1	24	7
42	0	0	0	0	28	5
43	0	0	0	0	13	10
44	0	0	0	0	41	15
45	0	0	0	0	4	11
46	0	0	0	0	3	9
47	0	0	0	0	2	6
48	0	0	0	0	2	9
49	0	0	0	0	0	5
50	0	0	0	0	0	1
51	0	0	0	0	2	25
Total	34	133	82	107	296	116

Nursery Inspectors

Mr Milburn: To ask the Secretary of State for Education and Employment, pursuant to her answer of 12 February, *Official Report*, column *441*, (1) what are the chief inspector's general criteria relating to suitability for nursery inspectors; [17422]

(2) if vetting by the police will be included in the general criteria relating to the suitability of funded nursery education inspectors. [17421]

Mr. Robin Squire: Subject to parliamentary approval, schedule 1 to the Nursery Education and Grant-Maintained Schools Bill sets out general criteria for the registration of nursery education inspectors, including that they be fit and proper persons for this task. I expect the chief inspector will use procedures along the lines of those for registration of inspectors under the Education (Schools) Act 1992.

Training (Expenditure)

Mr. Frank Field: To ask the Secretary of State for Education and Employment what was the total Government expenditure on *(a)* direct training services, *(b)* local initiative funds, *(c)* the old job training scheme, *(d)* youth training including youth credits and *(e)* the youth training scheme in each year of their existence since 1971–72. [17460]

Mr. Paice: The information requested is contained in the following tables

Direct Training Services[1]

Year[2]	*Expenditure £ Million*
1971–72	22.7
1972–73	35.5
1973–74	49.7
1974–75	58.2
1975–76	118.6
1976–77	183.5
1977–78	197.1
1978–79	208.9
1979–80	229.4
1980–81	246.3
1981–82	235.1

[1] The figures for direct training services include expenditure for the TOPS programme which cannot now be disaggregated.

[2] Expenditure on training, education and enterprise programmes and administrative cost up to and including 1990–91 is for Great Britain. Expenditure in 1991–92 is for England and Wales and expenditure from 1992–93 is for England only.

Local Initiatives Fund

Year[1]	*Expenditure £ million*
1990–91	9.9
1991–92	48.2
1992–93	49.7
1993–94	47.7

[1] Expenditure on training, education and enterprise programmes and administrative costs up to and including 1990–91 is for Great Britain. Expenditure in 1991–92 is for England and Wales and expenditure from 1992–93 is for England only.

Job Training Programme[1]

Year[2]	*Expenditure £ million*
1982–83	311.1
1983–84	240.7
1984–85	232.9
1985–86	219.4
1986–87	286.2
1987–88	272.3

[1] The figures given are for the job training programme and include expenditure on the old job training scheme which cannot now be disaggregated. The job training programme was the generic name which covered a range of separate programmes include the old job training scheme.

[2] Expenditure on training, education and enterprise programmes and administrative costs up to and including 1990–91 is for Great Britain. Expenditure in 1991–92 is for England and Wales and expenditure from 1992–93 is for England only.

Youth Training (including Youth Credits)

Year[1]	*Expenditure £ million*
1990–91	823.4
1991–92	746.3
1992–93	617.0
1993–94	640.1
1994–95	647.0

[1] Expenditure on training, education and enterprise programmes and administrative costs up to and including 1990–91 is for Great Britain. Expenditure in 1991–92 is for England and Wales and expenditure from 1992–93 is for England only.

Youth Training Scheme

Year[1]	*Expenditure £ Million*
1983–84	426.8
1984–85	836.2
1985–86	869.9
1986–87	939.1
1987–88	1,064.9
1988–89	993.2
1989–90	976.0

[1] Expenditure on training, education and enterprise programmes and administrative costs up to and including 1990–91 is for Great Britain. Expenditure in 1991–92 is for England and Wales and expenditure from 1992–93 is for England only.

Schoolchildren (Permanent Exclusions)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many schoolchildren were excluded permanently from schools in *(a)* Coventry and *(b)* the west midlands in 1995. [17122]

Mr. Robin Squire: This information is not available centrally.

The Department is collecting figures on permanent exclusions in the school year 1994–95, through the annual census returns sent to all schools in January. Data should be available by the early autumn.

Young People (Full-time Education)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many people aged between 16 and 18 years in *(a)* Coventry and *(b)* the west midlands are in full-time education; and if she will give the figure (i) in real terms and (ii) as a percentage of the total number of 16 to 18-year-olds in *(a)* and *(b)*. [17123]

Mr. Paice: Information is available for young people aged 16 and 17 only, and is shown in the following table. The figures relate to the 1993–94 academic year.

	16-year-olds		*17 year-olds*	
	Number in full-time education	*Percentage of population*[1]	*Number in full-time education*	*Percentage of population*[1]
Coventry	2,400	70	1,900	49
West Midlands	42,000	70	34,400	55

[1] Figures are based on the total population for each relevant age group.

Nene College

Mr. Marlow: To ask the Secretary of State for Education and Employment when she expects Nene college to achieve university status. [17132]

Mr. Forth: Nene college does not at present meet the criteria for university status. It is not possible to predict when it will do so.

NORTHERN IRELAND

Stormont (Office Facilities)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland which political parties have office facilities in the Stormont estate; what is the budgeted cost for these facilities; to what extent officers of those parties may work for the Government of the Republic of Ireland; and if he will list those bodies contributing to the cost. [15194]

Mr. Ancram: Conferencing facilities at Castle buildings have been made available to all of the relevant Northern Ireland parties and the Irish Government, solely for the purposes of the preparatory talks process. To date only four parties—the Alliance party, the Workers party, the Progressive Unionist party and the Ulster Democratic party—have availed themselves of the facilities, although other parties have attended meetings in the building.

The accommodation is part of the existing Government estate. The additional costs incurred in providing conferencing facilities average approximately £1,900 per month. The staff costs incurred in January were approximately £1,500. From 1 February 1996 staff costs are expected to amount to a total of approximately £4,000 per month.

These costs are being met entirely by my Department as appropriate expenditure in the search for a comprehensive political settlement.

Linen Industry

Mr. McGrady: To ask the Secretary of State for Northern Ireland what discussions have been held with the Directorate of the Killyleagh, Rathfriland and Rostrevor spinning mills concerning the future of the linen industry; and what action he plans to take to assist these spinning mills. [15712]

Mr. Ancram: There has been a sharp downturn in world demand for linen yarn over the last eight months. Killyleagh Yarns, other linen yarn spinners in Northern Ireland and producers in other European countries have found it necessary to curtail production. The Industrial Development Board is in regular contact with spinners in Northern Ireland. Northern Ireland spinning businesses have available to them and are using a range of marketing and trade development schemes administered by the Industrial Development Board.

Fair Employment Legislation

Mr. McGrady: To ask the Secretary of State for Northern Ireland what steps will be taken to incorporate the policy appraisal and fair treatment guidelines for the public service into the fair employment legislation. [15713]

Mr. Ancram: The policy appraisal and fair treatment guidelines have been issued as administrative guidance for Northern Ireland Departments and the Northern Ireland Office. There are no proposals to incorporate these guidelines in legislation.

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many employers with more than 25 workers have not complied with requirements in respect of the submission of reviews for the Fair Employment Act 1976 in each year from 1 April 1990 to 31 March 1995. [15709]

Mr. Ancram: There is no requirement on employers with 25 or more employees to submit to the commission reviews under either the Fair Employment (Northern Ireland) Act 1976 or the Fair Employment (Northern Ireland) Act 1989.

Targeting Social Need Initiative

Mr. McGrady: To ask the Secretary of State for Northern Ireland what resources will be allocated to Government departments in order to implement the strategic plan for the targeting social need initiative. [15707]

Mr. Ancram: Many departmental spending programmes already contribute to the targeting social need initiative and departments are encouraged to direct existing resources in relevant programmes, as far as possible, to areas and people in greatest need. Planned spending over the survey period 1996–99 on making Belfast work and Londonderry initiatives remains substantial and additional funds are being made available for a major hospital redevelopment project in west Belfast. The Government's contribution to the new European Union special programme for peace and reconciliation will also have a positive TSN impact.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what steps he will take to ensure that the Departments of *(a)* Agriculture, *(b)* Environment, *(c)* Economic Development and *(d)* Finance and Personnel publish a targeting social need strategic plan. [15708]

Mr. Ancram: All Departments take TSN principles into account in drawing up policies and determined expenditure priorities, but it is for each to decide, in the light of its particular responsibilities, whether it is necessary to develop a strategic plan and, if so, whether to publish it.

Social Deprivation

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list the council areas in Northern Ireland by degree of social deprivation. [15770]

Sir John Wheeler: A list of council areas in Northern Ireland by degree of deprivation has been published by the Department of Finance and Personnel in a policy planning and research unit occasional paper, No. 28 of September 1994, entitled "Relative Deprivation in Northern Ireland". Copies of this report have been deposited in the House of Commons and House of Lords Libraries.

Water Supply Pipes

Dr. Hendron: To ask the Secretary of State for Northern Ireland what *(a)* percentage and *(b)* mileage of water main supplies pipes in Northern Ireland are made from asbestos cement. [16033]

Mr. Moss: It is estimated that approximately 11 per cent., or 1,400 miles, of water mains in Northern Ireland are made from asbestos cement.

Public Bodies

Dr. Wright: To ask the Secretary of State for Northern Ireland if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provision under the citizens charter. [16020]

Sir John Wheeler: The remit of the Parliamentary Commissioner does not extend to executive non-departmental public bodies in Northern Ireland. The Northern Ireland Parliamentary Commissioner for Administration investigates complaints of alleged injustice as a consequence of maladministration by Northern Ireland Departments, including their agencies, while the function of the Northern Ireland Commissioner for Complaints investigates similar complaints against local and public bodies.

The current list of executive non-departmental public bodies which are subject to the jurisdiction of the Northern Ireland Commissioner for Complaints is as follows:

Agricultural Research Institute of Northern Ireland
Arts Council of Northern Ireland
Construction Industry Board
Council of Catholic Maintained Schools
Education and Library Boards
Enterprise Ulster
Fire Authority for Northern Ireland
Fisheries Conservancy Board
Labour Relations Agency
Langanside Corporation
Livestock and Meat Commission
Local Enterprise Development Unit
Mental Health Commission for Northern Ireland
National Board for Nursing, Midwifery and Health Visiting for Northern Ireland

Northern Ireland Commissioner for Protection Against Unlawful Industrial Action

Northern Ireland Commissioner for the Rights of Trade Union Members

Northern Ireland Housing Executive

Northern Ireland Local Government Officers' Superannuation Committee

Northern Ireland Council for the Curriculum, Examinations and Assessment

Northern Ireland Museums Council

Northern Ireland Tourist Board

Trustees of the Ulster Folk and transport Museum

Trustees of the Ulster Museum

Youth Council for Northern Ireland.

There are no executive non-departmental public bodies in Northern Ireland that are subject to scrutiny by the Audit Commission.

The following executive non-departmental public bodies sponsored by the Northern Ireland Office are subject to scrutiny by the National Audit Office.

Police Authority for Northern Ireland

Probation Board for Northern Ireland

Independent Commissioner for Police Complaints

Training School Management Board Rathgael and Whiteabbey.

The responsibility for the National Audit Office does not extend to the six Northern Ireland Departments, which have their own similarly appointed body—the Northern Ireland Audit Office. The following executive non-departmental public bodies are subject to scrutiny by the NIAO:

Agricultural Research Institute of Northern Ireland

Education and Library Boards

Enterprise Ulster

Equal Opportunities Commission for Northern Ireland

Fair Employment Commission for Northern Ireland

Fire Authority for Northern Ireland

General Consumer Council for Northern Ireland

Labour Relations Agency

Local Enterprise Development Unit

Mental Health Commission for Northern Ireland

National Board for Nursing, Midwifery and Health Visiting for Northern Ireland

Northern Ireland Commissioner for Protection Against Unlawful Industrial Action

Northern Ireland Commissioner for the Rights of Trade Union Members

Northern Ireland Council for the Curriculum Examinations and Assessment

Northern Ireland Fishery Harbour Authority

Northern Ireland Housing Executive

Northern Ireland Tourist Board

Sports Council for Northern Ireland

Staff Commission for Education and Library Boards

Ulster Folk and Transport Museum

Ulster Museum

Youth Council for Northern Ireland.

The executive non-departmental public bodies that are subject to the statutory provisions for open government are those bodies listed as under the jurisdiction of the Northern Ireland Commissioner for Complaints.

All executive non-departmental public bodies listed in the publication "Public Bodies 1995" are subject to performance indicators and the provisions under the citizens charter. A copy of "Public Bodies 1995" is available in the Library.

Transfer Examinations

Mr. Beggs: To ask the Secretary of State for Northern Ireland what analysis has been made of the questions used in the transfer examinations to determine whether either gender has been advantaged by the type of questions on the examination papers. [16254]

Mr. Ancram: The questions used in the tests are trialled to seek to ensure that they are free of bias in relation to any factor, including gender. My Department is, however, commissioning an analysis of the responses of pupils to the 1995–96 transfer test.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what was in *(a)* 1993–94, *(b)* 1994–95 and *(c)* 1995–96 the total number of children involved in transfer procedure; how many were (i) boys and (ii) girls; which grades were obtained; what was the percentage of total entrants awarded each grade; and what was the percentage variation between boys and girls. [16253]

Mr. Ancram: The numbers of pupils transferring from primary to secondary education in the years 1993–94, 1994–95 and 1995–96, analysed by gender, are shown in Table 1:

Table 1

	1993–94	*1994–95*	*1995–96*
Boys	13,258	12,976	13,570
Girls	12,164	12,723	12,736
Total	25,422	25,699	26,306

Tables 2 and 3 show the numbers of pupils who obtained each grade, and the percentage of the entrants for the tests in each year which those numbers represent, analysed by gender.

Table 2

Grade	*Boys*	*Percentage of test entrants*	*Girls*	*Percentage of test entrants*	*Percentage variation*
1993–94					
A	3,354	37.1	3,378	36.8	0.3
B	1,170	12.9	1,261	13.7	0.8
C	1,339	14.8	1,384	15.1	0.3
D	3,173	35.1	3,168	34.5	0.6
1994–95					
A	3,049	34.7	3,566	38.0	3.3
B	1,268	14.4	1,314	14.0	0.4
C	1,235	14.1	1,332	14.2	0.1
D	3,235	36.8	3,176	33.8	3.0

Table 3

Grade	Boys	Percentage of test entrants	Girls	Percentage of test entrants	Percentage variation
1995–96					
A	3,436	38.5	3,278	36.1	2.4
B1	731	8.2	723	8.0	0.2
B2	654	7.3	652	7.2	0.1
C1	662	7.4	720	7.9	0.5
C2	627	7.0	673	7.4	0.4
D	2,805	31.5	3,034	33.4	1.9

Action for Community Employment

Mr. Beggs: To ask the Secretary of State for Northern Ireland what is the present basic wage payable to ACE workers; what has been the basic wage in each year since the ACE scheme became operational; and if he will make a statement on the long-term future of the ACE programme. [16249]

Mr. Ancram: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its chief executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Ian Walters to Mr. Roy Beggs, dated 23 February 1996:

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training and Employment Agency to reply to your questions about the Action for Community Employment Programme (ACE).

The Training and Employment Agency does not pay ACE workers a basic wage. Sponsoring organisations receive a grant of £93 per week for each ACE worker employed. Up to £11 of this grant can be used by the sponsor to defray overhead expenses. The balance must be used as a contribution towards paying the local rate for the job being undertaken by the ACE employee. Any shortfall between the grant and the local rate must be met by the sponsor.

I feel sure you will understand therefore that it is not possible to provide details of the basic wage paid to ACE workers since the scheme became operational.

You asked also about the long term future of the ACE programme. During 1996 the Agency will undertake an in depth review of the needs of the long term unemployed which will inform the Agency about the programmes and services we currently offer. ACE will, of course, be included in the review and its future and shape will depend upon the outcome.

I hope you find this reply helpful.

Scott Inquiry

Mr. Tony Banks: To ask the Secretary of State for Northern Ireland if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16532]

Sir Patrick Mayhew *[holding reply 22 February 1996]:* No member of my Department saw the report before it was presented to the House.

Mr. Madden: To ask the Secretary of State for Northern Ireland at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16499]

Sir Patrick Mayhew *[holding answer 22 February 1996]:* Between 3.30pm and 4.00pm on Thursday 15 February 1996.

Mrs. Dunwoody: To ask the Secretary of State for Northern Ireland when he first saw the report of the Scott inquiry. [16585]

Sir Patrick Mayhew *[holding answer 22 February 1996]:* On Thursday 15 February 1996, after 3.30pm.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Northern Ireland which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16488]

Sir Patrick Mayhew *[holding answer 22 February 1996]:* If any Ministers did so, that is a matter for them.

Prisoners (Transfers)

Mr. Mallon: To ask the Secretary of State for Northern Ireland what is the policy of the Prison Service in relation to applications for prison transfers to prisons in the country of origin of the applicant. [16233]

Sir John Wheeler: Responsibility for the subject in question has been delegated to the Prisons Service under its chief executive, Mr. Alan Shannon. I have asked him to arrange for a reply to be given.

Letter from A. D. Shannon to Mr. Seamus Mallon, dated 26 February 1996:

The Secretary of State has asked me to reply to your parliamentary question regarding Prison Service policy in respect of repatriation of prisoners.

The repatriation of prisoners to and from the United Kingdom is governed by the Repatriation of Prisoners Act 1984. Repatriation may be considered where the country to which application is being made is a signatory to the Council of Europe Convention on the Transfer of Sentenced Persons or to the Commonwealth Scheme for the Transfer of Convicted Offenders or has a bilateral agreement with the United Kingdom.

To be eligible for repatriation a prisoner must have received his final sentence for an offence which must be a criminal offence under the law of the receiving country, by a national of that country or have close family ties there and as a general rule have at least 6 months of his sentence to serve at the time of application. Repatriation requires the consent of both jurisdictions and the prisoner concerned. In considering whether to consent to a repatriation request it has been the policy of Her Majesty's Government not to agree to a transfer where such a move would result in a substantial reduction in time left to serve.

WALES

NHS Patients (Private Sector Care)

Mr. Barry Jones: To ask the Secretary of State for Wales what percentage of NHS funding is now used to buy care in the private sector. [15759]

Mr. Richards: The annual accounts submitted by health authorities and GP fundholders for 1994–95 show that 1 per cent. of expenditure by health authorities and GP fundholders was used to purchase care in the private sector.

Modern Apprenticeship Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales what has been the cost in Wales of the advertising campaign to promote the modern apprenticeship scheme. [15761]

Mr. Richards: The modern apprenticeship scheme has been promoted as part of the Department for Education and Employment-funded "Free your Potential" advertising campaign. To date, the Welsh Office has contributed £53,000 for Welsh language press advertising and the provision of information and materials in Welsh.

The Welsh Office is also contributing £68,383 towards a marketing campaign organised by the training and enterprise councils in Wales to promote modern and accelerated modern apprenticeships to young people and employers.

Care in the Community

Mr. Barry Jones: To ask the Secretary of State for Wales what guidelines he has issued about the provision of care to elderly people living in the community. [15758]

Mr. Richards: The White Paper "Caring for People", Cm 849, and the NHS and Community Care Act 1990 set the policy and legislative framework for community care.

In addition, the Welsh Office has issued policy guidance to local authorities and the NHS in Wales in respect of their responsibilities for planning, commissioning and providing services in the community. The main areas covered include social care planning, assessment and care management and NHS responsibilities for meeting continuing health care needs, complaints procedures and inspection units.

Council Tax

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will introduce provision to enable payments of council tax to be made in 12 monthly instalments. [16060]

Mr. Gwilym Jones: No. Billing authorities can establish annual, biannual, weekly or up to 10 monthly instalment payment regimes for council tax.

Empty Dwellings

Mr. Barry Jones: To ask the Secretary of State for Wales how many empty dwellings owned by Government Departments there were in 1995 in Alyn and Deeside. [15762]

Mr. Hague: On 1 April 1995, the Welsh Office had 13 empty dwellings in Alyn and Deeside and the Ministry of Defence had 62 dwellings—40 of which were inside the perimeter of RAF Sealand and unable to be let.

Disability

Mr. Barry Jones: To ask the Secretary of State for Wales how many individuals between the ages of 16 and 18 years who *(a)* are disabled and *(b)* have learning difficulties are currently in (i) full-time education, (ii) Government-funded training courses, (iii) employment, (iv) none of (i) to (iii), (1) in Wales and (2) in each country. [16187]

Mr. Richards: Information is available on a county basis for those with special needs in full-time education and is as follows:

Full-time education

	Pupils aged 16 and over with a statement of special needs (January 1995)	*Students aged 16 to 18 with Special Education needs at Further Education Institutions (November 1994)*
Clwyd	149	39
Dyfed	102	7
Gwent	107	99
Gwynedd	33	19
Mid Glamorgan	91	139
Powys	18	12
South Glamorgan	71	39
West Glamorgan	62	70
Wales	633	424

Sources:
LEA STATS2 return; FESR.

In addition, in December 1994, 43 students aged 16 to 18 on full-time courses at higher education institutions in Wales were recorded as having a disability.

For Government training schemes, information is not available on a county basis. In 1994–95, 3 per cent. of those starting on youth training or youth credits in Wales had a disability or a health problem.

Information on the number of young people with disabilities or learning difficulties in employment or in the population as a whole, is not available.

Breast Cancer Services

Mrs. Clwyd: To ask the Secretary of State for Wales how he monitors the effectiveness of the breast cancer screening programme in Wales. [16626]

Mr. Richards: The NHS breast screening programme, carried out in Wales by Breast Test Wales, is part of a 10-year UK evaluation to determine the contribution of screening in reducing the mortality rate from breast cancer. It commenced in 1989 and is scheduled for completion in 1999. Evaluation of its success is a continuous process monitored by the UK co-ordinating office with contributions from Breast Test Wales. Additionally, breast Test Wales activities are the subject of annual review by the Department.

Neath Hospital (Obstetrics Service)

Mr. Hain: To ask the Secretary of State for Wales what remaining obstacles exist to agreeing the proposal by West Glamorgan health authority to retain a full on-site consultant-led obstetrics service at Neath hospital and its planned successor. [16333]

Mr. Richards: There are a number of issues relating mainly to clinical safety that are being addressed by the chairman designate of the Morgannwg health authority and his team.

They have been asked to come forward in early March with firm proposals for the provision of maternity services.

Business Contact Service

Mr. Wigley: To ask the Secretary of State for Wales what considerations led him to require a charge to be paid by business people using the business contact service; what plans he has for introducing a freephone service for business people in Wales; and if he will make a statement. [15881]

Mr. Hague: Quality of service, cost-effectiveness and ease of access to the local network of business information and advisory services were the main considerations behind the decision to adopt the 0345 local call rate system for business connect. This all-Wales service was launched in January and its operation will be kept under review.

Water Levels

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the Wales region of the National Rivers Authority and Welsh Water-Dwr Cymru as regards the authority's warning on reservoir levels in north Wales, and if he will make a statement. [17080]

Mr. Hague: None. Throughout the past 12 months, both Dwr Cymru and the National Rivers Authority—Welsh region have kept my officials fully informed of reservoir levels throughout Wales and the remedial measures required to safeguard water supplies.

Grant-maintained Schools

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the impact of his proposed departmental staff reductions on the auditing of expenditure of grant-maintained schools. [17082]

Mr. Hague: The Welsh Office does not undertake the external audit of grant-maintained schools. It is the responsibility of the governing body of each grant-maintained school to ensure that its accounts are audited annually by external auditors appointed under arrangements laid down by the Secretary of State.

Departmental Staff Reductions

Mr. Morgan: To ask the Secretary of State for Wales (1) what assessment he has made of the impact of the proposed staff reductions on the target times for processing (i) agricultural grant applications, (ii) industrial assistance grants made the Industry Act 1972, (iii) export advice and (iv) miscellaneous inquiries; [17081]

(2) what assessment he has made of the impact of his proposed departmental staff reductions on the processing of complaints by *(a)* members of the public and *(b)* hon. Members of Parliament in terms of target times for responses. [17079]

Mr. Hague: The running cost reductions in the Welsh Office, which are broadly in line with most other Departments, reflect the Government's firm commitment to control public expenditure.

My Department is currently working through the full implications of the planned staffing reductions, with a view to ensuring that it will continue to provide high quality services at minimum cost to the taxpayer.

Powered Wheelchairs

Mr. Tom Clarke: To ask the Secretary of State for Wales (1) what expenditure has been incurred by health authorities in Wales for the purchase of electrically powered indoor wheelchairs in each of the last three years; [17013]

(2) how many people have been provided with electrically powered indoor wheelchairs by health authorities in each of the last three years; [17193]

(3) what is the most recent figure available for the cost of providing an individual with an electrically powered indoor wheelchair. [17190]

Mr. Richards: Responsibility for the supply of electrically powered indoor wheelchairs in Wales rests with the artificial limb and appliance service, which is managed by the Welsh health common services authority under its chief executive Nigel Kirk. I have asked him to arrange for a reply to be given.

Mr. Clarke: To ask the Secretary of State for Wales (1) what is the most recent figure available for the cost of providing an individual with an electrically powered indoor/outdoor wheelchair; [17000]

(2) how many people have been provided with electrically powered indoor/outdoor wheelchairs by health authorities in each of the last three years; [17011]

(3) what expenditure has been incurred by health authorities in Wales for the purchase of electrically powered indoor/outdoor wheelchairs in each of the last three years. [17187]

Mr. Richards: The provision of indoor/outdoor powered wheelchairs in Wales is a matter for my right hon. Friend the Secretary of State for Social Security.

Teachers' Pay

Mr. Win Griffiths: To ask the Secretary of State for Wales how many grant-maintained *(a)* primary and *(b)* secondary schools fall into each of the school teachers' pay and conditions document school groups; and, in each case, how many head teachers' salaries fall into each pay spine point on the scale in the last year for which figures are available. [17345]

Mr. Richards: The table shows the head teachers of grant-maintained schools in England and Wales identified in the Teacher's Pensions Agency database of teachers' records on a spine point of at least the minimum for the appropriate school group. Separate figures for primary and secondary schools and for Wales are not shown because detailed information for such a small number of individuals within certain school groups could disclose individual head teachers's salary details.

Head teachers of grant-maintained schools by school group number and spine point—England and Wales—provisional March 1994 data

	School group number					
Spine point	*1*	*2*	*3*	*4*	*5*	*6*
3	0	—	—	—	—	—
4	1	—	—	—	—	—
5	0	—	—	—	—	—
6	3	—	—	—	—	—
7	4	—	—	—	—	—

Head teachers of grant-maintained schools by school group number and spine point—England and Wales—provisional March 1994 data

Spine point	School group number 1	2	3	4	5	6
8	10	0	—	—	—	—
9	1	2	—	—	—	—
10	3	8	—	—	—	—
11	1	5	—	—	—	—
12	0	4	—	—	—	—
13	3	22	—	—	—	—
14	1	4	—	—	—	—
15	2	14	0	—	—	—
16	2	9	1	—	—	—
17	0	12	1	—	—	—
18	0	7	10	—	—	—
19	0	7	4	—	—	—
20	1	11	3	—	—	—
21	1	5	2	—	—	—
22	0	13	7	—	—	—
23	0	2	2	2	—	—
24	0	0	8	1	—	—
25	0	4	9	1	—	—
26	0	1	4	6	—	—
27	0	0	5	1	—	—
28	0	0	6	1	—	—
29	0	0	10	4	—	—
30	0	1	1	22	—	—
31	0	0	1	8	3	—
32	0	0	2	9	1	—
33	0	0	1	7	4	—
34	0	0	2	14	26	—
35	0	0	0	8	7	—
36	0	1	1	4	13	—
37	0	0	1	11	20	—
38	1	0	0	3	49	7
39	0	1	0	4	16	0
40	0	0	0	0	38	6
41	0	0	1	1	24	7
42	0	0	0	0	28	5
43	0	0	0	0	13	10
44	0	0	0	0	41	15
45	0	0	0	0	4	11
46	0	0	0	0	3	9
47	0	0	0	0	2	6
48	0	0	0	0	2	9
49	0	0	0	0	0	5
50	0	0	0	0	0	1
51	0	0	0	0	2	25
Total	34	133	82	107	296	116

SCOTLAND

Court Service

Mr. McFall: To ask the Secretary of State for Scotland how many trials there were in the district court during 1995; and if he will indicate the total number of adjournments of trials in the district court, the reason for these adjournments, and if they were at the instance of the prosecution or the defence. [15862]

Lord James Douglas-Hamilton: Using information provided by procurator fiscal offices, in 1995 there were 5,451 trials in district courts of which 899 were before a stipendiary magistrate court. Information is not collected centrally on adjournments at district courts.

Prisoners (Health)

Mr. Gerrard: To ask the Secretary of State for Scotland (1) how many prisoners in prisons in Scotland are currently known to be terminally ill; and what information is available as to the cause of the terminal illnesses; [16697]

(2) what provision is available to prisoners in Scotland for therapeutic and psychological follow up in the case of positive results in tests for transmissible diseases; [16688]

(3) how many nurses and doctors are employed in the prison service in Scotland per 100 inmates; [16686]

(4) what steps are taken to prevent discrimination against prisoners in Scotland with specific health problems; [16699]

(5) what specific provisions are made for those prisoners in Scotland known to be terminally ill; [16698]

(6) what regular medical checks prisoners in prison in Scotland receive; and what systematic checks are carried out for transmissible diseases; [16685]

(7) what policies the prison service in Scotland has concerning the prevention of transmissible or contagious diseases *(a)* in general and *(b)* in respect of specific outbreaks; [16681]

(8) what percentage of the total annual budget for prisons in Scotland is designated for health care: [16700]

(9) what steps are taken to ensure the confidentiality of medical checks on prisoners in Scotland, including where a case of a transmissible disease is identified; [16687]

(10) how many prisoners died in prison in Scotland in each year since 1992; and of these deaths how many were *(a)* self-inflicted, *(b)* accidental, *(c)* homicides, *(d)* due to disease, *(e)* due to AIDS, *(f)* due to tuberculosis, *(g)* due to cancer and *(h)* due to vascular and heart disease. [16683]

Lord James Douglas-Hamilton: The subject of the questions relate to matters undertaken by the Scottish Prison Service. I have asked the chief executive, Mr. E. W. Frizzell, to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Neil Gerrard, dated 26 February 1996:

Lord James Douglas-Hamilton has asked me to reply to your questions about health matters in Scottish Prisons.

The Scottish Prison Service has since the mid-1980s encouraged prisoners, where appropriate, to undergo testing for transmissible diseases such as HIV and Hepatitis. Where appropriate, prisoners are also encouraged to have tests for other transmissible conditions such as venereal disease. In all cases arrangements are made to ensure that the prisoner understands the purpose of the test prior to its being undertaken. Prisoners are offered psychological counselling and support when the result becomes available if they so desire. Those who do test positive for diseases which require treatment are then encouraged to undergo regular health checks in order that any deterioration in their physical and mental well-being is minimised. Where appropriate such monitoring is carried out within the prison setting but where necessary the prisoner may be sent to an appropriate facility within the NHS. The Scottish Prison Service has at no time pursued a policy of segregation for prisoners who have been found to be positive with HIV.

The Scottish Prison Service offers medical checks as appropriate to prisoners for a variety of conditions including coronary vascular disease, asthma and diabetes. Appropriate measures are taken to minimise the risk of spread of HIV and Hepatitis by a variety of means including awareness counselling and the provision of bleach.

Health and hygiene measures are in place to prevent the spread of other diseases. In any instance where there is an outbreak of transmissible disease the Service's Medical Adviser initiates extra measures to provide support to staff and prisoners. All steps are taken to ensure medical confidentiality and no information is imparted to any third party without the prisoner's permission.

Records are not kept centrally of the number of prisoners who are terminally ill. For those prisoners who are in the terminal stage of an illness Section 3(1) of the Criminal Proceedings (Scotland) Act 1993 makes provision for the Secretary of State to grant early release on compassionate grounds.

SPS policy is to deliver a standard of primary care equal to that which an individual receives in the community. Just over 3% of the total Scottish Prison Service total annual budget is devoted to health care. Medical officers in Scottish prisons are usually general practitioners appointed part-time. There are at present 3 full-time medical officers and provision for 28 part-time medical officers. In addition, we have 142 nursing staff, including nursing managers, clinical supervisors, practitioner nurses and a small number of health care assistants. This is equivalent to approximately 2.5 nursing staff per 100 prisoners. Because the medical staff are part-time and offer variable numbers of hours in their contracts each month, it is not practical to calculate a ratio of doctors to prisoners.

Finally, the information you asked for on prisoner deaths in Scotland in each year since 1992 and the causes is as follows:

	1992	*1993*	*1994*	*1995*
Self-inflicted	9	5	16	10
Accidental (including overdoses)	—	2	2	—
AIDS/HIV	—	—	1	1
TB	—	—	—	—
Cancer	—	—	—	1
Vascular/Heart Disease	2	1	3	1
Other Disease	2	1	3	2
Homicide	—	—	—	1

Cairngorm Funicular Railway

Mr. Galbraith: To ask the Secretary of State for Scotland what is the cost to public funds per job for the proposed funicular railway development on the Cairngorm plateau. [16267]

Mr. Kynoch: The amount of public funds which might be made available for the proposed construction of a funicular railway in the Cairngorms area have yet to be determined.

Census Data

Mr. Foulkes: To ask the Secretary of State for Scotland when the 1991 census data will be available on the basis of the new parliamentary constituencies in Scotland. [16457]

Lord James Douglas-Hamilton: On current plans, 1991 census data for the new parliamentary constituencies will be available in September 1996.

Scott Inquiry

Mrs. Dunwoody: To ask the Secretary of State for Scotland when he first saw the report of the Scott inquiry. [16584]

Mr. Michael Forsyth *[holding answer 22 February 1996]:* When it was presented to the House of Commons.

Mr. Madden: To ask the Secretary of State for Scotland at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16498]

Mr. Forsyth *[holding answer 22 February 1996]:* During the morning of Friday 16 February 1996.

Mr. Tony Banks: To ask the Secretary of State for Scotland if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16533]

Mr. Forsyth *[holding answer 22 February 1996]:* No one in my Department saw the report before it was presented to the House.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for Scotland which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16489]

Mr. Michael Forsyth *[holding answer 22 February 1996]:* I refer the hon. Member to the reply given by my right hon. Friend the Prime Minister on Thursday 22 February 1996, *Official Report*, column *239*.

NATIONAL HERITAGE

National Lottery

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage if she will list the total amount of national lottery awards by *(a)* English county, *(b)* Scottish region and *(c)* Welsh county to date. [15448]

Mr. Sproat: Figures for national lottery funds broken down by county areas are not currently available. The Department of National Heritage is currently developing a lottery database that will make these figures available.

A report on the distribution of national lottery proceeds is placed in the Library of the House each month, which includes a breakdown of awards made by region. The February edition will be placed in the Library of the House in early March.

British Library

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage on what date she agreed the report of the National Audit Office on the British Library. [16212]

Mr. Sproat: The Department's officials have been co-operating with the National Audit Office examination of the construction project. It is for the Comptroller and Auditor General to determine the date of publication and we understand that he expects to publish his report in the spring.

Public Bodies

Dr. Wright: To ask the Secretary of State for National Heritage if she will list the executive non-departmental public bodies sponsored by her Department which *(a)* have a statutory base, *(b)* admit members of the public to all board or committee meetings and *(c)* hold open meetings for the public; and if in each case this is (i) under a statutory requirement or (ii) voluntarily. [16181]

Mr. Sproat *[holding answer 22 February 1996]:* The information is as follows:

(a)

British library
British museum
British Tourist Authority
Broadcasting Complaints Commission
Broadcasting Standards Council
English Heritage
Football Licensing Authority
Imperial war museum
Millennium Commission
Museum of London
National gallery
National heritage memorial fund
National maritime museum
National museums and galleries on Merseyside
National portrait gallery
National museum of science and technology
Natural history museum
Public Lending Right Registrar
Royal armouries
Tate gallery
Victoria and Albert museum
Wallace collection

(b) None.

(c) None holds formal open board meetings for the public, although many engage in regular dialogue with, or arrange informal events for, members of the public to discuss matters of policy.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Secretary of State for National Heritage what was the total expenditure by her Department in 1994–95 on the Isle of Wight, broken down by category. [16773]

Mr. Sproat: My Department recorded expenditure of £395,020.84 on the Isle of Wight in 1994–95. This related to Osborne house convalescent home; the following table provides the available expenditure breakdown.

	£
i. Payments to the Civil Servants Benevolent Fund:	
Reimbursement of deficit	359,490.39
Furniture and equipment	35,000.00
ii. Payments to Medina Borough Council:	
Council Tax	530.45

Scott Inquiry

Mr. Madden: To ask the Secretary of State for National Heritage at what hour and minute of which day the report of the Scott inquiry was delivered to her office. [16492]

Mrs. Virginia Bottomley *[holding answer 22 February 1996]:* During the afternoon of Friday 16 February 1996.

Mr. Tony Banks: To ask the Secretary of State for National Heritage if she will list the members of her Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16521]

Mrs. Bottomley *[holding answer 22 February 1996]:* None.

Mrs. Dunwoody: To ask the Secretary of State for National Heritage when she first saw the report of the Scott inquiry. [16597]

Mrs. Bottomley *[holding answer 22 February 1996]:* On Thursday 15 February 1996.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for National Heritage which Ministers in her Department entered the writing rooms of the Press Gallery on 15 February. [16485]

Mrs. Virginia Bottomley *[holding answer 22 February 1996]:* None.

Television Licences

Ms Lynne: To ask the Secretary of State for National Heritage in what circumstances the owner of two households is required to purchase a television licence for only one property when a television is being used at both properties; and what is the estimated extra revenue that would be generated by making a television licence compulsory for every household where a television is used. [16064]

Mr. Sproat: A person may not instal or use a television set except under authority of a television licence, which is generally valid at the single place specified in the licence. However, there has been a practice whereby the Licensing Authority has permitted people owning second homes not to notify temporary changes of address when moving between those homes, and thus not to hold a second television licence, provided that they confirm that no use of television ever occurs simultaneously in both homes. This practice is currently under review by the BBC, which has responsibility for administration of the television licensing system and determination of licensing requirements in individual cases. We understand that the BBC hopes to be able to make an announcement shortly. No accurate figures are available for the number of second homes in which television is installed. However, there are approximately 38,000 second homes with television for which, by agreement with the licensing authority, no second licence is currently held. If a full colour television licence were to be taken out for each such home, this would raise about £3 million in extra revenue.

Mr. Nigel Evans: To ask the Secretary of State for National Heritage when regulations will be laid to bring into effect the television licence fee increases from 1 April. [17728]

Mrs. Virginia Bottomley: On 14 December 1995, *Official Report*, column *753*, my hon. Friend the Minister of State announced that, from 1 April 1996, the fee for a colour television licence would increase to £89.50 and that for a black and white licence to £30. The regulations necessary to bring these fees into force were laid before Parliament on Friday 23 February.

HOME DEPARTMENT

Prison Doctors and Nurses

Mr. Gerrard: To ask the Secretary of State for the Home Department how many nurses and doctors are employed within the Prison Service per 100 inmates. [16702]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 26 February 1996:

The Home Secretary has asked me to reply to your recent Question about the number of nurses and doctors employed within the Prison Service per 100 inmates.

Information on the whole time equivalents of part time health care staff, which would alow an accurate comparison per 100 inmates, is not available centrally.

The available information is set out in the table below.

Numbers of full time and part time Health Care Staff (excluding Health Care Governors)

Staff	*Number*
Doctors	270
Nursing grades	600
Health Care Officers	1,037
Total	1,907

The prison population as at 21 February was 53,040.

Hertfordshire Probation and Bail Hostel

Mr. Garel-Jones: To ask the Secretary of State for the Home Department what response he has received to the proposed closure of the Hertfordshire probation and bail hostel in Watford; how many letters have been received about the proposed closure and if he will list them; and how many and what proportion are *(a)* in favour of closure and *(b)* opposed. [16630]

Mr. Sackville: Representations have been received from five Members of Parliament, the chairman of Hertfordshire probation committee, the Bishop of Hertford, the Lord Lieutenant of Hertfordshire, the high sheriff of Hertfordshire, the chairmen of the North Hertfordshire, Watford and St. Albans benches; the secretary of the south-west Hertfordshire young homeless group, the right noble Lord Parkinson of Carnforth and his honour Judge Colston QC. All these representations were opposed to the closure of the hostel.

However, in view of the sub-standard condition of the hostel and the fact that, over the last year, it has on average been two-thirds occupied, my right hon. and learned Friend decided last month that the hostel should close shortly.

Prisoners (Deaths)

Mr. Gerrard: To ask the Secretary of State for the Home Department how many prisoners died in prison in England and Wales in each year since 1992; and of these deaths how many were *(a)* self-inflicted, *(b)* accidental, *(c)* homicides, *(d)* due to disease, *(e)* due to AIDS, *(f)* due to tuberculosis, *(g)* due to cancer and *(h)* due to vascular and heart disease. [16682]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 26 February 1996:

The Home Secretary has asked me to reply to your recent Question about deaths in prison custody in England and Wales since 1992.

The detailed information requested is not recorded centrally. The attached table gives the number of deaths for each year since 1992 broken down into self-inflicted, natural causes, accidental deaths and murders.

Cause of death	*1992*	*1993*	*1994*	*1995*
Self-inflicted	41	47	62	60
Natural causes	34	42	43	56
Accidental death	4	3	0	0
Murder	2	2	3	1
Total	81	94	108	117

Note:
These figures do not include deaths of prisoners which occurred outside of prison, for example on home leave or while unlawfully at large.

Mr. Cox: To ask the Secretary of State for the Home Department what has been the number of suicides in prisons in England and Wales since 1 January. [16321]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 26 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the total number of suicides in prisons in England and Wales since 1 January.

There have been 11 self inflicted deaths between 1 January and 21 February 1996. No inquests have yet been held into any of these deaths.

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of suicides in prisons in England and Wales during 1995. [16319]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 26 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the total number of suicides in prisons in England and Wales during 1995.

There were 60 self-inflicted deaths in 1995. Inquest verdicts were: suicide (27), open verdicts (6), accidental deaths (3) natural causes (1). Inquests are still awaited in 23 cases.

Wandsworth Prison

Mr. Cox: To ask the Secretary of State for the Home Department what is the proposed prison budget for Wandsworth prison for 1996; and what it was for each year since 1990. [16244]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 26 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the budget allocations for Wandsworth prison between 1990 and 1996.

Prison Service budgets are allocated to prisons in financial years rather than in calendar years. The table below therefore gives details of the budgets for the financial years 1991–92 to 1996–97.

Financial year	Budget allocation £
1991–92	14,201,000
1992–93	16,303,220
1993–94	21,027,624
1994–95	21,201,390
1995–96	21,516,600
1996–97	20,353,000

[1] Proposed. It is not possible to provide a budget figure for 1990–91 as reliable records are not available for that year.

Prostitution

Mr. Cox: To ask the Secretary of State for the Home Department what research he has *(a)* commissioned and *(b)* evaluated in England and Wales as to the age of young girls soliciting for prostitution on the public highway; what has been the location of each such survey; and if he will make a statement. [16255]

Mr. Maclean: As part of an evaluation of a multi-agency initiative to reduce prostitution in Streatham, south London, an analysis was carried out of the details held on police files about prostitutes operating in the area in 1989–90. The ages of the women ranged from 16 to 48 years. Twenty-seven per cent. of the prostitutes were aged under 20, 50 per cent. were between 20 and 30 and 23 per cent. were over 30. A copy of this study, by Roger Matthews, is available in the Library.

Mr. Cox: To ask the Secretary of State for the Home Department how many girls between the ages of 14 and 17 years have been charged with soliciting for prostitution in each of the last five years in England and Wales. [16256]

Mr. Maclean: The available information is given in the table:

The number of females aged 14 to17 prosecuted for offences of 'a common prostitute loitering or soliciting for the purpose of prostitution'[1]

England and Wales

	Number of females
	Number of prosecutions
1990	396
1991	337
1992	283
1993	139
1994	186

[1] An offence under section 1 of the Street Offences Act 1959.

Mr. Cox: To ask the Secretary of State for the Home Department what has been the number of *(a)* men and *(b)* women charged with and convicted of living on immoral earnings in England and Wales in each of the last five years; how many were sent to prison; and how many were fined. [16257]

Mr. Maclean: The available information is given in the table:

The number of males and females prosecuted, the number found guilty and of those sentenced, the number fined and the number sentenced to immediate custody for selected offences, England and Wales 1990–94

England and Wales

Number of persons

Offence description	*1990*	*1991*	*1992*	*1993*	*1994*
LIVING ON EARNINGS OF PROSTITUTION OF EXERCISING CONTROL OVER PROSTITUTE[1]					
Prosecutions					
Males	73	87	89	63	78
Females	20	19	21	9	20
Total found guilty					
Males	62	68	58	42	60
Females	14	11	12	7	10
Fined					
Males	15	16	10	10	13
Females	10	6	6	1	2
Sentenced to immediate custody					
Males	22	31	21	22	21
Females	—	2	—	1	3
MAN OR WOMAN LIVING WHOLLY OR IN PART ON THE EARNINGS OF MALE PROSTITUTION[2]					
Prosecutions					
Males	1	1	—	—	1
Females	—	—	—	1	—
Total found guilty					
Males	2[3]	—	—	—	—
Females	—	—	—	1	—
Fined					
Males	—	—	—	—	—
Females	—	—	—	1	—
Sentenced to immediate custody					
Males	2	—	—	—	—
Females	—	—	—	—	—

[1] An offence under sections 30 and 31 of the Sexual Offences Act 1956.

[2] An offence under section 5(1) of the Sexual Offences Act 1967.

[3] The proceedings at magistrates courts which lead to offender being found guilty in the Crown court are not necessarily recorded in the same calendar year.

Wormwood Scrubs Prison

Mr. Cox: To ask the Secretary of State for the Home Department what is to be the prison budget for Wormwood Scrubs prison for 1996; and what was it for each of the years 1990 to 1995. [16320]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 26 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about Wormwood Scrubs prison.

Prison Service budgets are allocated to prisons in financial years rather than in calendar years. The table below therefore gives details of budgets for the financial years 1991–92 to 1996–97.

Financial year	Budget allocation £
1991–92	14,652,000
1992–93	15,596,000
1993–94	20,299,000
1994–95	20,359,000
1995–96	19,801,000
1996–97	[1]20,132,000

[1] Proposed. It is not possible to provide a budget figure for 1990—91 as reliable records are not available for that year.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Home Department if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16012]

Mr. Howard: The answer is:

(a) investigation by the Parliamentary Commissioner for Administration:

Commission for Racial Equality
Data Protection Registrar
Horserace Betting Levy Board

(b) scrutiny by the Audit Commission: none; the Audit Commission has responsibility only for local government;

(c) scrutiny by the National Audit Office:

Community Development Foundation
Commission for Racial Equality
Data Protection Registrar
Gaming Board for Great Britain
National Lottery Charities Board
Police Complaints Authority

(d) statutory provisions for open government: the following executive non-departmental public bodies are required by statute to publish annual reports:

Alcohol Education and Research Council
Commission for Racial Equality
Gaming Board for Great Britain
Horserace Betting Levy Board
Horserace Totalisator Board
National Lottery Charities Board
Data Protection Registrar
Police Complaints Authority

Those NDPBs that are subject to scrutiny by the Parliamentary Commissioner for Administration are also subject to the code of practice on open government, and other NDPBs are being asked to develop codes of practice on similar lines.

(e) performance indicators: NDPBs are encouraged, wherever appropriate, to develop performance indicators and associated targets and to publish these.

(f) provisions under the citizen's charter: those executive NDPBs which offer a service to the public are encouraged to adopt the principles set out in the citizens charter and to publicise how these are being reflected in their working arrangements—for instance, the Commission for Racial Equality has published a statement and the Gaming Board has published customer service targets in its annual report.

Prison Service (Director General)

Mr. Cox: To ask the Secretary of State for the Home Department when the position of the Director General of the Prison Service was advertised, when is the closing date for applications; and what is the number of applicants who have so far applied. [16043]

Mr. Howard: The position has not been advertised.

Ms Janet Anderson: To ask the Secretary of State for the Home Department when he plans to appoint a new Director General of the Prison Service. [16189]

Mr. Howard: I refer the hon. Member to the answer that I gave to the hon. Member for Pendle (Mr. Prentice) on 5 December 1995 at column *204*.

Prison Transfers

Mr. Mallon: To ask the Secretary of State for the Home Department (1) how many applications for prison transfers from prisons in *(a)* England and *(b)* Wales to (i) Northern Ireland, (ii) the Republic of Ireland and (iii) elsewhere are currently under consideration; and in each category how many applications have been (1) approved and (2) denied in each of the past 10 years; [16231]

(2) if he will approve outstanding prison transfer applications for Irish prisoners wishing to return to prisons in *(a)* Northern Ireland and *(b)* the Republic of Ireland. [16232]

Miss Widdecombe: England and Wales are treated as one jurisdiction and separate figures are not held. Repatriation to the Republic of Ireland was not possible until the Council of Europe convention on the transfer of sentenced persons came into force for the Republic on 1 November 1995. Information on applications received before this date is not recorded. Available information for the past 10 years is given in the table:

Transfer of prisoners from England and Wales

	Northern Ireland		Other United Kingdom and foreign jurisdictions	
	Transferred	Refusal	Transferred	Refusal
1986	3	1	0	0
1987	3	7	0	0
1988	9	8	41	15
1989	15	40	47	17
1990	13	36	42	13
1991	28	30	45	19
1992	20	24	56	16
1993	8	9	35	18
1994	21	16	27	40
1995	16	8	47	73

On 22 February, 25 requests for transfer to Northern Ireland, 69 requests for repatriation to the Republic of Ireland and 91 requests for transfer to other United

Kingdom or foreign jurisdictions were under consideration. All outstanding requests will be determined on their individual merits. To date, no application for repatriation to the Republic of Ireland has been determined.

Fire Services

Mr. Ian McCartney: To ask the Secretary of State for the Home Department (1) what plans he has to carry out investigations in relation to *(a)* backdraft, *(b)* flashover and *(c)* positive pressure ventilation with a view to increasing the safety of firefighters; and if he will make a statement. [16615]

(2) what investigations are currently being carried out in relation to *(a)* backdraft, *(b)* flashover and *(c)* positive pressure ventilation with a view to increasing the safety of firefighters. [16614]

Mr. Sackville: A Home Office fire research and development group study on flashover and backdraft was published in 1994. Following this research, a supplement to the manual of firemanship entitled "The Behaviour of Fire—Compartment Fires" was published in February 1995. The supplement provides advice and details on the potential for flashover and backdraft. Firefighting tactics most likely to avert or reduce any potential danger are also described.

A further supplement, "Ventilation of Buildings and Structures", is being drafted. This will provide information on the use of ventilation, including operational experience in the United States of America, set in a United Kingdom firefighting context.

A group of representatives of the professional bodies concerned with operational firefighting, including Her Majesty's fire service inspectorate, the Fire Brigades Union and the chief and assistant Chief Fire Officers' Association will be meeting soon to consider what further research, training or advice might be appropriate.

Ms Ruddock: To ask the Secretary of State for the Home Department (1) how many fire appliances attended the blaze at Blue Anchor lane, Bermondsey, London SE16 on Tuesday 13 February; at what times the first appliance arrived and the last appliance left; how many appliances arrived within five minutes of being summoned, and how many arrived within 10 minutes of being summoned; from which stations appliances were sent; and how many firefighters attended; [15839]

(2) when the first firefighter reliefs were called out to attend the site of the IRA bombing on Friday 9 February; when the first firefighter reliefs arrived and when the firefighter reliefs left; and from which fire stations they were called out. [15840]

Mr. Sackville *[holding answer 19 February 1996]:* The deployment of appliances is an operational matter for the London Fire and Civil Defence Authority. I would be grateful, therefore, if the hon. Member would contact the chief officer for the details that she seeks.

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on the use of information systems in the fire service. [16671]

Mr. Sackville: Fire brigades make much use of information systems, both operationally and for administrative purposes, but the extent of such use in particular brigade areas is a matter for each individual fire authority.

Mr. Carlile: To ask the Secretary of State for the Home Department what was the total number of incidents attended by the fire service in each of the last five years for which figures are available; and if he will make a statement. [16673]

Mr. Sackville: The number of incidents attended by the fire service in England and Wales for 1989 to 1994 is given on page 23 of Cm 2998, "Report of Her Majesty's Chief Inspector of Fire Services for England and Wales", presented to Parliament by my right hon. and learned Friend in October 1995 and available in the Library.

Mr. Carlile: To ask the Secretary of State for the Home Department what is the current operational assessment of the number of calls per year to be expected in each fire service area; in what year the assessments were last made; what was the actual number of calls received in each fire service area for the last year for which figures are available; and if he will make a statement. [16677]

Mr. Sackville: No such assessment has been made. The numbers of fire calls and fire false alarm calls attended by local authority fire brigades in 1993 are given on pages 162 and 52 respectively of the Home Office publication, "Fire Statistics—United Kingdom 1993", which is available in the Library.

Mr. Carlile: To ask the Secretary of State for the Home Department what representations he has received concerning *(a)* fire service pensions, *(b)* fire service training, *(c)* fire service capital investment and *(d)* standards of fire service cover in the last year; and if he will make a statement. [16670]

Mr. Sackville: My right hon. and learned Friend has received a number of such representations during the past year. All these subjects have been considered.

Mr. Carlile: To ask the Secretary of State for the Home Department what change to fire service recommended attendance standards are planned; and if he will make a statement. [16672]

Mr. Sackville: The nationally agreed standards of fire cover, which are expressed in terms of required attendance times, are under review by the Central Fire Brigades Advisory Council. This is in line with a recommendation by the Audit Commission in its recent value for money study on the fire service.

Mr. Carlile: To ask the Secretary of State for the Home Department if he will list all European Community directives which relate to fire services and fire safety measures, the dates they were implemented and the deadlines for implementation; and if he will outline the key requirements of any directive. [16657]

Mr. Sackville: Information regarding implementation of European Council directives relating to fire services and fire safety measures is shown in the table.

The health and non-fire safety provisions of the framework and workplace directives were implemented on 1 January 1993. An announcement about

implementation of the outstanding fire safety provisions of these directives will be made shortly. The regulations implementing the safety signs directive include an extended transitional provision for the introduction of fire safety signs.

The framework directive requires the introduction of measures to encourage improvements in the health and safety of workers at work. In particular, it requires that employers shall make an assessment of the risks to the health and safety of their employees. The other directives listed set out more specific health and safety requirements.

Working title	*EC reference*	*Date of implementation*[1]	*Deadline for implementation*[2]
Framework directive	89/391/EEC	1 January 1993	1 January 1993
Workplace directive	89/654/EEC	1 January 1993	1 January 1993
Construction sites directive	92/57/EEC	31 March 1995	1 January 1994
Safety signs directive	92/58/EEC	1 April 1996	24 December 1994
Boreholes Directive	92/91/EEC	1 October 1995	3 November 1994
Mines and quarries directive	92/104/EEC	26 October 1995	3 December 1994

[1] The date of implementation identifies the earliest date on which regulations came into force implementing some or all of the requirements of the directive.
[2] The EC deadline for implementation indicates the date from when implementing regulations should be in force.

Mr. Carlile: To ask the Secretary of State for the Home Department what plans he has to introduce a funding allocation for fire safety campaigning conducted by fire brigades; and if he will make a statement. [16658]

Mr. Sackville: The fire standard spending assessment distributional formula for England has been adjusted for 1996–97 to include indicators to reflect the work that fire brigades do on fire safety enforcement and education.

Mr. Carlile: To ask the Secretary of State for the Home Department what research his Department has conducted on the relationship between fire prevention campaigning and levels of deaths and injuries caused by fire; and if he will make a statement. [16659]

Mr. Sackville: Research is carried out following each national campaign to determine whether its message has been understood. It is difficult to establish a direct casual link between fire safety publicity and reductions in fire casualties. A number of factors can affect trends in fire casualties. However, the fact that the latest available statistics show fire deaths at their lowest level for 30 years may be due to the effectiveness of fire safety campaigns, and fire prevention work carried out by fire brigades.

Mr. Carlile: To ask the Secretary of State for the Home Department if he will introduce a statutory requirement for fire safety campaigning to be conducted by fire brigades; and if he will make a statement. [16663]

Mr. Sackville: Brigades are already aware of importance of education and publicity in preventing fires; and several have conducted some very successful local campaigns. Moreover, the Government have very recently recognised the importance of this work by including a fire safety education factor in the formula used for calculating standard spending assessments for the fire service. But the question of whether or not it would be appropriate to introduce a statutory duty is still under review. Following last year's recommendation by the Audit Commission in its report, "In the Line of Fire", the matter is being considered by the Central Fire Brigades Advisory Council, which includes representatives of both fire authorities and the fire service. We will look very carefully at whatever advice they may offer.

Mr. Carlile: To ask the Secretary of State for the Home Department what was the percentage of fire service budgets allocated to pensions provisions for the last year for which figures are available; what is the projected percentage of the fire service total budget to be allocated to pension provision by the year 2000; and if he will make a statement. [16664]

Mr. Sackville: Returns from fire authorities in England show that for the year 1993–94, net expenditure on firefighters' pensions represented 12 per cent. of the total fire service revenue expenditure. Over recent years, there has been a generally upward trend in the proportion of pensions expenditure against total expenditure for fire brigades. This trend is expected to continue in the short term.

Mr. Carlile: To ask the Secretary of State for the Home Department what is the estimated cost of the transition to new combined authorities for fire services; and if he will make a statement. [16666]

Mr. Sackville: To date, seven combined fire authorities have been established for England and Wales. At present, they are operating as shadow authorities in preparation for taking over their full functions from 1 April. More combined fire authorities will be established over the next two years as local government reorganisation takes effect in other areas of England. Supplementary credit approvals of up to £3.875 million have been provisionally set aside by the Home Office to meet the transitional costs which may arise in respect of combined fire authorities in England and Wales during 1996–97.

Mr. Carlile: To ask the Secretary of State for the Home Department what was the total budget allocation to training in the fire service for each of the last five years for which figures are available; what is the predicted total budget allocated to training in the fire service for the next two years; and if he will make a statement. [16667]

Mr. Sackville: These figures are not held centrally. It is for each fire authority to set a budget for training which ensures that it fulfils its statutory obligations under the Fire Services Act 1947.

Mr. Carlile: To ask the Secretary of State for the Home Department if he will make a statement on fire service pensions. [16668]

Mr. Sackville: A review of the firefighters' pension scheme was announced in March 1994. The review group's terms of reference require it to identify ways in which the scheme could be made more comparable to other public service schemes. I hope that it will be possible to circulate a consultation document to the fire service organisations shortly.

Mr. Carlile: To ask the Secretary of State for the Home Department what was the total capital investment in the fire service for each of the last five years for which figures are available; and if he will make a statement. [16669]

Mr. Sackville: Total capital expenditure (gross) in respect of the fire service in England and Wales was as follows:

	£ million
	Outturn
1990–91	52.865
1991–92	55.700
1992–93	64.195
1993–94	70.726
1994–95 (provisional)	72.377

Prisons (Assaults)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what was the average assault rate in each prison for the first six months of the current financial year; and if he will make a statement. [16674]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 26 February 1996:

The Home Secretary has asked me to reply to your recent Question about the average assault rate in each prison for the first six months of the current financial year.

The information requested is provided in the attached tables, copies of which will be placed in the Library of the House.

Rates of assault[1] per 100 population, by Male establishments: April 1995–September[2] 1995

MALES	*Assault rate per 100 population*		
	Staff/others	*Prisoners*	*Total*
Local prisons and remand centres[1]	5.1	4.6	9.7
Remand centres	7.7	15.3	22.9
Brinsford	7.2	9.2	16.3
Dorchester	11.6	5.8	17.4
Exeter	9.5	9.5	19.0
Feltham	16.0	20.9	36.9
Glen Parva	7.0	17.9	24.9
Gloucester	11.0	23.5	34.5
Haslar	0.9	0.0	0.9
Hindley	3.7	21.3	25.1
Lancaster Farms	1.7	16.0	17.7
Low Newton	2.5	9.4	11.9
Northallerton	7.1	9.9	16.9
Norwich	10.1	27.7	37.7
Reading	11.8	11.0	22.7
Rochester	8.8	16.4	25.2
Stoke Heath	13.1	13.1	26.1
Swansea	12.1	121.2	133.3
Wood Hill	8.9	11.1	20.0
Local prisons	4.7	3.0	7.7
Bedford	1.8	0.9	2.7
Belmarsh	9.2	3.1	12.3
Birmingham	3.4	2.5	5.9
Blakenhurst	9.8	1.7	11.5
Bristol	1.6	5.9	7.5
Brixton	6.0	1.3	7.3
Bullingdon	9.5	2.9	12.3
Camp Hill	0.0	7.0	7.0
Canterbury	5.1	3.1	8.2

Rates of assault[1] per 100 population, by Male establishments: April 1995–September[2] 1995

MALES	*Assault rate per 100 population*		
	Staff/others	*Prisoners*	*Total*
Cardiff	3.6	5.2	8.8
Chelmsford	3.3	3.3	6.5
Doncaster	5.1	16.2	21.4
Dorchester	2.2	3.7	5.9
Durham	3.3	1.8	5.0
Elmley	4.7	2.1	6.8
Exeter	2.1	1.3	3.4
Gloucester	2.6	2.6	5.3
Highdown	4.8	3.5	8.3
Holme House	4.2	2.0	6.2
Hull	12.0	7.9	19.9
Leeds	4.5	2.1	6.7
Leicester	4.0	4.0	8.1
Lewes	3.5	2.6	6.1
Lincoln	1.8	2.5	4.3
Liverpool	2.9	1.3	4.2
Manchester	4.5	1.6	6.1
Norwich	3.7	0.9	4.6
Pentonville	5.0	1.6	6.6
Preston	4.5	2.4	6.9
Shrewsbury	0.0	3.8	3.8
Swansea	0.6	3.8	4.4
Wandsworth	8.1	3.2	10.3
Winchester	4.7	2.4	7.1
Wolds	3.8	1.3	5.0
Wood Hill	6.9	3.0	10.0
Wormwood Scrubs	3.9	1.1	4.9
Open prisons	0.2	0.1	0.3
Ford	0.3	0.0	0.3
Hewell Grange	0.9	0.0	0.9
Hollesley Bay	0.9	0.0	0.9
Kirkham	0.3	0.0	0.3
Lindholme	0.0	0.0	0.0
Leyhill	0.0	0.0	0.0
Morton Hall	0.0	0.8	0.8
North Sea Camp	0.0	0.7	0.7
Spring Hill (Grendon)	0.0	0.0	0.0
Standford Hill	0.0	0.0	0.0
Sudbury	0.0	0.3	0.3
Usk	2.7	0.0	2.7
Wealstun	0.0	0.0	0.0
Closed training prisons	2.4	1.0	3.4
Dispersal prisons	4.7	1.6	6.3
Frankland	4.0	2.3	6.3
Full Sutton	3.9	1.2	5.1
Long Lartin	6.7	1.1	7.9
Parkhurst	6.3	2.5	8.8
Wakefield	1.3	1.1	2.4
Whitemoor	8.5	2.1	10.5
Category B trainers	2.6	0.9	3.5
Albany	1.6	1.0	2.5
Blundeston	5.9	1.4	7.3
Dartmoor	3.8	1.4	5.2
Garth	2.4	0.3	2.6
Gartree	1.7	0.4	2.1
Grendon	0.0	0.0	0.0
Kingston (Portsmouth)	1.3	0.0	1.3
Maidstone	0.3	0.8	1.1
Nottingham	1.3	1.9	3.2
Swaleside	4.3	1.1	5.4
Category C trainers	1.8	0.9	2.7
Acklington	2.1	0.2	2.3

Rates of assault[1] per 100 population, by Male establishments: April 1995–September[2] 1995

MALES	*Assault rate per 100 population*		
	Staff/others	*Prisoners*	*Total*
Aldington	0.0	2.2	2.2
Ashwell	1.7	0.0	1.7
Blantyre House	0.0	0.0	0.0
Brockhill	0.0	2.3	2.3
Buckley Hall	6.1	0.6	6.6
Bullingdon	12.6	1.3	13.9
Bullingdon Oxford	0.0	0.0	0.0
Camp Hill	2.1	2.5	4.6
Channings Wood	0.2	0.2	0.5
Coldingley	2.3	0.9	3.3
Downview	0.0	0.0	0.0
Elmley	0.9	0.0	0.9
Erlestoke	0.5	0.5	1.0
Everthorpe	0.5	0.5	1.0
Featherstone	3.5	1.9	5.4
Guys Marsh	2.3	1.6	3.9
Haverigg	1.1	0.7	1.8
Highpoint	2.9	0.8	3.7
Holme House	1.9	1.0	2.9
Kirklevington	0.0	0.0	0.0
Lancaster	0.6	0.6	1.1
Latchmere House	0.0	0.0	0.0
Lindholme	0.9	0.9	1.9
Littlehey	1.7	1.0	2.6
Moorland	7.0	3.5	10.6
Mount (The)	1.1	0.6	1.7
Ranby	2.1	0.0	2.1
Risley	1.1	1.8	2.9
Rochester	1.3	2.5	3.8
Send	0.0	0.0	0.0
Shepton Mallet	0.0	2.7	2.7
Stafford	3.3	1.2	4.5
Stocken	3.7	0.7	4.4
Usk	0.0	0.8	0.8
Verne	0.7	0.5	1.2
Wayland	1.0	1.5	2.5
Wealstun	0.0	0.8	0.8
Wellingborough	0.9	0.0	0.9
Whatton	0.6	1.9	2.5
Whitemoor	0.0	0.0	0.0
Wymott	0.3	0.6	1.0
Young offender institutions	4.5	10.0	14.5
Closed young offender institutions	5.0	7.6	12.6
Aylesbury	20.3	24.6	44.9
Brinsford	3.0	4.0	6.9
Castington	4.6	6.0	10.6
Deerbolt	1.9	6.6	8.5
Dover	3.2	6.0	9.3
Feltham	8.1	11.6	19.7
Glen Parva	3.4	9.4	12.8
Guys Marsh	4.5	6.8	11.3
Hollesley Bay	7.7	10.7	18.4
Huntercombe	0.0	4.6	4.6
Lancaster Farms	0.0	1.5	1.5
Moorland	10.1	4.8	14.9
Onley	3.6	7.9	11.5
Portland	0.9	2.3	3.2
Stoke Heath	5.2	6.6	11.8
Swinfen Hall	1.5	5.1	6.6
Wetherby	0.0	0.0	0.0
Open young offender institutions	0.4	6.5	6.9
Finnamore Wood	0.0	0.0	0.0

Rates of assault[1] per 100 population, by Male establishments: April 1995–September[2] 1995

MALES	*Assault rate per 100 population*		
	Staff/others	*Prisoners*	*Total*
Hatfield	0.8	2.5	3.4
Thorn Cross	0.0	12.0	12.0
Usk	0.0	11.1	11.1
Juvenile young offender institutions	4.1	20.3	24.4
Brinsford	5.7	26.2	31.9
Deerbolt	4.6	10.4	15.1
Feltham	11.3	18.9	30.3
Huntercombe	2.3	25.7	28.1
Lancaster Farms	5.1	15.4	20.5
Onley	2.3	29.9	32.2
Portland	1.1	5.3	6.3
Stoke Heath	8.5	22.7	31.2
Thorn Cross	0.0	33.3	33.3
Werrington	1.2	35.4	36.6
Wetherby	1.3	10.3	11.5

[1] Assaults proven at adjudication, including attempting, inciting and assisting in an assault.

[2] Provisional.

Rates of assault[1] per 100 population, by Female establishments: April 1995–September[2] 1995

FEMALES	*Assault rate per 100 population*		
	Staff/others	*Prisoners*	*Total*
Adult Female establishments	8.2	3.9	12.1
Local prisons	14.3	5.7	19.9
Holloway	16.6	5.4	22.0
Low Newton	7.7	0.0	7.7
New Hall	5.8	1.7	7.5
Pucklechurch	2.1	14.4	16.4
Risley	22.7	9.1	31.7
Open prisons	0.0	0.7	0.7
Askham Grange	0.0	2.7	2.7
Drake Hall	0.0	0.0	0.0
East Sutton Park	0.0	0.0	0.0
Closed training prisons	2.6	2.6	5.2
Bullwood Hall	1.6	1.6	3.3
Cookham Wood	2.1	2.1	4.1
Durham	3.1	0.0	3.1
Styal	3.4	4.8	8.2
Winchester	2.2	0.0	2.2
All Female YOIs	8.2	6.4	14.6
Open young offender institutions	5.3	0.0	5.3
Drake Hall	6.7	0.0	6.7
East Sutton Park	0.0	0.0	0.0
Closed YOIs	8.8	7.7	16.5
Bullwood Hall	7.2	7.2	14.4
New Hall	15.5	3.1	18.6
Styal	3.3	13.0	16.3

[1] Assaults proven at adjudication, including attempting, inciting and assisting in an assault.

[2] Provisional.

Prisons (Costs)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what was the average cost of a place in each prison for the six months of the current financial year; and if he will make a statement. [16676]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Alex Carlile, dated 26 February 1996:

The Home Secretary has asked me to reply to your recent Question about the average cost of a place in each prison for the first six months of the current financial year.

Cost per place figures are calculated on a quarterly basis. The most recent figures are those for the second quarter of 1995–96, which are given in the attached tables, copies of which will be placed in the Library of the House.

Annex C: Performance against key targets: April to September 1995 Dispersals

Establishment	KPI8—net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Frankland	7,300	447	163,331.1	447	16,331.1	399	18,295.7
Full Sutton	9,400	603	15,588.7	572	16,433.6	552	17,029.0
Long Lartin	6,900	457	15,098.5	365	18,904.1	356	19,382.0
Parkhurst	7,300	433	16,859.1	225	32,444.4	213	34,272.3
Wakefield	8,200	727	11,279.2	727	11,279.2	712	11,516.9
Whitemoor	8,900	534	16,666.7	531	16,760.8	519	17,148.4
Average	8,000	533.5	14,995.3	477.8	16,742.2	458.5	17,448.2

Male (Open)

Establishment	KPI8—net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Ford	2,600	547	4,753.2	517	5,029.0	417	6,235.0
Hewell Grange	1,200	174	6,896.6	174	6,896.6	153	7,843.1
Hollesley Bay[1]	4,700	452	10,398.2	366	12,841.5	327	14,373.1
Kirkham	3,300	644	5124.2	644	5,124.2	482	6,846.5
Leyhill	2,800	410	6,829.3	410	6,829.3	364	7,692.3
Morton Hall	1,100	168	6,547.6	168	6,547.6	169	6,508.9
North Sea Camp	1,400	202	6,930.7	202	6,930.7	181	7,734.8
Standford Hill	2,600	384	6,770.8	384	6,770.8	344	7,558.1
Sudsbury/Foston	3,000	519	4,859.8	432	6,944.4	395	7,594.9
Average	2,522.2	388.9	6,485.7	366.3	6,885.0	314.7	8,015.5

[1] Hollesley Bay includes Warren Hill.

Category B

Establishment	KPI 8–net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Albany	4,100	436	9,403.7	436	9,403.7	422	9,715.6
Blundeston	3,700	408	9,068.6	408	9,068.6	382	9,685.9
Dartmoor	5,500	708	7,768.4	569	9,666.1	563	9,769.1
Garth	4,700	513	9,161.8	513	9,161.8	505	9,306.9
Gartree	3,900	360	10,833.3	304	12,828.9	313	12,460.1
Grendon[1]	4,300	455	9,450.5	446	9,641.3	418	10,287.1
Kingston	1,700	155	10,967.7	114	14,912.3	103	16.504.9
Maidstone	4,800	552	8,695.7	489	9,816.0	482	9,958.5
Nottingham	2,700	220	12,272.7	220	12,272.7	208	12,980.8
Swaleside	4,500	512	8,789.1	512	8,789.1	497	9,054.3
Average	3,990	431.9	9,238.2	401.1	9,947.6	389.3	10,249.2

[1] Grendon includes Spring Hill.

Remand Centres

Establishment	KPI 8—net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Brinsford	4,400	476	9,243.7	476	9,243.7	456	9,649.1
Feltham	7,200	876	8,219.2	845	8,520.7	798	9,022.6
Hindley	3,600	334	10,778.4	276	13,043.5	250	14,400.0
Lancaster Farms	3,900	355	10,985.9	285	13,684.2	355	10,985.9
Low Newton	2,500	198	12,626.3	198	12,626.3	265	9,434.0
Moorland	5,300	620	8,548.4	620	8,548.4	608	8,717.1
Northallerton	2,300	151	15,231.8	151	15,231.8	189	12,169.3
Reading	2,400	182	13,186.8	182	13,186.8	170	14,117.6
Average	3,950	399.0	9,899.7	379	10,418.7	386.4	10,223.2

Young Offender Institutions

Establishment	KPI 8—Net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Aylesbury	3,500	297	11,784.5	230	15,217.4	217	16,129.0
Castington	2,700	300	9,000.0	300	9,000.0	289	9,342.6
Deerbolt	3,700	450	8,222.2	419	8,830.5	399	9,273.2
Dover	2,700	316	8,544.3	316	8,544.3	288	9,375.0
Glen Parva	6,500	852	7,629.1	752	8,643.6	769	8,452.5
Guys Marsh	2,400	300	8,000.0	290	8,275.9	290	8,275.9
Huntercombe[1]	2,500	346	7,225.4	274	9,124.1	256	9,765.6
Onley	3,600	520	6,923.1	520	6,923.1	487	7,392.2
Portland	4,000	532	7,518.8	381	10,498.7	415	9,638.6
Stoke Heath	3,000	368	8,152.2	316	9,493.7	279	10,752.7
Swinfen Hall	2,100	183	11,475.4	183	11,475.4	183	11,475.4
Werrington	1,100	114	9,649.1	114	9,649.,1	113	9,734.5
Wetherby	1,800	196	9,183.7	160	11,250.0	138	13,043.5
Average	3,046.2	367.2	7,917.9	327.3	8,883.7	317.2	9,168.1

[1] Huntercombe includes Finnamore Wood.

YOI Open

Establishment	KPI 8—Net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Hatfield	1,800.0	180	10,000.0	180	5,166.7	169	5,849.1
Thorn Cross	2,000.0	303	6,600.7	253	3,873.5	158	6,202.5
Average	1,900.0	483.0	3,954.5	433.0	4,411.1	317.0	6,025.2

Female establishments

Establishment	KP18–net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average Population	Cost per prisoner (£)
Local—Female							
Holloway	7,100	517	13,733.1	517	13,733.1	539	13,172.5
Pucklechurch	1,300	56	23,214.3	56	23,214.3	66	19,697.0
Average	4,200	286.5	14,659.7	286.5	14,659.7	303	13,884.3
Closed—Female							
Bullwood Hall	1,700	126	13,492.1	125	13,600.0	119	14,285.7
Cookham Wood	1,300	120	10,833.3	120	10,833.3	129	10,077.5
New Hall	2,600	207	12,560.4	207	12,560.4	203	12,807.9
Styal	3,000	251	11,952.2	237	12.658.2	236	12,711.9
Average	2,150.0	176.0	12,215.9	172.3	12,481.9	171.8	12,518.2

Female establishments

Establishment	KP18–net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average Population	Cost per prisoner (£)
Open—Female							
Askham Grange	1,100	136	8,088.2	136	8,088.2	99	11,111.1
Drake Hall	1,800	264	6,818.2	264	6,818.2	195	9,230.8
East Sutton Park	700	94	7,446.8	94	3,617.0	92	7.608.7
Average	1,200	165	7,287.4	164.7	7,287.4	128.7	9,326.4

Local/Adult Remands

Establishment	KP1 8—net current expenditure (£1000)	Average baseline CNA	Cost per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Bedford	3,600.0	306	11,764.7	306	11,764.7	300	12,000.0
Belmarsh	10,200.0	841	12,128.4	683	14,934.1	597	17,085.4
Birmingham	7,700.0	737	10,447.8	631	12,202.9	852	9,037.6
Blakenhurst[1]	4,188.0	649	6,453.0	649	6,453.0	638	6,564.3
Bristol	6,200.0	490	12,653.1	474	13,080.2	502	12,350.6
Brixton	8,700.0	660	13,181.8	496	17,540.3	603	14,427.9
Bullingdon[2]	7,000.0	750	9,333.3	750	9,333.3	738	9,485.1
Canterbury	3,000.0	184	16,304.3	184	16,304.3	259	11,583.0
Cardiff	4,600.0	324	14,197.5	324	14,197.5	440	10,454.5
Chelmsford	3,900.0	250	15,600.0	250	15,600.0	369	10,569.1
Doncaster[1]	5,407.0	771	7,013.0	741	7,296.9	754	7,171.1
Dorchester	2,000.0	147	13,605.4	147	13,605.4	204	9,803.9
Durham	7,200.0	653	11,026.0	444	16,216.2	651	11,059.9
Elmley	5,300.0	637	8,320.3	637	8,320.3	604	8,774.8
Exeter	4,400.0	318	13,836.5	253	17,391.3	373	11,796.2
Gloucester	3,000.0	211	14,218.0	207	14,492.8	237	12,658.2
Haslar	1,200.0	164	7,317.1	164	7,317.1	144	8,333.3
Highdown	6,100.0	649	9,399.1	639	9,546.2	614	9,934.9
Holme House	5,700.0	649	8,782.7	649	8,782.7	610	9,344.3
Hull	5,600.0	328	17,073.2	322	17,391.3	355	15,774.6
Leeds	9,300.0	997	9,328.0	826	11,259.1	1,061	8,765.3
Leicester	4,000.0	202	19,802.0	202	19,802.0	330	12,121.2
Lewes	4,200.0	443	9,480.8	312	13,461.5	303	13,861.4
Lincoln	5,200.0	448	11,607.1	441	11,791.4	592	8,783.8
Liverpool	10,200.0	1,184	8,614.9	1,099	9,281.2	1,272	8,018.9
Manchester	10,400.0	971	10,710.6	899	11,568.4	985	10,558.4
Norwich	5,000.0	333	15,015.0	333	15,015.0	345	14,492.8
Pentonville	6,700.0	883	7,587.8	670	10,000.0	827	8,101.6
Preston	5,500.0	406	13,546.8	327	16,819.6	446	12,331.8
Rochester	3,700.0	424	8,726.4	410	9,024.4	318	11,635.2
Shrewsbury	3,000.0	176	17,045.5	176	17,045.5	281	10,676.2
Swansea	2,900.0	208	13,942.3	151	19,205.3	223	13,004.5
Wandsworth	10,300.0	1,216	8,470.4	1,038	9,922.9	1,084	9,501.8
Winchester	5,600.0	462	12,121.2	425	13,176.5	512	10,937.5
Wolds[1]	3,366.0	330	10,200.0	320	10,518.8	320	10,518.8
Woodhill	6,300.0	566	11,130.7	566	11,130.7	504	12,500.0
Wormwood Scrubs	9,500.0	932	10,193.1	713	13,324.0	797	11,919.7
Average	5,680.0	537.8	10,561.4	482.6	11,768.5	541.7	10,485.0

[1] For contracted establishments costs include those which are charged to the Prison Service only.
[2] Bullingdon costs include Oxford.

Category C

Establishment	KP18—net current expenditure (£1000)	Average baseline CNA	Costt per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Acklington	4,600	670	6,865.7	667	6,896.6	633	7,267.0
Aldington	1,000	133	7,518.8	132	7,575.8	121	8,264.5
Ashwell	2,700	404	6,683.2	404	6,683.2	385	7,013.0

Category C

Establishment	KPI8—net current expenditure (£1000)	Average baseline CNA	Costt per place	Average in use CNA	Cost per (in use CNA) place (£)	Average population	Cost per prisoner (£)
Blantyre House	900	105	5,571.4	108	8,333.3	96	9,375.0
Brockhill	1,500	165	9,090.9	141	10,638.3	116	12,931.0
Buckley Hall[1]	4,730	307	15,407.2	307	15,407.2	243	19,465.0
Camp Hill	3,800	469	8,102.3	388	9,793.8	395	9,620.3
Channings Wood	3,900	594	6,565.7	557	7,001.8	551	7,078.0
Coldingley	3,000	296	10,135.1	296	10,135.1	284	10,563.4
Downview	2,400	287	8,362.4	287	8,362.4	277	8,664.3
Erlestoke	2,500	270	9,259.3	270	9,259.3	262	9,542.0
Everthorpe	3,000	318	9,434.0	318	9,434.0	274	10,948.9
Featherstone	4,300	599	7,178.6	593	7,251.3	565	7,610.6
Haverigg	3,500	424	8,254.7	406	8,620.7	380	9,210.5
Highpoint	4,800	679	7,069.2	679	7,069.2	643	7,465.0
Kirklevington	900	100	9,000.0	100	9,000.0	89	10,112.4
Lancaster	2,000	261	7,662.8	324	6,172.8	233	8,583.7
Latchmere House	1,100	151	7,284.8	151	7,284.8	130	8,461.5
Lindholme	5,100	688	7,412.8	599	8,514.2	585	8,717.9
Littlehey	4,000	589	6,791.2	589	6,791.2	556	7,194.2
The Mount	3,500	501	6,986.0	461	7,592.2	472	7,415.3
Ranby	3,100	346	8,959.5	346	8,959.5	325	9,538.5
Risley[2]	7,600	826	9,201.0	788	9,644.7	744	10,215.1
Send	1,200	140	8,571.4	133	9,022.6	134	8,955.2
Shepton Mallet	1,900	158	12,025.3	158	12,025.3	201	9,452.7
Stafford	4,900	457	10,722.1	409	11,980.4	538	9,107.8
Stocken	3,100	396	7,828.3	396	7,828.3	396	7,828.3
Usk[3]	2,500	246	10,162.6	244	10,245.9	237	10,548.5
The Verne	3,900	541	7,208.9	541	7,208.9	539	7,235.6
Wayland	3,800	580	6,551.7	580	6,551.7	531	7,156.3
Wealston[4]	3,700	453	8,167.8	453	8,167.8	433	8,545.0
Wellingborough	2,800	344	8,139.5	329	8,510.6	298	9,396.0
Whatton	1,900	217	8,755.8	217	8,755.8	212	8,962.3
Wymott	4,300	816	5,269.6	432	9,953.7	421	10,213.8
Average	3,270.6	397.9	8,278.5	376.6	8,748.6	361.7	9,107.1

[1] For contracted establishments costs include those which are charged to the Prison Service only.
[2] CNA includes Female Remand (154) and Category B Adult Male (185).
[3] Usk includes PRESCOED.
[4] Wealston represents Rudgate and Thorp Arch.

Research Papers

Mr. Alex Carlile: To ask the Secretary of State for the Home Department when Home Office research findings Nos. 23, 24 and 25 will be published; and if he will make a statement. [16660]

Mr. Maclean: Research findings 23 "Obscene, Threatening and Other Troublesome Phone Calls" and 24 "Young People and Crime" were published on 19 January. No. 25 "Anxiety about Crime: findings from the 1994 British Crime Survey" was published on 10 January. Copies are available in the Library.

Fire Service College

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on the future of the Fire Service College at Moreton-in-Marsh. [16665]

Mr. Sackville: I refer the hon. Member to the reply given to the hon. Member for Birmingham, Erdington (Mr. Corbett) on 13 February, column *517*.

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department when he expects to publish the accounts for the national fire service college for the year 1994–95; and what was the overall financial result. [16731]

Mr. Sackville: The fire service college annual report and accounts will be laid before the House on 27 February.

North Wales Fire Service Authority

Mr. Barry Jones: To ask the Secretary of State for the Home Department if he will visit the North Wales fire service authority at the Llandudno HQ. [17327]

Mr. Sackville: My right hon. and learned Friend has no plans to visit the North Wales fire service authority in the near future.

Mentally Ill Prisoners

Mr. Straw: To ask the Secretary of State for the Home Department what is *(a)* the number of prisoners waiting removal or transfer to a psychiatric hospital under Mental Health Acts provisions, *(b)* the number of prisoners

considered by prison doctors to be sufficiently mentally ill to occupy an in-patient bed in a prison health care centre, *(c)* the number of prisoners considered by prison doctors to require some form of mental health care but not removal or transfer to a psychiatric hospital or in-patient treatment in a prison health care centre and *(d)* the number of prisoners transferred to hospital by direction of the Home Secretary under sections 72 and 73 of the Mental Health Act 1959, sections 47 and 48 of the Mental Health Act 1983, or other provision in each year since 1979. [17008]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Jack Straw, dated 26 February 1996:

The Home Secretary has asked me to reply to your recent Question seeking certain statistical information about prisoners suffering from mental disorders.

On 20 January 1996, the most recent date for which such information is available is:

163 prisoners were recorded as awaiting removal or transfer to a psychiatric hospital under provisions of the Mental Health Act 1983;

853 prisoners were recorded as being sufficiently mentally disordered to be occupying beds in prison health care centres; and

1380 prisoners were recorded as requiring some form of mental health care but not transfer to hospital or in-patient treatment in a prison health care centre.

The attached table gives the number of transfers to hospital from 1979 onwards under sections 72 and 73 of the Mental Health Act 1959 and sections 47 and 48 of the Mental Health Act 1983. The method of producing these statistics was changed in 1994. The figures for 1992 and subsequent years omit prisoners transferred without the imposition of restrictions under section 49 of the 1983 Act. Such restrictions require the Home Secretary's consent on all matters relating to absence, transfer or, except where directed by a Mental Health Review Tribunal, discharge.

This explains the difference between the figures for 1992, 1993 and 1994 provided in the former Director General's letter to you of 10 February 1995.

Transfers of prisoners to hospital by direction of the Home Secretary under Sections 72 and 73 of the Mental Health Act 1959 and Sections 47 and 48 of the Mental Health Act 1983

	After sentence S72/S47	*Before sentence S73/S48*	*Total*
1979	70	16	86
1980	87	19	106
1981	86	22	108
1982	85	18	103
1983	91	24	115
1984	108	47	155
1985	100	41	141
1986	107	53	160
1987	127	77	204
1988	121	85	206
1989	131	100	231
1990	156	181	337
1991	193	264	457
1992	227	378	605
1993	284	483	767
1994	249	535	784
1995[1]	254	484	738

[1] Provisional figure.

Immigration (Carrier's Liability) Act 1987

Mr. Madden: To ask the Secretary of State for the Home Department how many carriers operating between Malaysia and the United Kingdom have incurred penalties under the Immigration (Carriers' Liability) Act 1987; what is the total number of *(a)* claims made, *(b)* penalties paid and *(c)* unpaid penalties to date; and if he will make a statement. [17333]

Mr. Kirkhope: Two airlines operate direct services between Malaysia and the United Kingdom. Both carriers have incurred charges on their routes from Kuala Lumpur. The amounts involved are:

Incurred: £764,000

Paid: £249,000

Waived: £147,000

Outstanding: £368,000.

The amount incurred reflects 415 breaches of the Act.

Correspondence

Mr. Winnick: To ask the Secretary of State for the Home Department when a reply will be sent to the hon. Member for Walsall, North's letter of 23 January, ref. 1671/96. [17160]

Mr. Sackville: A reply was sent on 22 February.

Metropolitan Police

Mr. Congdon: To ask the Secretary of State for the Home Department for each year since 1979 *(a)* as at 31 March and *(b)* as at 31 December for the Metropolitan police what was (i) the number of police officers, (ii) the number of police constables, (iii) the man-hours available for beat duties and (iv) the number of civilians. [14719]

Mr. Maclean: In December 1995, there were nearly one quarter more officers on the strength of the Metropolitan police than in 1979. Police time on patrol is up by over one third compared with 1984, when such records began. Civilian strength has increased by almost one tenth since 1979 and over 2,600 posts previously filled by police officers have been civilianised. The more detailed information requested is given in tables I to III.

Table 1: Strength, Metropolitan police[1]

	At 31 March		*At 31 December*	
Year	*Officers*	*Constables*	*Officers*	*Constables*
1979	22,168	16,247	22,482	16,542
1980	22,757	16,811	23,562	17,618
1981	24,020	18,076	25,029	19,055
1982	25,384	19,406	26,225	20,022
1983	26,453	20,279	26,683	20,321
1984	26,660	20,250	26,718	20,125
1985	26,706	20,102	26,659	19,886
1986	26,762	19,971	26,861	20,048
1987	26,829	20,058	27,293	20,621
1988	27,627	21,004	27,855	21,282
1989	27,988	21,439	28,101	21,411
1990	28,287	21,575	28,152	21,274
1991	28,230	21,271	28,126	21,026
1992	28,154	20,990	27,812	20,738
1993	27,867	20,815	27,605	20,803

Table 1: Strength, Metropolitan police[1]

Year	At 31 March		At 31 December	
	Officers	*Constables*	*Officers*	*Constables*
1994	27,699	20,975	27,611	21,139
1995	27,480	21,179	[2]27,719	[2]21,378

[1] With the exception of the figures for December 1995 (see note 2) all the figures given are as published in the Home Office summary of police manpower, copies of which are placed in the Library of the House. They include officers seconded to the Met but not officers seconded out to regional crime squads and central service.
[2] Figures for 31 December 1995 are as notified by the Metropolitan police; Home Office figures are not yet available.

Table 2: Deployment of officers on street duties

	Street duty mandays	*Percentage of overall*[1] *mandays*
1984	1,254,105	27.42
1985	1,434,639	29.69
1986	1,339,990	28.81
1987	1,452,359	30.66
1988	1,579,767	31.12
1989	1,619,137	31.77
1990	1,561,988	31.95
1991	1,492,781	31.75
1992	1,493,018	32.29
1993	1,610,045	34.64
1994	1,678,228	34.86
1995	[2]1,285,436	35.03

[1] Source: Metropolitan Police. Percentages based on figures for the full 12 months period in each case except 1995 (see footnote 2).
[2] Figure given is for January to September 1995; final figures for 1995 are not yet available.

Table 3: Strength, Metropolitan police civilian staff[1]

Year	*At 31 March*	*At 31 December*
1979	—	*15,653
1980	—	16,965
1981	—	16,711
1982	—	16,618
1983	—	16,542
1984	—	16,582
1985	*16,134	16,443
1986	*16,067	16,521
1987	*16,115	16,360
1988	*15,639	15,884
1989	*15,503	15,900
1990	*15,659	16,720
1991	*16,485	*16,939
1992	17,562	*17,438
1993	18,051	*17,380
1994	17,769	*16,855
1995	17,348	*16,928

[1] Figures for Metropolitan police civilian staff are published in the annual reports of the Commissioner of Police of the Metropolis. They include traffic wardens and school crossing patrols. From 1992 the figures have been published as at 31 March, not 31 December. Figures marked * are additional unpublished Metropolitan police data; no figures at 31 March are available for the years prior to 1985.

Scott Inquiry

Mr. Janner: To ask the Secretary of State for the Home Department what communication he received from the Secretary of the Scott inquiry, concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of letters; and if he will deposit copies of those letters in the Library. [16632]

Mr. Howard *[holding answer 22 February 1996]:* I refer the hon. Member to the reply given to him by my right hon. Friend the President of the Board of Trade on 22 February at column *252*.

Mrs. Jane Kennedy: To ask the Secretary of State for the Home Department (1) how many persons and at what level in his Department were involved in considering the Government's response to the report of the Scott inquiry; [16558]

(2) how much he estimates the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott report. [16646]

Mr. Howard *[holding answer 22 February 1996]:* I refer the hon. Member to the answer given to her by the Prime Minister on 22 February at columns *239–40*.

Mr. Janner: To ask the Secretary of State for the Home Department how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16549]

Mr. Howard *[holding answer 22 February 1996]:* My officials have responded to a number of letters from Mr. Muttukumaru about evidence which they have given to the inquiry. Sir Richard Scott is free to publish any document he considers relevant to his report.

Mr. Madden: To ask the Secretary of State for the Home Department at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16502]

Mr. Howard *[holding answer 22 February 1996]:* A sealed copy of the report was delivered to my office at approximately 3.50 pm on Thursday 15 February.

Mrs. Golding: To ask the Secretary of State for the Home Department if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16568]

Mr. Howard *[holding answer 22 February 1996]:* No. I refer the hon. Member to the reply given to him by the Prime Minister on 22 February at column *239*.

Mrs. Dunwoody: To ask the Secretary of State for the Home Department when he first saw the report of the Scott inquiry. [16588]

Mr. Howard *[holding answer 22 February 1996]:* I refer the hon. Member to the answer given to her by the Prime Minister on 22 February at column *240*.

Mr. Tony Banks: To ask the Secretary of State for the Home Department if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16529]

Mr. Howard *[holding answer 22 February 1996]:* No members of my Department saw the report before it was presented to the House.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Secretary of State for the Home Department which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16477]

Mr. Howard *[holding answer 22 February 1996]:* I refer the hon. Member to the reply given to her by the Prime Minister on 22 February, *Official Report*, column *242*.

ENVIRONMENT

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for the Environment if he will list the officials in his department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16889]

Sir Paul Beresford: In accordance with the civil service management code, the Department's staff handbook requires that staff may not use or appear to use their public position to further their personal interests, or those of members of their immediate family or of any other person on the values of whose assets they advise. Should any potential conflict of interest arise, staff must disclose that fact to their line manager and ask that someone else should deal with the matter. Failure to comply with these rules is treated as a breach of discipline.

Staff who disclose relevant interests do so on the understanding that this information, like all matters relating to their employment, is confidential between them and their employer.

Housing Investment

Mr. Alfred Morris: To ask the Secretary of State for the Environment what is the total sum allowed for local authority credit approvals for housing investment in 1996–97; what were the figures for each of the last three years; and if he will make a statement. [15483]

Mr. Clappison: The total sum allowed for local authority credit approvals in England for housing investment in 1996–97 is £789 million. The figures for the previous years are given in the table.

Year	*Local authority credit approvals (£ million)*
1993–94 (outturn)	1,120
1994–95 (outturn)	872
1995–96 (estimated outturn)	869

The figures exclude credit approvals for the estate action scheme, which has been subsumed into the single regeneration budget. The scheme has been grant funded since 1995–96. The supplementary credit approvals issued to provide cover for specified capital grants are also excluded.

Council Tax

Mr. Dobson: To ask the Secretary of State for the Environment what is for 1995–96 and 1996–97 *(a)* the planned council tax yield for England, consistent with chapter 4 of HC30, *(b)* the level of those grants which, together with council tax, fund local authority budget requirements in England as defined for 1996–97, individually and in aggregate, including within 1995–96, community care grant transferred into revenue support grant in 1996–97, and adjusting for changes in functions and *(c)* the sum of *(a)* and *(b)*. [17033]

Mr. Gummer: The Government do not set plans for the yield of council tax, which depends on decisions made by individual authorities.

£ Million

	1995–96	*1996–97*
(a) Estimated effect of those decisions on council tax yield, consistent with HC30, gross of council tax benefit	9,780	10,574
(b) External sources of finance to the budget requirement, consistent with HC30	33,610	34,120
Of which, grants:		
Revenue support grant to local authorities	[1]18,952	17,999
Police grant (principal formula and additional rule 1)	3,036	3,158
SSA reduction grant	261	220
Other external sources of finance:		
Non-domestic rates	11,354	12,736
City offset	7	7
(c) The sum of *(a)* estimated council tax yield and *(b)* external support	43,390	44,694

[1]Includes £648 million community care grant, and £34 million adjustment for metropolitan rail services, net of £26 million for waste regulation transfer.

Mr. Dobson: To ask the Secretary of State for the Environment what calculations underlay his Department's estimate that the planned proportion of local authority expenditure funded by council tax would increase to 26 per cent. by 1998–99. [17129]

Mr. Gummer: The public expenditure plans for local government for 1997–98 and 1998–99 were announced at the time of my right hon. and learned friend the Chancellor's November 1995 Budget Statement. Under these proposals, aggregate external finance—AEF—would increase from £34.69 billion in 1995–96 to £35.70 billion in 1998–99 to support total standard spending, TSS, which would increase from £43.46 billion to £46.30 billion. The Government have assumed that the difference between these two aggregates could be met through local authorities' own resources, primarily the council tax. Our best current estimate is that this would imply that the proportion of TSS funded by council tax would increase from 20 to 23 per cent. between 1995–96 and 1998–99. Decisions on levels of council tax and therefore on the proportion of services funded locally are, subject to capping, for local authorities themselves.

Pollution Inspectorate

Mr. Rooney: To ask the Secretary of State for the Environment what performance target he has set for the inspectorate of pollution as regards answering letters from hon. Members. [16916]

Mr. Clappison: Her Majesty's inspectorate of pollution, as part of my Department, does not reply directly to the letters of hon. Members. Replies normally come from Ministers in my Department. However, if hon. Members' letters concern the work of HMIP, the inspectorate will advise Ministers on a reply. Usually a reply should be received by an hon. Member within 10 to 15 working days. Under HMIP's citizens charter statement, any complaint from the public about a particular site is investigated promptly, and anyone making a complaint is informed of the outcome within 15 working days.

Written Answers to Questions

Tuesday 27 February 1996

FOREIGN AND COMMONWEALTH AFFAIRS

Hong Kong

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions in the past 12 months the Governor of Hong Kong has met or invited to receptions, lunches or dinners David Tang, Jimmy Lai, Morris Nouraria, Stanley Ho and Li Kash Ing. [17814]

Mr. Hanley: The Governor has naturally met some of these people on a number of occasions in the course of his official duties.

Public Bodies

Dr. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16822]

Mr. Hanley: The table covers the Foreign and Commonwealth Office (diplomatic wing) and the Overseas Development Administration.

Name of body	*Publish annual reports*	*Publish annual accounts*	*Publish minutes of meetings*	*Publish agendas of meetings*	*Publish a register of members interests*
Britain-Russia Centre	Yes (statutory)	Yes (statutory)	No	No	No
British Association for Central and Eastern Europe	Yes (statutory)	Yes (statutory)	No	No	No
British Council	Yes (non-statutory)	Yes (non-statutory)	No	No	No
Commonwealth Institutes, London and Edinburgh	Yes (statutory)	Yes (statutory)	No	No	No
Great Britain-China Centre	Yes (statutory)	Yes (statutory)	No	No	No
Marshall Aid Commemoration Commission	Yes (statutory)	No	No	No	No
Westminister Foundation for Democracy	Yes (statutory)	Yes (statutory)	No	No	No
Commonwealth Scholarship Commission	Yes (statutory)	No	No	No	No
Crown Agents Holding and Realisation Board	Yes (statutory)	Yes (statutory)	No	No	No

DEFENCE

Arms Sales

Mr. Cousins: To ask the Secretary of State for Defence if Ministers approved the on-sale by Jordan of 29 British-supplied armoured recovery vehicles to Iraq. [16393]

Mr. Arbuthnot: In 1981, the Jordanian Government requested permission from the UK to supply to Iraq 29 armoured recovery vehicles planned to be exported to Jordan under a memorandum of understanding. Approval was given, as required by the memorandum, since the supply was consistent with Government policy at that time, which was that no lethal equipment would be exported to Iraq, the vehicles in question being classified as non-lethal. The arrangement was made before the establishment of the Iran-Iraq export guidelines in 1984.

Procurement and Industrial Policy

Mr. Atkins: To ask the Secretary of State for Defence what action he plans to ensure that recommendations Nos. 18 and 19 of the first report from the Defence Select Committee of Session 1995–96, HC 61, on aspects of defence procurement and industrial policy are implemented. [16456]

Mr. Arbuthnot: The Government memorandum in response to these and the other recommendations contained in the Defence and Trade and Industry Committees' joint report on "Aspects of Defence Procurement and Industrial Policy", was published by the Committees on 7 February 1996.

RAF Institute for Aviation Medicine

Mr. Cousins: To ask the Secretary of State for Defence which non-NATO countries have received *(a)* advice, *(b)* training, *(c)* supplies and *(d)* support from the RAF Institute for Aviation Medicine since 1984. [16315]

Mr. Arbuthnot: I will write to the hon. Member.

Military Services and Training

Mr. David Shaw: To ask the Secretary of State for Defence if he will list the military services and training provided by his Department between 1974 and 1979 to *(a)* the middle east, *(b)* Iran and *(c)* Iraq; and what was the nature and value of those services. [16988]

Mr. Soames: It is not our practice to comment on the policy of previous Governments.

Public Bodies

Dr. Wright: To ask the Secretary of State for Defence which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16830]

Mr. Arbuthnot: The information requested is as follows:

There is a statutory right for the public to inspect the annual accounts of all the service museums, held by the Charities Commission; the National Army museum and the RAF museum publish their annual reports voluntarily. Statutory public access to the annual report and accounts of the Service Sound and Vision Corporation is available at Companies House. The Oil and Pipelines Agency's annual report and accounts are laid before each House of Parliament.

None of the MOD's executive NDPBs publishes the agendas or minutes of meetings; and there is no statutory requirement to do so.

Appointees to the OPA and SSVC are required to declare any personal interests and records are maintained. In the case of SSVC, any members' interest are also registered at Companies House.

Aircraft Crashes

Mr. Llwyd: To ask the Secretary of State for Defence when he will make a substantive reply to the letter regarding aircraft crash pollution sent on 27 March 1995 by the general secretary of the Celtic League; if he will publish the text of his reply; and if he will make a statement. [17571]

Mr. Soames: My officials responded on 22 February this year. A copy of the letter will be placed in the Library of the House.

Mr. Llwyd: To ask the Secretary of State for Defence if he will list the sites and aircraft type involved in serious crash incidents in *(a)* Wales, *(b)* Scotland, *(c)* Cornwall, *(d)* Northern Ireland, *(e)* the rest of England and *(f)* the United Kingdom since 1980, indicating (i) the incidents for which RAF post-crash management techniques have been implemented and (ii) the cases where toxic pollution was (1) measured and (2) recorded; and if he will make a statement. [17572]

Mr. Soames: I will write to the hon. Member.

Army Base Repair Organisation

Mr. Charles Wardle: To ask the Secretary of State for Defence what are the key targets for the chief executive of the Army Base Repair Organisation for 1996–97. [18034]

Mr. Soames: The chief executive of the Army Base Repair Organisation has been set the following key targets for 1996–97.

1. To remain within ABRO's allocated budget.
2. To deliver a responsive repair service, which both matches the needs of the customer in peace and for operations to the agreed timelines, quantity and quality criteria and offers value for money.
3. To implement a comprehensive output based system to measure customer satisfaction.
4. To submit to the Minister of State for the Armed Forces the results of the land command support market Test by 31 January 1997.
5. To complete the transfer of all repair activities from ABRO Old Dalby and close the workshop by 31 December 1996.
6. To reduce by 2 per cent. the 1996–97 ratio of labour costs to hours of production by 31 March 1997.
7. To obtain tenders for the re-installation of the strategic test facilities for Challenger and Warrior transmission and steer units by 31 March 1997.

Edzell Base

Mr. Welsh: To ask the Secretary of State for Defence, pursuant to his answer of 5 February, *Official Report,* column *90,* how often the Ministry of Defence joint working group has met since June 1995; and at how many of these meetings the subject of the Edzell base closure was on the agenda. [17407]

Mr. Soames: The Ministry of Defence joint working party group was set up specifically to deal with the closure of RAF Edzell, and it has met three times.

TRANSPORT

Whisper Concrete

Mr. Devlin: To ask the Secretary of State for Transport if he will make a statement on the use of Whisper concrete on the M18 and A50 and its future use in road building. [16711]

Mr. Watts: I have asked the chief executive of the Highways' Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Tim Devlin, dated 27 February 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the use of Whisper concrete.

Trials of the concrete road surface, referred to as Whisper concrete, have been carried out on the M18 and A50. This surface differs from conventional concrete in that skid resistant aggregate is incorporated within the top layer and subsequently exposed to create a random texture. The objective is to provide both a safe and durable road surface but one less noisy than some conventional concrete roads.

Preliminary assessment of the two trials is encouraging but evaluation of longer term performance is still continuing. It is hoped that a final assessment will be possible following this winter. Subject to performance proving satisfactory, consideration will then be given to permit wider use.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Secretary of State for Transport what was the total expenditure by his Department on the Isle of Wight in 1994–95 broken down by category. [16777]

Mr. Norris: Expenditure of some £4.5 million which can be attributed to the Isle of Wight in 1994–95 is as follows:

£3 million paid to the Isle of Wight as part of the local transport capital settlement;

£1.3 million paid to British Rail by the Franchising Director in support of passenger rail services on the Island line;

£80,000 by the Driving Standards Agency;

£35,000 on vehicle testing operations, including staff costs;

and £74,000 by the Coastguard Agency.

Heavy Goods Vehicles (Accidents)

Mr. Gordon Prentice: To ask the Secretary of State for Transport what estimate he has made of the number of accidents involving HGVs attributable *(a)* in whole and *(b)* in part to the defective eyesight of the HGV driver for the most recent 12 month period for which figures are available. [16728]

Mr. Norris: No statistics are collected on the relationship between accidents and defective eyesight; it is practically impossible to link defective eyesight and accident liability. Even if tests of eyesight were routinely conducted after accidents, it could not be established that poor eyesight was responsible.

Rail Privatisation

Mr. Chidgey: To ask the Secretary of State for Transport what was his Department's budget for *(a)* consultants' fees and *(b)* all other costs associated with the public and press launch for the introduction of (i) the Great Western, (ii) South West Trains and (iii) London Tilbury Southend rail franchises. [17006]

Mr. Watts: The Great Western and South West Trains rail franchises were publicly launched with the assistance of officials from my Department and its marketing consultants—Shandwick Consultants Ltd. It is not possible to identify separately the costs associated with my Department's role in these events. Information about payments to individual contractors is commercially confidential.

Ms Short: To ask the Secretary of State for Transport what guidance he has given to the Rail Regulator regarding the introduction of competition for passenger rail services up to 31 December 1996; and what arrangements will apply after this date. [16983]

Mr. Watts: Guidance on competition for rail passenger services was included in the guidance given by the Secretary of State to the Rail Regulator on 31 March 1994. The regulator published a policy statement, "Competition for railway passenger services" in December 1994. Both of these documents are in the House Library.

Rail (Speed Restrictions)

Ms Short: To ask the Secretary of State for Transport if he will list the sections of rail track currently subject to temporary speed restrictions due to the poor condition of the track; and in each case, when it is estimated that these speed restrictions will be lifted. [17035]

Mr. Watts: Railtrack informs me that this information is not held centrally and could be supplied only at disproportionate cost.

M62

Mr. Lewis: To ask the Secretary of State for Transport what research his Department has *(a)* commissioned and *(b)* evaluated relating to increasing the capacity of the M62 junctions 12 to 14 since the cancellation of the M62 relief road. [17095]

Mr. Watts: Work is at an early stage and options are still being identified. So far, we have commissioned work on traffic management and demand, and on possible minor improvements to the M62.

We are also developing transport models in partnership with the Greater Manchester authorities. These will enable us to assess behavioural responses and to test alternatives.

Evaluation will start when all the information has been gathered.

We shall consult the public, and others, when we have identified effective and affordable alternatives.

Royal Train

Mr. Tony Banks: To ask the Secretary of State for Transport what safeguards will be put in place to guarantee the continued service of the royal train after privatisation. [17113]

Mr. Watts: Confidential contractual arrangements are being put in place to guarantee the continued service of the royal train after privatisation.

Motor Cycles

Mr. Allen: To ask the Secretary of State for Transport what plans the Government have to prevent young people from using high-powered motor cycles. [17552]

Mr. Norris: Implementation of the second EC directive on driving licences will restrict motor cycle riders under the age of 21 to machines with a power output of up to 33 brake horse power (25kW) for two years.

Tug Coverage

Mr. Salmond: To ask the Secretary of State for Transport if he will set out by home port the coverage of tugs on the north and west coasts of Scotland *(a)* before and *(b)* since the publication of the Donaldson report on the Braer incident indicating whether it is year-round; and if he will make a statement. [17211]

Mr. Norris *[holding answer 26 February 1996]:* I have asked the chief executive of the Coastguard Agency to write to the hon. Member.

Letter from C. J. Harris to Mr. Alex Salmond, dated 27 February 1996:

The Secretary of State for Transport has asked me to reply to your recent Question about the coverage of tugs in the North and West coasts of Scotland.

To ensure that the Coastguard is able to provide details of tugs available in an emergency they are maintained on a database at each Coastguard Rescue Centre. Tug availability may vary from time to time. Additionally standing arrangements exist with tug brokers to ensure that the Coastguard can obtain up to date whereabouts and availability of all tugs.

The Coastguard maintain a tug during the six month winter period in the Minches. The current vessel is the SMIT LLOYD SAFE.

Mr. Martin Helm

Ms. Glenda Jackson: To ask the Secretary of State for Transport if he will list the value of all severance payments, and payments in kind, made by his Department to Mr. Martin Helm. [17239]

Mr. Norris: Mr. Martin Helm left the Department on 31 December 1995. He was paid a severance payment calculated in accordance with the rules of the civil service compensation scheme. Such payments are based on age, pay and length of service at the time of leaving. A payment of compensation in lieu of notice was also paid. It is not customary of divulge the value of payments made to individuals.

Public Bodies

Dr. Wright: To ask the Secretary of State for Transport which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16816]

Mr. Norris: The following is a list of the answers for each of the Department of Transport's executive NDPBs.

Trinity House Lighthouse Service (THLS) and Northern Lights Board (NLB)

(a) and (b) THLS and NLB prepare annual reports which are consolidated into the Annual Report and Accounts of the General Lighthouse Fund. The Accounts are laid before Parliament as required by statute.

(c), (d) and (e) Neither THLS nor NLB publish minutes or agendas of meetings or a register or members' interests. There is no statutory requirement to do so.

London Regional Passengers' Committee (LRPC)

(a) LRPC publishes an annual report under statutory requirement.

(b) (c) and (d) Annual accounts, minutes of meetings and agendas of meetings are published voluntarily.

(e) A register of members' interests is not published. There is no statutory requirement to do so.

Traffic Director for London

(a) and (b) The Traffic Director publishes an annual report and accounts under statutory requirement.

(c), (d) and (e) the Traffic Director is a Corporation Sole and does not have a board, hold formal board meetings or have a register of members' interests. Therefore there are no minutes, agendas or register to publish.

Transport Research Laboratory

Mr. Peter Bottomley: To ask the Secretary of State for Transport what stage has been reached in the privatisation of the Transport Research Laboratory. [18219]

Mr. Norris: Negotiations with the preferred bidder, the Transport Research Foundation, are continuing. I expect the sale to be completed by the middle of March.

Thameslink 2000

Mr. Tracey: To ask the Secretary of State for Transport if he will make a statement about the Thameslink 2000 project. [18217]

Mr. Watts: I refer my hon. Friend to the oral statement given today by my right hon. Friend the Secretary of State for Transport.

Road Tax Discs

Mr. Morgan: To ask the Secretary of State for Transport how many vehicle excise duty tax discs have been reported stolen; how many duplicate tax discs were issued to replace those stolen during the same period; and how much revenue has been generated by charging motorists for replacements in the latest 12-month period for which figures are available. [17246]

Mr. Norris: Statistics on stolen tax discs are not available. In 1995, 140,849 duplicate discs were issued to replace lost, stolen, destroyed, mutilated, illegible or faded discs. An administration fee of £7 is charged.

Departmental Equipment and Furniture

Ms Glenda Jackson: To ask the Secretary of State for Transport if he will list the number and value of items, equipment and furniture, *(a)* stolen from and *(b)* otherwise unaccounted for within his Department and its agencies, by region, identifying all such items with a value above £5,000. [17240]

Mr. Norris: The answer is as follows:

Region	*(a) Stolen*		*(b) Unaccounted for*	
	Number	*Value* £	*Number*	*Value* £
Eastern	3	1,570	3	1,019
North-east	26	13,245	—	—
South-west	3	2,526	3	195
Midlands	14	24,831	—	—
London	186	120,404	—	—
North-west	1	60	—	—
Scotland and Northern Ireland	1	590	9	2,568
Wales	10	2,189	9	684
South and South-east	16	14,665	7	1,843

No single item has a value above £5,000. The largest losses are due to theft of computer chips.

Crossrail

Ms Glenda Jackson: To ask the Secretary of State for Transport how many *(a)* consultants and *(b)* other employees are currently employed by the crossrail project team. [17237]

Mr. Norris: The crossrail project team currently employs 304 consultancy staff, of whom 243 are on short-term assignments, and 106 British Rail and London Underground staff.

Ms Jackson: To ask the Secretary of State for Transport if he will list total payments made to date by his Department to *(a)* consultants, *(b)* outside organisations and *(c)* individuals for work on the crossrail scheme indicating the name of body involved and the services provided. [17236]

Mr. Norris: Total payments made to date by the Department of Transport to consultants for work on the crossrail scheme amount to some £735,000. The consultants and services provided are as follows:

Scott Wilson Kirkpatrick: Audit of estimated cost

Bechtel Limited: Value engineering study

S G Warburn and Co. Ltd.: Joint venture study

Bovis/Sir Alexander Gibb: Study of cost-effectiveness

Ove Arup and Partners: Small-scale alternatives study.

No payments have been made by the Department to other outside organisations—apart from London Transport and British Rail—or individuals for work on the crossrail scheme.

Ms Jackson: To ask the Secretary of State for Transport what have been the total payments made by his Department to the crossrail project team to date. [17238]

Mr. Norris: Payments made to date by the Department of Transport to London Transport and British Rail in respect of cross rail amount to some £144 million.

Trunk Roads (Greater London)

Ms Glenda Jackson: To ask the Secretary of State for Transport what percentage of the trunk road network within Greater London has a currently residual life of *(a)* less than 12 months, *(b)* between one and four years, *(c)* between five and nine years, *(d)* between 10 and 14 years, *(e)* between 15 and 19 years and *(f)* greater than 19 years; and if he will make a statement. [17250]

Mr. Norris: I have asked the chief executive of the Highways' Agency to write to the hon. Member.

Letter from Lawrie Haynes to Ms Glenda Jackson, dated 27 February 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the residual life of the trunk road network in Greater London.

We do not keep residual life information in the form you have requested. This is because the form of construction of much of London's trunk road network is different to present day construction standards. Consequently the technical survey system we would normally use cannot reliably predict residual. Instead we assess the overall condition and life expectancy of the carriageways by taking into account other forms of surveys, underlying ground conditions, traffic volumes and any historical data we can muster.

We continually monitor the condition of the trunk road network in London, bringing forward maintenance schemes as necessary. The priority and form of work for each is considered individually taking into account condition, cost and design life, as well as other special factors such as the scale of disruption caused by the alternative forms of works.

Tyne and Wear Fire Authority

Mr. Cousins: To ask the Secretary of State for Transport how many incidents in which the fire service was called to road traffic accidents occurred in the Tyne and Wear fire authority area in the last three complete years; and how such incidents are taken account of in standard spending assessment calculation. [16094]

Mr. Sackville: I have been asked to reply.

The following information about road traffic accidents in the area of the Tyne and Wear fire authority has been taken from annual returns provided by the fire authority (a financial year basis was adopted in 1993):

1992: 545

1993 (first quarter): 94

1993–94: 414

1994–95: 453.

Road traffic accidents are covered in the fire calls indicator which is one of the factors in the fire standard spending assessment distributional formula. For 1996–97, this takes account of the average over the two years 1993 and 1994 of the number of fires, fire false alarm calls and special service calls attended by local authority fire brigades. For this purpose, the special service calls included are road traffic accidents, rail and air accidents, leaks and spills. The number of special service calls for 1994 relates to the financial year 1994–95.

HOUSE OF COMMONS

Negative Resolution Orders

Mr. Win Griffiths: To ask the Lord President of the Council how many orders by negative resolution were laid between October 1994 and July 1995; of these how many were *(a)* brought into effect (i) immediately, (ii) within 10 days, (iii) within 20 days, (iv) within 30 days, (v) within 40 days and (vi) after more than 40 days *(b)* prayed against then granted debates (1) before being brought into effect and (2) after being brought into effect and *(c)* how many were rescinded or not brought into effect as a result of parliamentary scrutiny. [16073]

Mr. Newton: The number of negative statutory instruments laid between October 1994 and July 1995 was 1,078. Of these, 168 were prayed against and debates were granted on 28 of them—22 were debated in Standing Committee and six on the Floor of the House.

The remaining information requested is not held centrally and could be obtained only at disproportionate cost.

TRADE AND INDUSTRY

BMARC

Mr. Cousins: To ask the President of the Board of Trade, pursuant to his answer to the hon. Member for Taunton (Mr. Nicholson) of 26 January, *Official Report*, column *423*, how many of the new total of applications had *(a)* full end user certificate or *(b)* purchaser orders for each of the years mentioned. [15176]

Mr. Oppenheim: I refer the hon. Member to the answer that I gave to the hon. Member for Wallsend (Mr. Byers) on 16 February 1996, *Official Report*, columns *42–43*. Of the export licence applications covered by that answer, one quarter were accompanied by copies of end user certificates, and around 45 per cent. had copies of purchase orders originating from either the agent or the intended consignee. There is some overlap between these figures, as some applications were supported by both types of documentation.

Iraq (Military and Financial Credit)

Mr. Llew Smith: To ask the President of the Board of Trade if he will obtain from the United States Government records held by them on the military and financial credit support afforded to the Iraqi Government between August 1988 and August 1990 relating to United Kingdom-based banks as their subsidiaries. [15976]

Mr. Nelson: No.

Iraq (Military Equipment)

Mr. Smith: To ask the President of the Board of Trade if he will seek information from the United States Senate Banking Committee relating to the Technology Development Group and the supply of military equipment to Iraq. [15008]

Mr. Nelson: No.

Timber

Mr. Gill: To ask the President of the Board of Trade what assessment he has made of the contribution that home-produced timber makes to the balance of trade figures. [16086]

Mr. Oppenheim: The standard international trade classification, under which UK trade is recorded, does not separately identify home-produced timber. The UK crude deficit in timber, wherever produced, was £1.4 billion to 1994 and £0.9 billion in January to September 1995.

Asbestos

Mr. Ian McCartney: To ask the President of the Board of Trade what has been the amount and monetary value of asbestos cement and asbestos friction materials imported into the United Kingdom in each of the last five years. [16617]

Mr. John M. Taylor: The answer is in the table:

UK imports of asbestos cement and asbestos friction materials

	Asbestos cement		*Asbestos friction materials*	
Year	*£ million*	*Tonnes*	*£ million*	*Tonnes*
1991	29	88,178	18	4,099
1992	23	71,210	21	5,706
1993	20	61,816	22	3,668
1994	25	74,154	23	4,643
1995 (January–September)	15	47,024	18	3,672

Notes:

1. Asbestos cement is defined as heading 661.83 of the standard international trade classification (SITC) revision 3, and includes articles of cellulose fibre-cement.
2. Asbestos friction materials are defined as heading 663.8 SITC revision 3.

Source:

"Overseas Trade Statistics of the United Kingdom".

Capita Managed Services Ltd.

Mr. Austin Mitchell: To ask the President of the Board of Trade how much work from his Department was allocated to Capita Managed Services before the resignation of Mr. J. Jasper as director. [16250]

Mr. Oppenheim: This information is not available centrally and could be provided only at disproportionate cost.

Mr. Mitchell: To ask the President of the Board of Trade how many directors of Capita Managed Services at the time they were appointed to collect costs against disqualified directors have themselves been, or are, directors of companies which have been liquidated. [16274]

Mr. Oppenheim: As far as is known, no directors of Capita Managed Services Ltd. were, at the time the company was awarded the contract to collect costs from disqualified directors, themselves directors of companies which had been the subject of winding up proceedings.

Mr. Mitchell: To ask the President of the Board of Trade on how many occasions *(a)* the Registrar of Companies for England and Wales and *(b)* the Inspector General of the Insolvency Service or their representatives

met John Arthur Jasper; and what was the nature of these meetings. [16276]

Mr. Oppenheim: The Registrar of Companies and his staff have had several meetings with Mr. J. A. Jasper over a period of several years in connection with a computer services contract with Capita entered into in 1991 and with other possible contracts to provide services to Companies House. Neither the inspector general of the Insolvency Service nor his staff has had any meetings with Mr. Jasper.

Mr. Mitchell: To ask the President of the Board of Trade on how many occasions *(a)* he and *(b)* other members of his Department met or had contact with John Arthur Jasper; and if he will make a statement on these meetings. [16277]

Mr. Oppenheim: Neither I nor other Ministers in my Department have met Mr. Jasper on official business. In respect of the Registrar of Companies for England and Wales and the inspector general of the Insolvency Service, I refer the hon. Gentleman to the answer I gave today to his Order question 16276. Information on whether other of my officials have met or had contact with Mr. Jasper is not available centrally and could be provided only at disproportionate cost.

Official Receiver

Mr. Austin Mitchell: To ask the President of the Board of Trade when he hopes to announce the contracts for Official Receiver services to be contracted out; and which services *(a)* will and *(b)* will not be contracted out, indicating the considerations underlying each decision. [16412]

Mr. Oppenheim: I hope to be able to make an announcement before the end of the month regarding the outcome of the contracting out exercise undertaken by the Insolvency Service.

Mr. Mitchell: To ask the President of the Board of Trade at what times the bidders for the work of the Official Receiver were allowed to change or adjust their bids; how many were *(a)* given and *(b)* not given this option; and if he will list the changes made to bids indicating their source. [16415]

Mr. Oppenheim: None of the six bidders invited to tender for the work available to be contracted out were permitted to change or adjust their final bids. They were all, however, invited to clarify certain points contained in their proposals during the technical and financial evaluation. The three organisations offering the best possibility of value for money were invited to further clarify some details of their proposals but no adjustment to their original bids was permitted.

Mr. Mitchell: To ask the President of the Board of Trade how many bids for the Official Receiver's work were not in the form demanded by the tender documentation. [16414]

Mr. Oppenheim: All bids received were in the form specified in the invitation to tender.

Mr. Mitchell: To ask the President of the Board of Trade what estimate he has made of the impact on staff numbers if the work of the Official Receiver is transferred to the private sector; and when the trade unions will be notified of any redundancies. [16416]

Mr. Oppenheim: Up to 812 staff could be covered by the application of TUPE in any contracting out of official receivers functions.

No redundancies of staff in the Insolvency Service have been identified.

Insolvency Service

Mr. Austin Mitchell: To ask the President of the Board of Trade if he will make a statement on the postponement of the decision on the future of the Insolvency Service. [16272]

Mr. Oppenheim: The planned announcement of the outcome of the contracting out exercise undertaken by the Insolvency Service was postponed to enable further discussions to be held with bidders appearing to offer the best prospect of value for money.

Mrs. Helen Jackson: To ask the President of the Board of Trade if he will list the running costs of the Insolvency Service for the year ended 31 January identifying the costs of *(a)* staff, *(b)* leases and office rentals, *(c)* stationery and office equipment and *(d)* other support services. [17465]

Mr. Oppenheim: The Insolvency Service year end is 31 March. Its running cost budget for the year to 31 March 1996 is £54,984,000, of which total pay costs are £36,689,000, accommodation costs £10,754,000, stationery and office machinery £825,000 and other running costs £6,716,000.

Bank of Credit and Commerce International

Mr. Vaz: To ask the President of the Board of Trade when his officials last met the liquidators of BCC1. [17063]

Mr. Oppenheim: My officials last met the joint liquidators on 31 March 1995.

Single Market Legislation

Mr. Elletson: To ask the President of the Board of Trade to what extent each EU country has adopted single market legislation; and if he will make a statement. [16402]

Mr. Oppenheim: The following are the European Commission's figures of 8 November 1995 for the percentage of single market measures in the 1985 Commission White Paper on the single market which have been transposed into national law by member states of the European Union.

	Per cent.
Denmark	99.1
Luxembourg	96.4
Portugal	96.4
Netherlands	95.5
France	95.0
Sweden	95.0
United Kingdom	93.7
Spain	93.7
Italy	91.9
Belgium	91.0
Ireland	91.0
Greece	89.6

	Per cent.
Finland	89.6
Germany	88.2
Austria	77.8

We are encouraging the Commission to ensure that member states catch up on delays, and, at least as importantly, to ensure single market measures are effectively and evenly enforced in each member state. We are also making efforts to ensure that the UK catches up on its backlog.

Defence Jobs (Lancashire)

Mr. Elletson: To ask the President of the Board of Trade what is his latest estimate of the number of jobs in Lancashire which depend on the defence industry and its suppliers; and if he will make a statement. [16306]

Mr. John M. Taylor: The latest estimate for the number of defence-dependent jobs in Lancashire is 30,000. This is from a survey commissioned by Lancashire county council and represents some 25 per cent. of employment in manufacturing industry and about 5 per cent. of all employment in Lancashire.

Alzheimer's Disease

Mr. Llwyd: To ask the President of the Board of Trade (1) if he will list the studies currently funded by the Medical Research Council into Alzheimer's disease and the amounts of money awarded for each study; and if he will make a statement; [16901]

(2) if he will make a statement on his Department's funding for research into Alzheimer's disease. [16900]

Mr. Ian Taylor: The DTI's support for research into Alzheimer's disease is funded through the research councils from the science budget.

Medical Research Council funding of research into Alzheimer's disease was £1.376 million in 1994–95, the last financial year for which complete information is available. The various research projects are listed, together with the corresponding amount of money:

1. Research carried out at MRC establishments:

MRC environmental epidemiology unit: Alzheimer's disease in relation to drinking water—£28,000.

MRC laboratory of molecular biology: the molecular biology of Alzheimer's disease—£536,000.

MRC neurochemical pathology unit:

Aluminium as a risk factor for Alzheimer's disease—£320,00.

Human brain peptidases involved in the pathogenesis of Alzheimer's disease—£120,000.

Transgenic models of cerebral amyloid deposition—£214,000.

A neuropsychological comparison of Lewy body dementia, Parkinson's disease and Alzheimer's disease—£38,000.

2. Grant-funded research:

Ninewells hospital, Dundee—department of clinical pharmacology: the glycobiology of the amyloid precursor protein—£35,000.

St. Mary's hospital, London: transgenesis as a mechanism to develop animal models of human disease—£22,000.

Institute of Psychiatry, London:

A study of the association between Apo E e4 and Alzheimer's disease in a cohort of older hypertensive subjects—£27,000.

Modelling of Alzheimer's disease in transgenic mice—£49,000.

University of Cambridge—department of experimental psychology: immunotoxic lesions of primate cholinergic projections—£2,000.

University of Sussex: development of neuronal cell lines from normal and Alzheimer's disease patients; £3,000.

In addition, the MRC estimates that in 1994–95, a further £2.54 million was spent on research which was of some relevance to Alzheimer's disease.

The Biotechnology and Biological Sciences Research Council is also funding one research project related to Alzheimer's disease.

Babraham Institute: Candidate neuronal genes in cognition and ageing—£95,250 over three years.

Three other research councils, the Economic and Social Research Council, the Natural Environment Research Council and the Engineering and Physical Science Research Council are also funding some research which is, or may prove to be, of relevance to Alzheimer's disease.

Exports

Mr. David Shaw: To ask the President of the Board of Trade what was the total value of exports to *(a)* the middle east, *(b)* Iraq and *(c)* Iran between 1974 and 1979. [16906]

Mr. Nelson: The available information is given in the following table:

UK visible exports to the middle east[1]

Year	Middle east[1]	Iraq	Iran
1974	1,085.5	59.8	278.6
1975	1,767.8	137.1	494.7
1976	2,273.3	151.8	513.1
1977	3,068.7	167.4	658.4
1978	3,476.4	216.7	752.0
1979	3,081.7	201.2	231.8

Note:

[1] The middle east consists of: Cyprus, Syria, Lebanon, Israel, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, Abu Dhabi, Dubai, Sharjah etc., Oman, North Yemen, South Yemen, Iraq and Iran.

Source:

"Overseas Trade Statistics of the United Kingdom."

Machine Tools

Mr. David Shaw: To ask the President of the Board of Trade what were the levels of sales of machine tools to *(a)* the middle east, *(b)* Iraq and *(c)* Iran between 1974 and 1979. [16987]

Mr. Nelson: Information before 1979 is available only for those countries which accounted for a significant proportion of UK exports of machine tools or those for which machine tools formed a significant proportion of

total UK visible exports. The available information is given in the table:

UK exports of machine tools[1]

£ million, current prices

	1974	*1975*	*1976*	*1977*	*1978*	*1979*
Cyprus	n/a	n/a	n/a	n/a	n/a	0.26
Syria	n/a	n/a	n/a	n/a	n/a	0.43
Lebanon	n/a	0.24	n/a	n/a	n/a	0.36
Israel	1.02	1.79	n/a	n/a	n/a	1.88
Jordan	n/a	n/a	n/a	n/a	n/a	0.22
Saudi Arabia	n/a	0.85	2.52	n/a	n/a	1.31
Kuwait	n/a	n/a	n/a	n/a	n/a	0.59
Bahrain	n/a	n/a	n/a	n/a	n/a	0.22
Qatar	n/a	n/a	n/a	n/a	n/a	0.28
Abu Dhabi	n/a	n/a	n/a	n/a	n/a	0.48
Dubai	n/a	0.27	n/a	2.47	n/a	2.63
Sharjah etc.	n/a	n/a	n/a	n/a	n/a	0.01
Oman	n/a	n/a	n/a	n/a	n/a	0.45
North Yemen	n/a	n/a	n/a	n/a	n/a	0.11
South Yemen	n/a	n/a	n/a	n/a	n/a	0.04
Iraq	n/a	n/a	n/a	n/a	n/a	2.40
Iran	1.34	2.46	4.02	9.53	n/a	1.68
Middle east	n/a	n/a	n/a	n/a	n/a	13.34

Notes:
[1] Machine tools are defined as heading 715.1 in the Standard International Trade Classification (Revision 1) until 1977 and as heading 736 of SITC (R2) from 1978.
n/a = not available.
Source:
Overseas Trade Statistics of the United Kingdom.

Osmium-187

Mr. Llew Smith: To ask the President of the Board of Trade what quantities of osmium-187 exist in the United Kingdom; what licensing arrangements cover its import and export; and what is the current market price per kilogramme of osmium-187. [16756]

Mr. Oppenheim: Osmium 187 is a constituent of naturally occurring osmium—1.6 per cent. abundance. It is not subject to either export or import control.

The price per gram is approximately £10.

I am not aware that the 187 isotope is available in the UK in a separated form. Any inquiries to discover the quantities of Osmium 187 could be done only at disproportionate cost.

Export Controls

Mrs. Clwyd: To ask the President of the Board of Trade what plans he has to publish a consultation paper with proposals for *(a)* new legislation in place of the Import, Export and Customs Powers (Defence) Act 1939 and *(b)* export licensing procedures suitable for peacetime requirements. [17233]

Mr. Oppenheim: The Government are currently considering Sir Richard Scott's recommendations and will be publishing a consultation paper.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the President of the Board of Trade what was the total expenditure by his Department on the Isle of Wight in 1994–95 broken down by category. [16770]

Mr. Ian Taylor: The Department has regional information on the following programmes in the Isle of Wight area:

	1994–95
	£
Regional Selective Assistance	159,634
Business Enterprise Services Budget	150,000
Business Link Pump Priming Budget	100,000
Regional Enterprise Grants for Innovation Projects	73,500

There was other departmental expenditure on the Isle of Wight which cannot be broken down on an area basis or where the work necessary to do so would result in disproportionate cost.

Departmental Officials (Interests)

Mr. Cohen: To ask the President of the Board of Trade if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16881]

Mr. John M. Taylor: Each senior official and special adviser is required to make a declaration of his or her financial interests. This enables the Department to prevent potential conflicts of interest arising. In the case of other officials, conflicts of interest are dealt with by their line management. I have no plans to establish a central register.

Tripod Engineering (Iraq)

Mr. Cousins: To ask the President of the Board of Trade if the cover on the contract between Tripod Engineering and the Government of Iraq signed on 8 November 1988 was taken up and forms part of the ECGD outstanding claims with respect to the Government of Iraq. [16316]

Mr. Oppenheim: Yes.

Duke Power

Mr. Home Robertson: To ask the President of the Board of Trade what assessment he has made of whether Duke Power of North Carolina is a suitable potential buyer for nuclear power stations in the United Kingdom. [17532]

Mr. Eggar: No assessment has been made as the contact was a preliminary and indirect one.

Mr. Home Robertson: To ask the President of the Board of Trade if he will make a statement on Duke Power's safety record and its experience of operating gas-cooled reactors. [17533]

Mr. Eggar: Duke Power does not own or operate any power stations in the UK. The advanced gas-cooled reactor power stations are unique to the UK. Any operator in the UK needs to satisfy the Nuclear Installations Inspectorate that it has the ability to meet the high standards of safety which the NII demands before it can be licensed to operate a nuclear installation.

Bankruptcy Costs

Mrs. Helen Jackson: To ask the President of the Board of Trade what was the average cost of administering a bankruptcy in each of the last three years. [17469]

Mr. Oppenheim: Information on unit costs remains confidential until the conclusion of, and announcement of a decision on, the proposal for contracting our official receivers' case administration work. I will write to the hon. Member when an announcement has been made.

Directors' Disqualifications

Mrs. Helen Jackson: To ask the President of the Board of Trade how many directors were disqualified as a result of the work completed by the Insolvency Service; and how many directors were prosecuted for fraudulent trading as a result of work conducted by the Insolvency Service in the 12 months ended 31 January. [17464]

Mr. Oppenheim: During the 12 months ended 31 January 1996, 721 directors were disqualified and 26 directors were prosecuted for fraudulent trading.

ROM-Data Corporation

Mr. Coe: To ask the President of the Board of Trade what were the findings of his Department's inquiry into the circumstances of the grant of regional selective assistance for the ROM-Data Corporation. [18075]

Mr. Lang: I have today placed a report summarising the outcome of my Department's inquiry in the Library of the House.

Nigeria (Export Licences)

Mr. Byers: To ask the President of the Board of Trade if he will list the number and type of export licences that his Department has *(a)* issued for non-lethal equipment to Nigeria between 20 January 1995 and 20 November 1995 and *(b)* issued for dual use equipment since 20 November 1995. [14893]

Mr. Oppenheim *[holding answer 12 February 1996]:* A statistical analysis of export licences granted for military, para-military and security equipment granted during 1995 will shortly be placed in the Library of the House. The analysis will include all countries of destination for which these licences were issued, including Nigeria. I shall write to the hon. Member when this is done. Fourteen licences were issued for dual-use equipment between 20 January 1995 and 8 February 1996, as follows:

Number of licences	*Heading*[1]
9	1C
1	2B
3	3A
1	5A2

[1] Headings under group 3 of part III of schedule 1 to the Export of Goods (Control) Order 1994 and subsequently schedule 1 to the Dual-Use and Related Goods (Export Control) Regulations 1995.

Tandem plc

Mr. Alex Carlile: To ask the President of the Board of Trade if he will list all grants made by development agencies and other Government-funded bodies to Tandem and its subsidiaries, including British Eagle Cycles of Newtown; and if he will make a statement. [16207]

Mr. Oppenheim *[holding answer 22 February 1996]:* The information requested is not collated. I have no record of my Department having made grants to either of these businesses.

Company Grants

Mr. Alex Carlile: To ask the President of the Board of Trade if he will make a statement on the practice of relocation by companies in search of grants between areas where grants are available. [16224]

Mr. Oppenheim *[holding answer 22 February 1996]:* The Government's regional policy aims to attract companies to the assisted areas. However, grants are not available simply for relocation to those areas. Any assistance must normally bring about a significant net increase in employment.

HEALTH

Medium Secure Facilities

Dr. Lynne Jones: To ask the Secretary of State for Health (1) if he will undertake research to establish whether the use by health authorities and NHS trusts of privately owned medium secure facilities for detained patients costs more than using equivalent provision in NHS units; [16785]

(2) if the increased number of purpose-built medium secure beds is expected to eliminate the need for the use of privately owned medium secure facilities. [16786]

Mr. Bowis: The availability of medium secure places in the independent sector provides health authorities with a greater choice. Selection of suitable places is a matter for health authorities who are responsible for commissioning services in a way which makes the best use of available resources to meet the needs of their population.

Beds and Staff

Mr. Alan W. Williams: To ask the Secretary of State for Health what percentage change there has been since 1979 in the number of *(a)* hospital beds in the NHS, *(b)* full-time equivalent nursing staff and *(c)* bureaucrats and administrative staff. [13248]

Mr. Malone: Information on the average daily number of available beds in 1979 is published in the "Statistical Bulletin: NHS Hospital Activity Statistics 1979–1990/91". Information for 1994–95 is published in "Bed Availability for England: 1994–95". Copies of these documents are available in the Library.

Information on managers, administrative and clerical staff, nursing and midwifery staff is shown in the table.

NHS hospital and community health services (HCHS) and general medical services (GMS) staff, England at September 1979 and 1994—whole-time equivalents

	1979	1994	Percentage change
HCHS general and senior managers and administrative and clerical staff[1]	102,960	157,560	53
HCHS and GMS nursing and midwifery staff[2]	[3]278,760	346,700	n/a
Excluded from the nursing and midwifery figures above:			
Learners[4]	76,650	11,080	—
Project 2000 students[4]	n/a	32,000	—

Notes:

[1] There were 41,270 GMS practice managers and other administrative staff in 1994; comparable figures are not available for 1979.

[2] HCHS agency staff and "learners" are excluded.

[3] Figure does not take into account the reduction in nurses standard working hours in 1980–81 from 40 to 37.5 hours a week, and is not directly comparable with the figure given for 1994.

[4] Learners are nurses on traditional nurse training courses, spending the majority of their time on patient care, and are directly employed by the NHS HCHS. Project 2000 training was introduced in 1989 and has gradually replaced traditional pre-registration nurse training. Project 2000 students are funded by bursaries, they are supernumerary not employees, and are thus excluded from the WTE count of NHS HCHS nursing staff. Figures for Project 2000 students are headcounts and should not be added to other figures which are whole-time equivalents.

HCHS figures are as at 30 September for each year. GMS figures are as at 1 October for each year. All figures are rounded to the nearest ten. Percentages are calculated using unrounded figures.

n/a denotes not applicable.*Source:*

Returns from SH3 and KHO3.

Department of Health annual Non-Medical Workforce Census and bi-annual General Medical Practitioner Census.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Health if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16880]

Mr. Horam: There is a requirement in the Department's conditions of service manual that staff faced with a conflict of business interest, which they may be able to further as a result of their official position, must declare this to their personnel section. They must comply with any subsequent instruction from the Department regarding such interests. I see no need for the establishment of a central register of officials' interests.

Kidney Transplant Patients

Mrs. Wise: To ask the Secretary of State for Health if he will exempt from prescription charges kidney transplant patients who have to take drugs on a lifelong basis. [16898]

Mr. Malone: We have no plans to extend the medical exemption arrangements.

Infertility Treatment

Ms Harman: To ask the Secretary of State for Health if *(a)* St. Thomas's hospital, *(b)* King's College hospital and *(c)* St. George's hospital, Tooting have a co-payment scheme for in vitro fertilisation treatment patients. [16737]

Mr. Horam: None of these hospitals has such a scheme.

Ms Harman: To ask the Secretary of State for Health (1) if patients treated at the assisted conception unit at Chelsea and Westminster hospital are seen by NHS consultants in NHS time; [16740]

(2) what charge is made to patients at the assisted conception unit at Chelsea and Westminster hospital; and what it covers; [16741]

(3) if he will make a statement on the assisted conception unit at the Chelsea and Westminster hospital. [16780]

Mr. Horam: The assisted conception unit at Chelsea and Westminster hospital opened in November 1995. Since opening, it has provided 11 cycles of in vitro fertilisation treatment to national health service patients and eight cycles to private patients.

In 1996–97 the unit aims to undertake 600 cycles of IVF. At present, it has two contracts with health authorities to provide a total of 270 cycles to the NHS during 1996–97.

Both NHS and private patients are seen by consultants working under the terms of their contracts with the Chelsea and Westminster NHS trust.

At present private patients at the unit are charged £800 for each cycle of IVF treatment. Health authorities are charged an identical amount for NHS patients. This is projected to cover the trust's costs and deliver an appropriate return on capital during the first full year of operation—1996–97—and subsequently, if business plan projections are met.

Ms Harman: To ask the Secretary of State for Health if he has taken external legal advice about whether patients of the assisted conception unit at Chelsea and Westminster hospital are national health service patients or private patients. [16739]

Mr. Horam: No.

1991 Census

Mr. Barry Field: To ask the Secretary of State for Health what revisions he expects to make to the 1991 census and when these will be announced; and what effect these changes will have on the statistics available for populations within county boundaries. [16742]

Mr. Horam: There are no plans to revise the population figures from the 1991 census. The Registrar General's current series of mid-year population estimates are based on the 1991 census and include adjustments for estimated under-coverage in the census as well as for births, deaths and registration since 1991. Census figures

for new local authority areas created under the Local Government Act 1992 will be published as each new area takes effect.

Correspondence

Dr. Lynne Jones: To ask the Secretary of State for Health if he will set target dates for replies to letters sent to his Department. [16783]

Mr. Horam: We aim to reply to all letters within 20 working days of receipt.

Incontinence

Sir John Hannam: To ask the Secretary of State for Health what research he is currently funding or planning to fund into the problems and treatment of incontinence. [16738]

Mr. Bowis: The Department commissioned the social policy research unit of York university to research and produce a report on "The Role of the Continence Adviser in England and Wales". This was published in January 1994 and distributed to all health authorities, NHS trusts and continence advisers. Copies of the report will be placed in the Library.

The Department has also commissioned three other research projects on incontinence:

A feasibility study on costs, quality and effectiveness of continence services—social policy research unit, university of York.

The development of methodologies to identify urinary incontinence and set targets for health gain—health and community care research unit, university of Liverpool.

Evaluation of health interventions by continence services and primary health care teams on patient outcomes related to incontinence—department of public health and primary care, university of Oxford).

These projects have just been completed and are subject to peer review.

In addition to Department of Health funding, the Medical Research Council, which receives its grant in aid from the office of my right hon. Friend the President of the Board of Trade, has commissioned a large research programme costing about £5.5 million entitled "Incontinence: A population laboratory approach to the epidemiology and evaluation of care". The programme is based on five interlinked projects:

Incontinence: prevalence needs and associated factors;

Evaluation of services for incontinence;

Evaluation of treatments for detrusor instability

Evaluation of treatments for genuine stress incontinence;

Incontinence: incidence, natural history and aetiological factors.

The NHS centre for reviews and dissemination is currently carrying out a systematic review on interventions to manage enuresis.

Research is being undertaken as part of the NHS research and development programme on:

Development of an improved reusable incontinence bedpan;

Treatment of urinary incontinence in stroke patients;

The effect of oestrogen replacement therapy on urinary tract dysfunction and urogenital collagen structure on postmenopausal women with stress incontinence.

Following completion of each research programme, the Department will consider how best to encourage health care decision makers to act on the findings.

Sir John Hannam: To ask the Secretary of State for Health what support he plans to give voluntary agencies concerned with the problem of incontinence *(a)* in 1995 and *(b)* in future years. [16757]

Mr. Bowis: In 1995–96, the Department is providing funding to voluntary organisations concerned with incontinence as follows:

The Continence Foundation—£85,000 towards its helpline and administrative costs, as part of grant awards which began in 1993–94.

InconTact—£25,000, as part of a three-year grant of £25,000 per year towards the costs of its project to develop a continence public awareness programme.

The Enuresis Resource and Information Centre—£47,113, made up of £33,000 as part of a three-year grant towards its administrative costs, £5,000 as part of a two-year grant for its project to pilot training seminars for doctors and nurses on nocturnal enuresis and £9,113 for the translation of ERIC's guide for parents on bedwetting into five ethnic minority languages.

In addition to the above amounts, the Department is providing £50,000 to support National Continence Day/Bedwetting Day which will be held on 19 and 20 March 1996.

Sir John Hannan: To ask the Secretary of State for Health what assessment he has made of the work of *(a)* his Department and *(b)* the NHS in the past year in respect of continence services. [16758]

Mr. Bowis: The Department of Health supports a number of initiatives.

The organisation of continence services locally and the manner in which they are delivered, are matters for district health authorities and hospital and community trusts.

Ear, Nose and Throat Operations

Mr. Congdon: To ask the Secretary of State for Health how many procedures were carried out on children aged up to 16 years in each of the last 10 years for *(a)* myringotomy, *(b)* adenoidectomy and *(c)* tonsillectomy. [16905]

Mr. Horam: The information available for National Health Service hospitals in England is shown in the table:

	Myringotomy	*Adenoidectomy*	*Tonsillectomy*
1989–90	5,173	17,601	45,645
1990–91	5,241	16,577	47,582
1991–92	7,040	17,804	51,597
1992–93	6,312	17,532	52,931
1993–94	3,971	16,220	54,578

Source: Hospital Episode Statistics.

The latest year for which information is available is 1993–94; prior to 1989–90, data to the level of detail requested was not available centrally.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Secretary of State for Health what was the total expenditure by his Department on the Isle of Wight in 1994–95 broken down by category. [16776]

Mr. Horam: The information is as follows:

Isle of Wight district health authority and family health services authority expenditure 1994–95

Category of expenditure	*Amount* £
DISTRICT HEALTH AUTHORITY EXPENDITURE:	
Healthcare and related services purchased:	
Mental handicap	2,679,000
Mental illness	5,247,000
Maternity	2,221,000
General and acute	26,945,000
Accident and emergency	1,417,000
Primary care	4,210,000
Other contractual expenditure	4,903,000
Other	1,627,000
Total district health authority expenditure	49,249,000
Family health services authority expenditure:	
Primary	9,480,000
GP fundholding	21,608,000
Other	934,000
Total family health services authority expenditure	32,022,000
TOTAL ISLE OF WIGHT EXPENDITURE	81,271,000

Notes:
1. Figures are provisional.
2. "Other" relates to the authorities' administration and purchasing expenses, and other services.

Source:
1. Annual accounts and financial returns of the Isle of Wight DHA.
2. Annual accounts of the Isle of Wight FHSA.

Local authority centrally financed services expenditure on Isle of Wight 1994–95

Category of expenditure	*Amount* £
Training support grant	161,104
Drugs and alcohol abusers	26,214
Special transitional grant	1,981,465
Guardian ad litem and reporting officers	19,535
Services for people with mental illness	107,038
Total	2,295,356

This does not include any expenditure on the Isle of Wight incurred by other health bodies but not separately identifiable

Thalidomide

Mr. Loyden: To ask the Secretary of State for Health for how many patients and in which areas the drug thalidomide has been prescribed in the last five years. [17391]

Mr. Malone: This information is not available centrally.

Mr. Loyden: To ask the Secretary of State for Health what guidelines have been issued to hospital trusts about the purchasing of the drug thalidomide from abroad; and if he will place a copy in the Library. [17406]

Mr. Malone: There are no guidelines specifically relating to the purchase of the drug thalidomide from abroad. Decisions made by national health service trusts on the purchase of drugs to meet patients' needs and on the most appropriate source of supply, are made with the input of clinicians and pharmacists, in accordance with the Medicines Acts 1968 and 1971. "Guidance on thalidomide" was published by the Committee on Safety of Medicines and the Medicines Control Agency in the May 1994 issue of "Current Problems in Pharmacovigilance" a drug safety bulletin which is circulated to all doctors, dentists, pharmacists and coroners. This guidance note strongly advised all doctors considering the use of thalidomide to follow detailed external guidelines on the clinical use and distribution of thalidomide which were published in a widely available medical journal. A reminder was published in July 1995. Copies of both the May 1994 document and that of July 1995 are available in the Library.

"Mental Health and Stress in the Work Place"

Mr. Cohen: To ask the Secretary of State for Health when he expects the booklet "Mental Health and Stress in the Work Place" to be published. [17425]

Mr. Bowis: This is not a departmental publication.

Nottingham Health Authority

Mr. Heppell: To ask the Secretary of State for Health when he will be announcing the new membership of Nottingham health authority. [17695]

Mr. Malone: The names of the non-executive members appointed to the proposed new health authorities will shortly be announced by the appropriate regional office of the national health service executive.

South Birmingham Health Authority

Dr. Lynne Jones: To ask the Secretary of State for Health what is the amount of funding allocated to South Birmingham health authority in respect of VAT liability in the current financial year; and what it has been in each of the past three years. [17771]

Mr. Horam: There is no separate allocation of funds in respect of value added tax liability.

Emergency Hospital Admissions (London)

Mr. Cox: To ask the Secretary of State for Health how many patients were refused emergency medical admission to a hospital in the Greater London area during 1995. [17787]

Mr. Horam: This information is not available. Patients have the right to get emergency treatment from the national health service at any time.

Continuing Health Care

Mr. Riddick: To ask the Secretary of State for Health what were the key results of the NHS executive-social services inspectorate's monitoring of the implementation of the guidance on NHS responsibilities for meeting continuing health care; and if he will make a statement. [18076]

Mr. Bowis: We have recently written to health and local authorities outlining the key results of the monitoring work carried out by the national health service executive and social services inspectorate and highlighting recommendations for further action. Copies of the letter have been placed in the Library.

The monitoring work suggests that the majority of health authorities have made good progress in preparing to implement the guidance. This has been effective where

health and local authorities have worked together closely. There are also issues on which progress in some parts of the country has been less encouraging. We have indicated our commitment to ensuring that these issues are addressed.

Work on continuing health care will continue to be a priority for the NHS during 1996–97 and beyond to ensure the full implementation of the guidance. Health authorities, working closely with local authorities, will need to monitor closely the impact of their eligibility criteria and to develop further services to meet continuing health care needs. The letter highlights the key priorities for further work. The NHS executive and social services inspectorate will continue to monitor implementation closely and will make further reports on progress in due course.

Public Bodies

Dr. Wright: To ask the Secretary of State for Health which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16823]

Mr. Horam: The non-departmental public bodies which

Publish annual reports are:

(i) *Under a statutory requirement:*

English National Board of Nursing, Midwifery and Health Visiting

Human Fertilisation and Embryology Authority.

(ii) *Voluntarily:*

Central Council for Education and Training in Social Work

Medical Practices Committee

National Biological Standards Board

National Radiological Protection Board

Public Health Laboratory Service Board.

Publish annual accounts are:

(i) *Under a statutory requirement:*

English National Board for Nursing, Midwifery and Health Visiting

Human Fertilisation and Embryology Authority

National Biological Standards Board

National Radiological Protection Board

Public Health Laboratory Service Board.

(ii) *Voluntarily:*

Central Council for Education and Training in Social Work.

Publish the minutes of meetings are:

(i) *Under a statutory requirement:*

None.

(ii) *Voluntarily:*

Central Council for Education and Training in Social Work

English National Board for Nursing, Midwifery and Health Visiting.

Publish the agendas of meetings are:

(i) *Under a statutory requirement:*

None.

(ii) *Voluntarily:*

Central Council for Education and Training in Social Work

English National Board for Nursing, Midwifery and Health Visiting.

Publish a register of members' interests are:

(i) *Under a statutory requirement:*

None.

(ii) and *Voluntarily:*

English National Board for Nursing, Midwifery and Health Visiting.

Patient Admissions

Mr. Loyden: To ask the Secretary of State for Health (1) what are his Department's guidelines for the admission of gynaecology and psychiatric patients through casualty units in hospitals where there is no registrar appointed for either of these specialities; and what recommendations are made by his Department for proper differential diagnosis to be made in such cases for admission or discharge of patients; [17404]

(2) what guidelines exist for admitting patients where there is one registrar to deal with that patient's problems; and if he will place a copy in the Library. [17405]

Mr. Horam: There is no central guidance. Procedures for admitting patients to hospital are determined in accordance with local arrangements.

Health Economics Consortiums

Mr. Loyden: To ask the Secretary of State for Health how many health economics consortiums have been set up in the United Kingdom; what capital the Government have allocated to these units; what is their remit and to whom they are accountable; and how many district health authorities, or other public bodies, have commissioned reports on service provision from these units. [17403]

Mr. Horam: I refer the hon. Member to the reply that I gave him on 7 February 1996, *Official Report*, column 270.

NHS Charges

Mr. McLeish: To ask the Secretary of State for Health if he will give the revenue from NHS charges for *(a)* prescriptions, *(b)* dental services, *(c)* dental examinations and *(d)* eye tests in (i) 1978–79 and (ii) 1995. [17823]

Mr. Malone: The information available for the last full year is given in the table:

Revenue from national health service charges—£ million, cash terms

Income from	*1978–79*	*1994–95*
Prescription charges	24.2	287.2
Dental charges (for general dental services)	55.4	[1]383.3
Dental examinations	[2]0	[2]60.0
NHS eye tests	[3]0	[3]0

[1] Includes patient charge income from dental examinations.[2] No patient charges for dental examinations were levied before 1 January 1989. The figure for 1994–95 is an estimate, as patients pay charges on the basis of their whole course of treatment and the amount paid in respect of individual procedures is not separately recorded.

[3] There is no charge for the provision of NHS sight tests. Since April 1989 entitlement to NHS sight tests has been restricted to certain priority groups, including children and those on low income. People not entitled to an NHS test now pay for a private sight test.

ENVIRONMENT

Owner-occupiers

16. **Dr. Michael Clark:** To ask the Secretary of State for the Environment how many owner-occupiers there were *(a)* at the latest available date and *(b)* in 1979. [15502]

Mr. Curry: The number of owner-occupied dwellings in Great Britain in 1979 was 11,348,000, and in December 1994 the number had grown to 15,807,000.

Homelessness

17. **Mr. Sutcliffe:** To ask the Secretary of State for the Environment what additional measures he proposes to combat homelessness. [15503]

Mr. Curry: The Housing Bill includes measures to prevent homelessness by ensuring that housing advice is available and that long-term social housing tenancies are allocated to households with the greatest underlying need.

Energy Conservation

18. **Ms Roseanna Cunningham:** To ask the Secretary of State for the Environment what recent discussions he has had with local authorities on the implementation of the Home Energy Conservation Act 1995; and if he will make a statement. [15504]

Mr. Robert B. Jones: The implementation of the Act was discussed by the Central and Local Government Environment Forum on 6 December. The local authority associations were represented on the working group established to consider guidance on the Act. Guidance for England will be issued very shortly; all English district and metropolitan authorities, and many other interested bodies, had the opportunity to comment on a draft.

Rural White Paper

19. **Mr. Whittingdale:** To ask the Secretary of State for the Environment how many responses he has received to the publication of the rural White Paper; and if he will make a statement. [15505]

Mr. Gummer: We have received well over 500 written responses to the various policies and proposals in the rural White Paper. In addition, Ministers and officials have participated in a large number of conferences and seminars which have been arranged across England to discuss the White Paper.

Air Quality

20. **Mr. William O'Brien:** To ask the Secretary of State for the Environment what recent representations he has received regarding air quality. [15506]

Mr. Clappison: This year, my ministerial colleagues and I have received a number of letters from Members of Parliament and the public concerning air quality.

Compulsory Competitive Tendering

21. **Mr. Evennett:** To ask the Secretary of State for the Environment what plans he has to extend compulsory competitive tendering; and if he will make a statement. [15507]

Sir Paul Beresford: In 1994 and 1995, Parliament approved orders under the Local Government Act 1988 which added legal, construction and property, financial, personnel and information technology services to the compulsory competitive tendering regime. CCT for these services is being introduced under a implementation timetable which begins in 1996 and continues to 2000.

Our priority, a present, is the successful implementation of CCT for the existing range of CCT activities and we currently have no proposals to add to the list of activities.

Local Government Reorganisation

22. **Mr. Tipping:** To ask the Secretary of State for the Environment what assessment he has made of the extra costs that local authorities will face as a result of his decision to delay local government reorganisation. [15508]

Mr. Curry: I do not expect that a delay in the date for any particular reorganisation should affect its cost.

Housing Management Contracts

23. **Mr. Corbett:** To ask the Secretary of State for the Environment what financial assistance is available from his Department to local authorities when they are required to re-run the tender process for housing management contracts. [15509]

Sir Paul Beresford: None.

Negative Equity and Repossession

24. **Mr. Janner:** To ask the Secretary of State for the Environment what is his estimate of the number of home owners who will *(a)* experience negative equity and *(b)* undergo repossession in 1996. [15510]

Mr. Curry: The Government do not make such forecasts. Home owners will continue to benefit from the Government's economic policies, which have made home ownership more affordable than for many years.

Anti-social Tenants

25. **Mr. Merchant:** To ask the Secretary of State for the Environment if he will make a statement on his proposals to help local authorities deal more effectively with anti-social tenants. [15511]

Sir John Hannam: To ask the Secretary of State for the Environment what plans he has to help local authorities deal with anti-social tenants. [15498]

Mr. Clappison: The Government have included in the Housing Bill a substantial package of measures to help local authorities to deal more effectively with anti-social tenants. That package will also assist housing associations and private landlords.

Private Finance Initiative

26. **Dr. Lynne Jones:** To ask the Secretary of State for the Environment what contribution he expects the private finance initiative to make to the capital programme of local authorities. [15512]

Mr. Robert B. Jones: The Government have created opportunities for local authorities to use the private finance initiative to achieve increased levels of investment in upgrading and developing the services that they offer.

Environment Agency

27. **Mr. Alan W. Williams:** To ask the Secretary of State for the Environment if he will list the total number of employees *(a)* in the National Rivers Authority at its disestablishment and *(b)* in the Environment Agency at its launch. [15513]

Mr. Clappison: There are 7,420 full-time equivalent posts in the National Rivers Authority. The equivalent number for the Environment Agency from 1 April 1996 is expected to be a little over 9,100—the agency will inherit the functions and staff of Her Majesty's inspectorate of pollution as well as those of the National Rivers Authority.

Local Authority Services

28. **Mr. Ian Bruce:** To ask the Secretary of State for the Environment when he next intends to meet representatives of the GMB union to discuss the provision of local authority services. [15514]

Sir Paul Beresford: None.

Rents-to-mortgages Scheme

29. **Mr. Barnes:** To ask the Secretary of State for the Environment what is his estimate of the take-up of the rents-to-mortgages scheme in 1996. [15515]

Mr. Clappison: My Department has made no estimate of future sales.

Domestic Heating

Ms Lynne: To ask the Secretary of State for the Environment to what extent the local grant finance settlement for 1996–97 makes allowance for the differing amounts of fuel required to heat identical properties throughout Britain on the basis of the Building Research Establishment domestic energy model. [16063]

Sir Paul Beresford: The main use of the Building Research Establishment domestic energy model is a design tool for comparing the energy consumption of different building designs. It would therefore be inappropriate to include it in the formulae for distributing revenue support grant.

Married Quarters Estate

Mr. Raynsford: To ask the Secretary of State for the Environment what amount of the housing corporations' budget is being earmarked for the *(a)* acquisition and *(b)* rehabilitation of properties belonging to the Ministry of Defence married quarters estate which are currently being offered for sale. [16390]

Mr. Curry: None of the budget is being earmarked. Housing associations will be entitled to bid competitively for funds to assist with the acquisition and rehabilitation of MOD property, on the same basis as for other property, if the schemes proposed meet the housing corporations' criteria.

Telecommunications Masts

Mr. Nigel Evans: To ask the Secretary of State for the Environment how many telecommunications masts were erected in (i) 1993, (ii) 1994, (iii) 1995 and (iv) to date. [16403]

Sir Paul Beresford: This information is not collected centrally.

Thefts

Mr. Ian McCartney: To ask the Secretary of State for the Environment, pursuant to his answer of 13 February, *Official Report*, column *533*, what additional information is available in respect of the nature, number and value of items of Health and Safety Executive equipment lost in *(a)* 1993–94 and *(b)* 1995–96 to date. [16712]

Sir Paul Beresford: I am able to provide the following information about the nature, number and value of HSE equipment lost in 1993–94 and 1995–96 to date:

Cost £ (purchase price)

	1993–94		*1995–96 to date*	
Nature of equipment	*Amount stolen*	*Amount unaccounted for*	*Amount stolen*	*Amount unaccounted for*
Computer equipment	6,502	43,860	37,352	0
Scientific equipment	6,277	344,271	0	0
Photographic equipment	20,769	526	0	0
Other equipment	6,163	96,138	0	0
Totals	39,711	484,795	37,352	0
Photographic equipment later recovered	17,036	—	—	—

During 1993 and 1994, the HSE mounted special exercises to verify the existence of its assets. These revealed that a number of items had been disposed of over preceding years, many at the end of their lives, without formal documentation, so could not be accounted for. At the time of the loss, these items had little, or no, historic net book value—so the loss suffered was much less than the purchase price shown.

Single Regeneration Budget

Mr. Vaz: To ask the Secretary of State for the Environment if he will list the successful bids under round 2 of the single regeneration budget by region and value of grant. [17364]

Sir Paul Beresford: The information requested was placed in the Library of the House and circulated to hon. Members on 12 December 1995. I have sent further copies to the hon. Member.

High-voltage Power Cables

Mr. Williams O'Brien: To ask the Secretary of State for the Environment if he intends to issue planning guidance notes to local authorities on building near to high-voltage power lines; and if he will make a statement. [17127]

Sir Paul Beresford: The National Radiological Protection Board, which advises the Government, local authorities and industry on these matters, has already issued guidance on the known health effects of proximity to high-voltage cables and other sources of

electromagnetic fields. The board will not hesitate to give further advice on protection if the scientific evidence indicates that it is necessary.

Cement Kilns (Pollution)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment which member states of the European Union allow the burning of secondary liquid fuels in cement kilns with limits on the emission of particulates and other products of combustion more restrictive than those which apply in the United Kingdom. [17696]

Mr. Clappison: Her Majesty's inspectorate of pollution wrote to member states in the European Union in 1994 requesting information on the emission regulations applicable to cement plants burning secondary liquid fuels. The response was poor and consequently this information is not available.

Housing Associations

Mr. Hinchliffe: To ask the Secretary of State for the Environment what estimate he has made of the number of housing association homes for rent which will be constructed in 1996–97; and what is his estimate for funding levels for 1996–97. [15484]

Mr. Clappison: Estimates of funding for housing associations and the number of homes that they will provide in 1996–97 have recently been published by the Housing Corporation as part of the approved development programme. Public funding for the ADP during the year will be £1,062.8 million, including £40 million receipts, of which some £786.7 million will be used to provide homes for rent. In addition, schemes funded through the ADP are expected to attract some £827 million of private finance.

The ADP is expected to provide around 28,000 housing association homes for rent during 1996–97 through new build and rehabilitation. Funding from the ADP, local authorities and other sources is expected to provide a total of around 60,000 additional social lettings for rent or shared ownership in 1996–97.

Cremations and Burials

Mr. Dalyell: To ask the Secretary of state for the Environment if he will make a statement on his meeting on the re-use of graves and problems of cremation and burial with Reverend Dr. Peter Tupp, Lord Young of Dartington and other representatives of the National Funerals college. [15750]

Sir Paul Beresford: The Secretary of State has not met representatives from the National Funerals college because policy responsibility for matters relating to burial and cremation rests with the Home Office. He did, however, meet the Rev. Dr. Peter Jupp on 5 February as part of a delegation representing the Churches' Group on Funeral Services at Cemeteries and Crematoria. The meeting was held to discuss issues relating to the potential sale of local authority crematoriums. The Secretary of State told the delegation that he hoped local authorities would consider the potential merits of transferring their crematoriums to the private sector and that he had provided time-limited financial measures to encourage authorities to review the position carefully. He confirmed, however, that these measures were enabling ones only, and that local authorities will have the discretion either to retain or sell their crematoriums, according to their own assessment of local needs and circumstances. The delegation said that, in its view, such decisions should take into account whether transfer to the private sector would put funeral directing businesses and crematoriums in common ownership and should have regard to the Monopolies and Mergers Commission Report on Service Corporation International (CM20880). The meeting agreed that officials from the Department and from the Churches' group should continue to liaise on issues relating to Department of the Environment's area of responsibility.

Playing Fields

Mr. Harry Greenway: To ask the Secretary of State for the Environment if he will collate figures on the number of acres of playing fields on which development has been refused; and if he will make a statement. [15752]

Sir Paul Beresford: My Department does not hold information on this basis. The Sports Council is compiling a register of sports pitches under threat from proposals for development, but even this would not answer the question.

Local planning authorities have been advised, in planning policy guidance note 17(PPG17), to consider the longer-term need for playing fields, both by schools and the wider community. In addition, before allowing their development, authorities should consider proposals against policies in the local plan, including the need for public open space. Last July the Government published their sports White Paper, "Sport: Raising the Game", which makes it clear that the Government are concerned about the fate of all playing fields, not only those used by schools. The Government are currently consulting on a proposal that the Sports Council should be made a statutory consultee on planning proposals affecting all playing fields. This would ensure that local planning authorities are aware of any deficiency in playing field provision in making any decision on proposals to develop playing fields.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Environment which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16821]

Sir Paul Beresford: Details of the executive non-departmental public bodies sponsored by my Department are listed in the Cabinet Office publication "*Public Bodies 1995*". A copy is available in the House of Commons Library.

I refer the hon. Member to my answer to him on Tuesday 25 April 1995, *Official Report*, column *474*. The information contained in that answer—No. 20496—remains correct with the following exceptions: Letchworth Garden city corporation ceased to be a public body on 30 September 1995 and Leeds development corporation has been wound up. The registers of

members' interests of the British Board of Agreement and the Joint Nature Conservation Committee are now voluntarily available for public inspection.

Two new executive NDPBs have been established since April 1995, the Local Government Residuary Body and the Environment Agency, and my Department has taken on responsibility for the Health and Safety Commission and Executive. The new bodies and the Health and Safety Commission and Executive are statutorily required to publish annual reports and accounts. None of the new bodies publishes agendas or minutes of meetings. The Environment Agency will, like the National Rivers Authority, be under a statutory requirement to make agendas and minutes of the regional committees available to the public.

Millennium Exhibition

Sir Norman Fowler: To ask the Secretary of State for the Environment what discussions he has had concerning the site of the millennium exhibition in his capacity as Minister for London; what advice he has given; and if he will make a statement. [17751]

Mr. Gummer: The case for Greenwich has been mentioned to me regularly by London organisations and individuals in the course of meetings on other issues. These are too numerous to list. Whenever the exhibition is raised, I explain that the decision is for the Millennium Commission and not for the Government.

Waste Management Licensing

Sir Sydney Chapman: To ask the Secretary of State for the Environment what plans he has to revise the fees and charges for waste management licensing; and if he will make a statement. [17877]

Mr. Clappison: My right hon. Friends the Secretaries of State for the Environment, for Wales and for Scotland have made the Waste Management Licensing (Fees and Charges) Scheme 1996 under section 41 of the Environmental Protection Act 1990. The scheme has been made with the approval of the Treasury and comes into force on 1 April 1996.

In line with the "polluter pays" principle, the financial objective of the charging scheme is full recovery of the costs of supervising sites licensed under section 35 of the 1990 Act; and the cost of considering licence applications. With the aim of fulfilling this objective, the 1996 charging scheme increases subsistence charges by 15 per cent. and application fees by 2.75 per cent.

In order to reduce the effect of the introduction of charges on small businesses, we set some of them at 70 per cent. of our assessment of full cost recovery in 1994–95 and 1995–96. The abrupt ending of this transitional provision would have had a disproportionate impact on the businesses affected. We have therefore decided that the transitional provision should be retained for one year longer than was originally intended and should be set at 85 per cent. of our assessment of full cost recovery in 1996–97.

As required by section 41 of the 1990 Act, a copy of the 1996 charging scheme is being laid before the House and placed in the Library of the House.

Subsequent charging schemes for waste manage licensing will be made under sections 41 and 42 of the Environment Act 1995 on the basis of proposals submitted by the Environment Agency and the Scottish Environment Protection Agency and they will reflect the costs incurred by the agencies in their operation of the licensing system.

Landfill Tax

Dr. Twinn: To ask the Secretary of State for the Environment if he will make a statement on the level of recycling credits to be paid by waste disposal authorities following the introduction of the landfill tax. [17923]

Mr. Clappison: Statutory payments, which are made by waste disposal and waste collection authorities to those who recycle waste, are commonly known as "recycling credits". These payments are made under section 52 of the Environmental Protection Act 1990 and associated regulations.

Payments of credits are intended to reflect savings in the costs of waste collection and disposal which benefit collection and disposal authorities, as a direct result of the activities of recyclers. In particular, disposal credits, which are paid by waste disposal authorities, represent the net saving of expenditure on the disposal of waste, which arises because the waste has been recycled.

Provisions to introduce the proposed landfill tax are contained in the Finance Bill, which is currently before Parliament. The aim of the new tax is to increase the cost of landfill disposal of waste, reflecting its environmental impact. This will make alternative waste management practices, such as recycling, more economic. The landfill tax supports the objectives set out in our White Paper on waste, "Making Waste Work".

Waste disposal authorities should take their own legal advice if they are in doubt as to their position, as the interpretation of legislation is ultimately a matter for the courts. However, it is the aim of the recycling credits legislation that all expenditure on the disposal of waste should be included in the calculation of disposal credits. The amounts of disposal credits should therefore be increased to reflect the introduction, subject to parliamentary approval, of the landfill tax, where landfill is the most expensive disposal method as defined by the regulations.

OECD Environment Ministers' Meeting

Mrs. Lait: To ask the Secretary of State for the Environment what was the outcome of the Organisation for Economic Co-operation and Development Environment Ministers' meeting in Paris on 19 and 20 February; and if he will make a statement. [17924]

Mr. Gummer: I was elected to chair the meeting of OECD Environment Ministers in Paris on 19 and 20 February. This was in recognition of the UK's international environmental leadership, including our key role in last year's Berlin conference on climate change and Vienna conference on the ozone layer, and further acknowledged by the invitation to me from the Secretary-General of the United Nations to join the international advisory group of eminent persons preparing for this year's habitat II conference in Istanbul.

The meeting marked the 25th anniversary of the setting up of the OECD's environment policy committee and the first occasion that a British Minister had taken the chair. The meeting provided an opportunity both to review past performance and to decide the priorities for future action, particularly in the context of the 1997 special session of the General Assembly of the United Nations to follow up the 1992 Rio earth summit.

There was acceptance at the meeting of the need for OECD countries to show leadership in resolving global environmental problems both through domestic action and by assisting developing and transition economies to take action themselves.

The meeting endorsed OECD acts on the "greening" of Governments and the OECD itself, and on pollutant release and transfer registers. Ministers also adopted a declaration on lead risk reduction and supported the principle of opening up OECD instruments on the mutual acceptance of chemicals data to non-OECD countries.

Ministers called for reports from the OECD, to be prepared over the next one to two years, on the relationship between globalisation and environmental policies, on the environmental effects of subsidies and tax disincentives, and on green tax reform.

I was able to draw upon the UK's strong environmental performance. I pressed the importance of the annual environmental audit contained in the White Paper which we have published every year since the first comprehensive environmental strategy "This Common Inheritance" in 1990.

The whole government machine is brought into process, not least through the Green Ministers machinery. This experience enabled the United Kingdom to be the first country to publish all the action plans called for at the 1992 Rio earth summit—a comprehensive strategy for sustainable development and action programmes for climate change, biodiversity and forests.

This strategy included the setting up of the Government panel and the UK round table on sustainable development and the "Going for Green" campaign. We have now produced detailed strategies for waste and air quality, thus setting for the first time clear targets and providing effective monitoring. This radical approach has been carried through to our preparation of the world's first set of indicators of sustainable development and pioneering work on recommendations for costed biodiversity targets.

The Environment Act 1995 set up environment agencies for England and Wales and for Scotland. The Government's commitment to work with the market to achieve environmental progress has been shown by various economic instruments such as the 1994 Budget introduction of a new landfill tax which shifts the burden of taxation to discourage harmful activities; our pledge to increase the duty on road fuels on average by at least 5 per cent. each year in real terms in future budgets; and the 15 per cent. reduction in the duty on road fuel gases made in the 1995 budget, bringing their price broadly into line with that of petrol and diesel. These are all examples of fiscal measures taken for environmental purposes.

Our strategy also includes voluntary measures such as the EC eco-management and audit scheme, where the UK has become the first country to register sites. A major review of radioactive waste management policy was completed last year and later this year we shall become one of the first countries in Europe to publish an Environmental health action plan. The environment White Paper to be published at the end of March will highlight major achievements in 1995 and identify key new initiatives for the coming year.

By combining effective government machinery, detailed targets and monitoring, and clear strategies covering the whole environmental agenda, the United Kingdom is now widely recognised as one of the global leaders on sustainable development.

Yorkshire Water

Mr. Madden: To ask the Secretary of State for the Environment when and by whom he was first informed that approval had been given to Yorkshire Water to increase charges; what subsequent representations he has made to the director general of Ofwat on this matter; what information he requested from the director as to the grounds on which he gave approval for the increase; and if he will make a statement. [16835]

Mr. Curry *[holding answer 26 February 1996]:* Yorkshire Water's price limits, together with the price limits for all the water companies, were set by the Director General of Water Services in his thorough quinquennial review, the outcome of which was announced by the director general in July 1994. Two companies subsequently sought a referral of their new price limits to the Monopolies and Mergers Commission. In its reports, the MMC largely endorsed the director general's approach and his determinations. I am satisfied therefore that the director general's review was properly and carefully carried out. Yorkshire Water's average charge increase from April 1996 is within the price limit set by the director-general.

Mr. Madden: To ask the Secretary of State for the Environment if he will make representations to those responsible for Yorkshire Water's commission of inquiry that its terms of reference should include Yorkshire Water's pricing policy. [16836]

Mr. Curry *[holding answer 26 February 1996]:* Professor Uff has been asked by Yorkshire Water to conduct an inquiry into the water supply situation in Yorkshire. The terms of reference of the inquiry are a matter for Professor Uff.

Mr. Madden: To ask the Secretary of State for the Environment when members of his Department met Professor John Uff, in respect of Yorkshire Water's commission of inquiry; and on what occasions pricing policy was discussed. [16798]

Mr. Curry *[holding answer 26 February 1996]:* I have met Professor John Uff. Professor Uff has also had contact with officials, who referred him to the framework of price regulation and the regulator's decisions in his quinquennial review in 1994.

My right hon. Friend the Secretary of State has not met Professor Uff. This corrects the error in the answer my hon. Friend the Under-Secretary gave on 22 February, *Official Report*, column 282. I regret this error.

Mr. Madden: To ask the Secretary of State for the Environment if he will direct the director general of Ofwat to withdraw his approval to Yorkshire Water increasing its charges pending the outcome of *(a)* his departmental review of Yorkshire Water and *(b)* Yorkshire Water's commission of inquiry. [16799]

Mr. Curry *[holding answer 26 February 1996]:* The Director General of Water Services has responsibility for determining the limits on water companies' charge increases. Yorkshire Water's average charge increase of 5.6 per cent. from April 1996 is within the price limit set by the director general.

My Department is not conducting a review of Yorkshire Water.

Groundwater Levels, London

Mr. Austin-Walker: To ask the Secretary of State for the Environment (1) what estimate he has made of the changes in groundwater levels in London; what assessment he has made of the implications for such changes for the London Underground and for buildings; and if he will make a statement; [16913]

(2) what research his Department has commissioned into groundwater levels in London; if he will publish the results of such research; and what action he has taken as a result of such research; [16914]

(3) what assessment he has made of the NRA Thames region report on rising groundwater levels in the chalk-basal sands aquifer of the central London basin as it affects possible flooding in London; and if he will make a statement; [16962]

(4) what assessment he has made of the possible damage to buildings from rising groundwater levels in London; [16963]

(5) what representations he has received from *(a)* London Underground Ltd. and *(b)* others regarding rising groundwater levels in London; [16964]

(6) what estimate he has made of the costs of addressing rising groundwater levels in London by *(a)* regional control using purpose-built wells, *(b)* regional control using existing wells, *(c)* local control by building and landowners on an ad hoc basis and *(d)* structural modifications to prevent damage coupled with local control as in *(c)*; and what estimate he has made of the costs of taking no such actions; [16965]

(7) what action he has taken to ensure that the design and building of new structures in London takes account of possible future groundwater levels. [16966]

Mr. Clappison *[holding answers 26 February 1996]:* A report, "The engineering implications of rising groundwater levels in the deep aquifer beneath London", was published by the Construction Industry Research and Information Association in May 1989, funded in part by the Department. It reported on groundwater levels in London, rates of change of groundwater levels, locations where problems with deep structures and buildings could occur, the time scale over which problems could arise and the cost implications of a range of control procedures.

The National Rivers Authority, at the request of the Department, has monitored groundwater levels in London since 1989, and reported annually. These reports have been distributed to many organisations including London Underground. Regular meetings are held between the National Rivers Authority, Thames Water Utilities, London Underground Ltd., the Loss Prevention Council and the Association of British Insurers and others to disseminate information. It is the responsibility of owners of existing and new structures to ensure the adequate protection of their assets.

Water Meters

Mr. Burden: To ask the Secretary of State for the Environment how many water meters were installed by water authorities and companies in domestic properties in *(a)* 1985, *(b)* 1990 and *(c)* 1995. [17365]

Mr. Clappison *[holding answer 26 February 1996]:* The number of water meters installed in domestic properties is as follows:

	Households
1990–91	[1]315,000
1995–96	[2]1,404,000

Source:
[1] Ofwat.
[2] Water company estimates.

Information relating to 1985 is not available.

EDUCATION AND EMPLOYMENT

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Education and Employment if she will list the officials in her Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if she will establish a register of officials' interests. [16894]

Mr. Robin Squire: Staff of the Department must declare any conflict of interest between their work and outside interests so that senior management can determine how best to proceed. This requirement is set out in the handbooks of the former Education and Employment Departments and will be reflected in the guidance that is currently being produced for the new Department for Education and Employment.

A central register is not kept. Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer.

Schools Expenditure (Durham)

Mr. Steinberg: To ask the Secretary of State for Education and Employment how much was spent in total on school education in Durham, in each year since 1979. [17210]

Mr. Robin Squire: The following table shows in cash and 1995 prices gross expenditure for pre-primary, primary and secondary education by Durham local education authority from 1979–80 to 1993–94, the latest year for which figures are available. These figures have not been adjusted for any changes of function.

Gross expenditure on schools—Durham county council

£ million

	Cash terms	*Real terms*
1979–80	64.426	161.000
1980–81	78.888	166.613
1981–82	85.288	164.243
1982–83	89.281	160.502
1983–84	91.786	157.692
1984–85	93.842	153.510
1985–86	99.253	153.924
1986–87	107.785	162.261
1987–88	117.785	168.611
1988–89	126.568	169.558
1989–90	139.931	175.223
1990–91	151.933	176.132
1991–92	158.585	173.041
1992–93	203.717	213.596
1993-94	185.618	189.101

Staff-student Ratios (Universities)

Mr. Sheerman: To ask the Secretary of State for Education and Employment what are the average staff-student ratios in *(a)* the arts, *(b)* social science, and *(d)* applied science departments in British universities. [17744]

Mr. Forth: Information for the higher education institutions formerly funded by the Universities Funding Council in Great Britain is contained in the publication "University Management Statistics and Performance Indicators in the UK" published by the Universities Statistical Record. Statistics for the higher education institutions formerly funded by the Polytechnics and Colleges Funding Council for England have been published by the Higher Education Funding Council for England in "Student Staff Ratios in polytechnics and colleges". Copies of both publications are in the House Library.

Teachers (Kirklees)

Mrs. Peacock: To ask the Secretary of State for Education and Employment what was the total amount paid by Kirklees metropolitan council on behalf of its teachers to the teachers; superannuation scheme during 1994–95. [17604]

Mr. Robin Squire: The total amount paid in pension contributions to the teachers' superannuation scheme by Kirklees metropolitan borough council during 1994–95 was £5,566,102.

Teachers' Pay

Ms Corston: To ask the Secretary of State for Education and Employment what impact the teachers' pay settlement will have on education spending in the 1996–97 settlement. [15486]

Mr. Robin Squire: The impact on the pay award will depend on the decisions made by local authorities when they determine their budgets for services, including education, for 1996–97.

Public Bodies

Dr. Wright: To ask the Secretary of State for Education and Employment which of the executive non-departmental public bodies sponsored by her Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16829]

Mr. Robin Squire: The information requested is shown in the following table:

Name of body	*Annual reports*	*Annual accounts*	*Minutes of meetings*	*Agendas of meetings*	*Register of interests*
Centre for Information on Language Teaching and Research	Yes	Yes	Yes[2]	No	No
Construction Industry Training Board	Yes[1]	Yes[1]	No	No	No
Education Assets Board	No	Yes[1]	No	No	Yes[2]
Engineering Construction Industry Training Board	Yes[1]	Yes[1]	No	No	No
Equal Opportunities Commission	Yes[1]	Yes[1]	No	No	No
Funding Agency for Schools	Yes	Yes[1]	No	No	Yes[2]
Further Education Funding Council	Yes	Yes[1]	No	No	No
Higher Education Funding Council for England	Yes	Yes[1]	No	No	Yes[2]
Investors in People UK	Yes[1]	Yes[1]	No	No	No
National Council for Educational Technology	Yes	Yes[1]	No	No	Yes[2]
National Council for Vocational Qualifications	Yes[1]	Yes[1]	No	No	No
National Youth Agency	Yes	Yes	No	No	No
Remploy Ltd.	Yes[1]	Yes[1]	No	No	Yes[2]
School Curriculum and Assessment Authority	Yes	Yes[1]	No	No	Yes[2]
Teacher Training Agency	Yes[1]	Yes[1]	No	No	Yes[2]

[1] Statutory.

[2] Available for inspection at the NDPB's offices.

Nursery Provision (Durham)

Mr. Steinberg: To ask the Secretary of State for Education and Employment how many three-year-olds are currently receiving nursery education in Durham. [17184]

Mr. Robin Squire: The information requested is shown in table 3, column (viii) of Statistical Bulletin 1/96: "Pupils Under Five Years of Age in Schools in England—January 1995", which is available in the Library.

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Education and Employment how much was spent by each training and enterprise council on administration for the year 1994–95. [17746]

Mr. Paice: The "in year" administration costs of each of the English training and enterprise councils as stated in their annual statutory audited accounts for 1994–95 are given in the following table:

TEC administration costs 1994–95

	£
North-east	
County Durham	2,844,998
Northumberland	2,170,801
Teesside	4,101,000
Tyneside	3,928,000
Sunderland City (Wearside)	1,589,414
Total	14,634,213
Merseyside	
CEWTEC	1,952,421
Merseyside	4,626,182
QUALITEC	990,569
Total	7,569,172
North-west	
Bolton/Bury	2,452,327
Manchester	2,973,860
METROTEC	2,173,116
Oldham	1,006,057
Rochdale	656,133
South and East Cheshire	1,051,417
Stockport and High Peak	898,243
Cumbria	2,439,495
ELTEC	2,681,903
LAWTEC	2,174,424
NORMID	1,203,943
Total	19,710,918
Yorkshire and Humberside	
Barnsley and Doncaster	3,195,000
Bradford and District	1,514,564
Calderdale and Kirklees	2,348,460
Humberside	3,257,145
Leeds	2,392,053
North Yorkshire	1,481,000
Rotherham	1,406,127
Sheffield	1,679,000
Wakefield	1,188,133
Total	18,431,482
Eastern	
Bedfordshire	1,518,605
CAMBSTEC	1,103,244
Essex	3,156,151
Greater Peterborough	1,010,561
Hertfordshire	2,152,000
Norfolk and Waveney	2,841,000
Suffolk	1,148,694
Total	12,930,255
East Midlands	
Greater Nottingham	1,521,000
Leicester	2,293,012
Lincolnshire	2,596,050
Northamptonshire	1,237,785
North Derbyshire	1,935,855
North Nottinghamshire	1,364,870
South Derbyshire	1,561,000
Total	12,509,572
West Midlands	
Birmingham	2,954,000
Central England	897,848
Coventry/Warwick	1,336,237
Dudley	1,273,292
HAWTEC	1,153,623
Sandwell	835,866
Shropshire	1,175,098
Staffordshire	2,995,000
Walsall	1,367,391
Wolverhampton	1,742,000
Total	15,730,355
South-West	
WESTEC (Avon)	2,950,000
Devon/Cornwall	6,405,000
Dorset	1,442,896
Gloucester	2,726,513
Somerset	1,822,761
Wiltshire	1,792,597
Total	17,139,767
London	
AZTEC	1,856,188
CENTEC	2,878,041
CILNTEC	3,116,232
LETEC	3,814,563
North London	2,587,420
North West London	1,141,113
SOLOTEC	2,684,946
West London	1,747,613
Total	19,826,116
South-east	
Hampshire	2,128,114
Isle of Wight	544,541
Kent	3,064,096
Milton Keynes/North Buckinghamshire	1,005,491
Heart of England	2,310,937
Surrey	2,365,167
Sussex	2,802,000
Thames Valley Enterprise	2,186,361
Total	16,406,707
Grand total	154,888,557

Mr. Byers: To ask the Secretary of State for Education and Employment how many civil servants her Department employs to oversee and monitor the activities of the training and enterprise councils; and what is their annual cost. [17747]

Mr. Paice: The Department currently employs 238 civil servants in Government offices whose work is principally about overseeing and monitoring the activities of training and enterprise councils. In 1995–96, the estimated cost of these staff is £6.4 million.

Consultants

Mr. Byers: To ask the Secretary of State for Education and Employment if she will list for each of the last five years *(a)* the total spent on consultants and *(b)* the work carried out by consultants. [17748]

Mr. Robin Squire: Information in the form requested could be provided only at disproportionate cost.

School Buildings

Mr. Spearing: To ask the Secretary of State for Education and Employment when she expects to lay guidelines for the governors of maintained schools in respect of standard of premises not within the statute's requirements of the draft school building regulations laid on 22 February. [17816]

Mrs. Gillan: I refer the hon. Member to my reply to my hon. Friend the Member for Swindon (Mr. Coombs) on 22 February 1996, *Official Report*, column *245–46*.

Mr. Spearing: To ask the Secretary of State for Education and Employment to what school regulations nursery schools or other under-fives provisions in *(a)* maintained, *(b)* voluntary and *(c)* private establishments (i) are now subject and (ii) will be subject if the draft schools regulations laid on 22 February are approved by Parliament. [17817]

Mrs. Gillan: Nursery schools, nursery classes and reception classes in the maintained sector are subject to the Education (School Premises) Regulation 1981 and, subject to the approval of Parliament, will become subject to the Education (Schools Premises) Regulations 1996 from 1 September 1996, when the 1981 regulations will be revoked.

Nursery schools and other under-fives provision outside the maintained sector are subject to other legislation—in particular, the Children Act 1989. Such provision falls within the scope of neither the School Premises Regulations 1981, nor the new 1996 regulations.

Special Educational Needs Tribunal

Mr. Corbett: To ask the Secretary of State for Education and Employment how many applications there have been annually to the special educational needs tribunal since its establishment; and how many have been *(a)* accepted and *(b)* rejected. [17331]

Mrs. Gillan *[holding answer 26 February 1996]:* A total of 1,170 appeals were registered with the special educational needs tribunal between 1 September 1994 and 31 August 1995. The average time taken to dispose of these was within the tribunal's five-month target. A total of 242 appeals were disposed of by 31 August 1995. Of these, 112 were upheld, 85 were dismissed, 27 were dismissed or upheld in part, 11 were remitted to the local education authority for reconsideration and seven were struck out because they were outside the tribunal's jurisdiction.

Further details about the numbers of appeals for this period can be obtained from the SEN tribunal President's annual report, a copy of which is in the Library.

I have asked the President of the tribunal to write to the hon. Member with up-to-date figures for appeals.

Mr. Corbett: To ask the Secretary of State for Education and Employment what is the annual cost to public funds of the special educational needs tribunal. [17326]

Mrs. Gillan *[holding reply 26 February 1996]:* The figure for the actual cost in the financial year ending 31 March 1996 is not yet available, but we estimate that expenditure in that year will be in the region of £1,400,000.

NORTHERN IRELAND

Prisons (Health Care)

Mr. Gerrard: To ask the Secretary of State for Northern Ireland (1) what percentage of the total annual budget for prisons in Northern Ireland is designated for health care; [16708]

(2) what provision is available to prisoners in Northern Ireland for therapeutic and psychological follow-up in the case of positive results in tests for transmissible diseases; [16692]

(3) what policies the prison service in Northern Ireland has concerning the prevention of transmissible or contagious diseases *(a)* in general and *(b)* in respect of particular outbreaks; [16680]

(4) what specific provisions are made of those prisoners in Northern Ireland known to be terminally ill; [16706]

(5) how many nurses and doctors are employed in the prison service in Northern Ireland per 100 inmates; [16690]

(6) how many prisoners in prisons in Northern Ireland are currently known to be terminally ill; and what are the causes of the terminal illnesses; [16705]

(7) what regular medical checks prisoners in prison in Northern Ireland receive; and what systematic checks are carried out for transmissible diseases; [16689]

(8) what steps are taken to prevent discrimination against prisoners in Northern Ireland with specific health problems; [16707]

(9) how many prisoners died in prison in Northern Ireland in each year since 1992; and of these deaths how many were *(a)* self-inflicted, *(b)* accidental, *(c)* homicides, *(d)* due to disease, *(e)* due to AIDS, *(f)* due to tuberculosis *(g)* due to cancer and *(h)* due to vascular and heart diseases; [16679]

(10) what steps are taken to ensure the confidentiality of medical checks on prisoners in Northern Ireland, including where a case of a transmissible disease is identified. [16691]

Sir John Wheeler: Responsibility for the subject in question has been delegated to the Prison Service under its chief executive, Mr. Alan Shannon. I have asked him to arrange for reply to be given.

Letter from A. D. Shannon to Mr. Neil Gerrard, dated 26 February 1996:

The Secretary of State has asked me to reply to your Parliamentary Questions in which you ask:

(i) the percentage of the total annual budget for prisons in Northern Ireland that is designated for health care;

(ii) the provision available to prisoners in Northern Ireland for therapeutic and psychological follow up in the case of positive results in tests for transmissible diseases;

(iii) the policy of the Northern Ireland Prison Service in relation to the prevention of transmissible and contagious diseases;

(iv) the provisions that are made for terminally ill prisoners in Northern Ireland;

(v) the number of nurses and doctors employed within the Northern Ireland Prison Service per 100 inmates;

(vi) the number of terminally ill prisoners in Northern Ireland and the cause of the illness;

(vii) what regular medical checks prisons in Northern Ireland receive and what systematic checks are carried out for transmissible diseases;

(viii) the steps taken to prevent discrimination against prisoners in Northern Ireland with specific health problems;

(ix) the number of prisoners who have died in prison in Northern Ireland in each year since 1992 and the cause of death in each case;

(x) the steps taken to ensure the confidentiality of medical checks on prisoners in Northern Ireland, including where a case of transmissible disease is identified.

The health care element of the Prison Service budget in 1995/96 is £1.1 million, which is slightly less than 1% of he overall budget of £143 million.

A prisoner diagnosed as suffering from a transmissible disease has access to a Consultant Physician with the required specialist. Where necessary, psychiatric and psychology services are provided by two part-time Consultant Psychiatrists and four full-time Psychologists.

The policy on the management of transmissible or contagious diseases depends largely on the condition involved. There is a written policy for the management of patients with HIV or Hepatitis B infection. Prison Medical Officers would take advice on managing outbreaks of infectious diseases from Consultants in Communicable Disease Control within Health and Personal Social Services Boards in Northern Ireland.

Prisoners who are diagnosed as having a terminal illness will have access to those provisions made available to members of the public by Health and Personal Social Services Boards.

Health care facilities for prisoners are provided by five full-time and two part-time medical officers and nine full-time and two part-time nursing staff. In addition, General Practitioner Practices provide support at three prison establishments in Northern Ireland. All these are employed by the Department of Health and Social Services. Health care staff are supplemented by 44 prison grade hospital officers. On 22 February 1996 the prison population was 1593 prisoners.

There are no terminally ill prisoners currently in prisons in Northern Ireland.

Prisoners have access to a doctor on a daily basis. They are medically screened on admission to prison, before a court appearance, transfer, discharge and disciplinary hearing. Regular medical checks are carried out on those deemed to require further attention. There are no routine systematic checks carried out for transmissible diseases.

All prisoners are integrated, where appropriate, into a normal location including those with specific health problems. Prison Rules in Northern Ireland permit Medical Officers to separate from other prisons any prisoner whose health makes such separation advisable in his own interest or that of other prisoners. Prisoners' medical conditions are treated as Medical in Confidence at all times.

Medical Officers to separate from other prisoners any prisoner whose health makes such separation advisable in his own interest or that of other prisoners. Prisoners' medical conditions are treated as Medical in Confidence at all times.

Nine prisoners have died in prison on Northern Ireland since 1992. Six of the deaths occurred in 1994—three were self-inflicted, two died from cancer and one from heart disease. Three deaths occurred in 1995—two were self-inflicted and one prisoner died from septicaemia.

Prisoners' medical records are held in a confidential file within a secure cabinet in the prison health care centre; the same rules of confidentiality are applied as for the general public.

Census Data

Mr. Foulkes: To ask the Secretary of State for Northern Ireland when the 1991 census data will be available on the basis of the new parliamentary constituencies in Northern Ireland. [16458]

Sir John Wheeler: On current plans, 1991 census data population counts for the new parliamentary constituencies will be available in September 1996.

Public Bodies

Dr. Wright: To ask the Secretary of State for Northern Ireland which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16827]

Sir John Wheeler: The information requested is as follows:

Department of Agriculture

Name of body	*Publish annual report*	*Publish annual accounts*	*Publish minutes of meetings*	*Publish agendas of meetings*	*Publish register of members' interest*
Livestock and Meat Commission	Yes (S)	Yes (S)	No	No	No
Agricultural Wages Board	Yes (S)[1]	No	No	No	No
Agricultural Resource Institute	Yes (S)	Yes (S)	No	No	No
Foyle Fisheries Commission	Yes (S)	Yes (V)	No	No	No
Fishery Harbour Authority	Yes (V)	Yes (V)	No	No	No
Fisheries Conservancy Board	Yes (S)	Yes (S)	No	No	No

Notes:

S = Statutory requirements

V = Voluntary.

[1] Report is published biannually.

Department of Economic Development

Name of body	Publish annual report	Publish annual accounts	Publish minutes of meetings	Publish agendas of meetings	Publish register of members' interest
Construction Industry Training Board	Yes (S)	Yes (S)	No	No	No
Enterprise Ulster	Yes (S)	Yes (S)	No	No	No
Equal Opportunities Commission	Yes (S)	Yes (S)	No	No	No[1]
Fair Employment Commission	Yes (S)	Yes (S)	No	No	No[1]
General Consumer Council for Northern Ireland	Yes (S)	Yes (S)	No	No	No
Labour Relations Agency	Yes (S)	Yes (S)	No	No	No[1]
Local Enterprise Development Unit	Yes (S)	Yes (S)	No	No	Yes (S)
Northern Ireland Commissioner for the Rights of Trade Union Members	Yes (S)	Yes (S)	No	No	No
Northern Ireland Commissioner for the Protection Against Unlawful Industrial Action	Yes (S)	Yes (S)	No	No	No
Northern Ireland Tourist Board	Yes (S)	Yes (S)	No	No	No[1]
Ulster Sheltered Employment Ltd.	Yes (S)	Yes (S)	No	No	Yes (S)

Notes:
[1] Maintain a Register of Members' interests, voluntarily, which are open for inspection at their offices upon request.
S = Statutory requirements.

Department of Education

Name of body	Publish annual report	Publish annual accounts	Publish minutes of meetings	Publish agendas of meetings	Publish register of members' interest
Arts Council of Northern Ireland	Yes (S)	Yes (S)	No	No	No
Council for Catholic Maintained Schools	No	Yes (S)	No	No	No
Trustees of the Ulster Folk and Transport Museum	Yes (S)	Yes (S)	No	No	No
Trustees of the Ulster Museum	Yes (S)	Yes (S)	No	No	No
Staff Commission for Education and Library Boards	Yes (V)	Yes (S)	No	No	No
Belfast Education and Library Board	Yes (V)	Yes (S)	Yes (V)	No	NO
North-Eastern Education and Library Board	Yes (V)	Yes (S)	Yes (V)	No	No
South-Eastern Education and Library Board	Yes (V)	Yes (S)	Yes (V)	No	No
Southern Education and Library Board	Yes (V)	Yes (S)	Yes (V)	No	No
Western Education Library Board	Yes (V)	Yes (S)	Yes (V)	No	No
Northern Ireland Council for the Curriculum Examinations and Assessment	No	Yes (S)	No	No	No
Northern Ireland Museums Council	Yes (V)	Yes (S)	No	No	No
Sports Council for Northern Ireland	Yes (S)	Yes (S)	No	No	No
Youth Council for Northern Ireland	Yes (V)	Yes (S)	No	No	No

Notes
S = Statutory requirements.
V = Voluntary.

Department of the Environment (Northern Ireland)

Name of body	Publish annual report	Publish annual accounts	Publish minutes of meetings	Publish agendas of meetings	Publish register of members' interest
Fire Authority for Northern Ireland	Yes (S)	Yes (S)	No	No	No
Laganside Corporation	Yes (S)	Yes (S)	No	No	No
Northern Ireland Housing Executive	Yes (S)	Yes (S)	No	No	No
Northern Ireland Transport Holding Company	Yes (S)	Yes (S)	No	No	No
Northern Ireland Local Government Officers' Staff Commission	Yes (V)	Yes (V)	No	No	No

S = Statutory requirements.
V = Voluntary.

Department of Finance and Personnel

The Department does not sponsor any executive non-departmental public bodies.

Department of Health and Social Security

Name of body	*Publish annual report*	*Publish annual accounts*	*Publish minutes of meetings*	*Publish agendas of meetings*	*Publish register of members' interest*
National Board for Nursing, Midwifery and Health Visiting for Northern Ireland	Yes (S)	Yes (S)	No	No	No
Northern Ireland Council for Postgraduate Medical and Dental Education	No	No	No	No	No
Mental Health Commission for Northern Ireland	Yes (S)[2]	Yes (S)	No	No	No

S = Statutory requirements.
V = Voluntary.
[1] Report is published biannually.
[2] Report is published biennially.
[3] Maintain a Register of Members' interests, voluntarily, which are open for inspection at their offices upon request.

Promotional Events

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland how expenditure by the Department of the Environment for Northern Ireland on promotional events will be funded. [18073]

Mr. Moss: During the year 1995–96, the Department of the Environment for Northern Ireland has undertaken the lead role in funding work promoting the image of Northern Ireland, including certain events geared to that objective. Recently, the Department has concluded that the legislation under which this policy was hitherto considered to give vires to work implemented does not in fact support funding for every element of the programme, and hence some expenditure has been incurred without legislative cover. Parliamentary approval for the extra-statutory elements of the programme is being sought in a supplementary estimate for the environmental and other services vote (Department of the Environment, vote 4). Pending that approval, urgently needed expenditure will be met by repayable advances from the civil contingencies fund. As I wish this valuable work to continue, I am reviewing arrangements for implementing the programme and also examining the possibility of seeking Parliament's approval of new legislation which would specifically authorise such expenditure.

Rate Collection Agency

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland if he will make a statement about the future of the Rate Collection Agency. [18074]

Mr. Moss: Following the announcement on 22 June 1995 about the outcome of the Evaluation and Review of the agency, the revised framework document setting out the policy and resources framework within which the agency will operate, pending the market test of its functions, has now been approved. Copies have been placed in the Libraries of both Houses of Parliament.

NNEB Courses

Mr. Mallon: To ask the Secretary of State for Northern Ireland (1) how many students at further education colleges studying Nursery Nurses Education Board courses have had a reduction in their grants in the current academic year; [16264]

(2) if he will take steps to resolve outstanding problems in relation to the funding of NNEB courses at colleges of further education; [16265]

(3) if he will instruct education and library boards to honour their full maintenance and tuition grant commitment to students studying NNEB courses at further education colleges. [16266]

Mr. Ancram *[holding answer 26 February 1996]:* Some 56 students studying National Nursery Examination Board courses at further education colleges have had a reduction in their grants in the current academic year. On 20 February, my Department approved an amendment to the discretionary awards arrangements which will enable education and library boards to pay full grant to these students. I am not aware of any problems in relation to the funding of these courses at colleges.

Wheelchairs

Mr. Tom Clarke: To ask the Secretary of State for Northern Ireland what expenditure has been incurred by health authorities in Northern Ireland for the purchase of electrically powered indoor/outdoor wheelchairs in each of the last three years. [17012]

Mr. Moss *[holding answer 26 February 1996]:* None.

Mr. Clarke: To ask the Secretary of State for Northern Ireland how many people have been provided with electrically powered indoor wheelchairs by health authorities in each of the last three years. [17017]

Mr. Moss *[holding answer 26 February 1996]:* The numbers of people provided with such wheelchairs is as follows:

1992–93: 143

1993–94: 134

1994–95: 305

Mr. Clarke: To ask the Secretary of State for Northern Ireland (1) what is the most recent figure available for the cost of providing an individual with an electrically powered indoor/outdoor wheelchair; [17014]

(2) what is the most recent figure available for the cost of providing an individual with an electrically powered indoor wheelchair. [17185]

Mr. Moss *[holding answers 26 February 1996]:* The cost would depend on individual circumstances and the type of chair supplied.

Mr. Clarke: To ask the Secretary of State for Northern Ireland what expenditure has been incurred by health authorities for the purchase of electrically powered indoor wheelchairs in each of the last three years. [171891]

Mr. Moss *[holding answer 26 February 1996]:* The information requested is as follows

1992–93: £63,152

1993–94: £23,225

1994–95: £112.189

Mr. Clarke: To ask the Secretary of State for Northern Ireland how many people have been provided with electrically powered indoor/outdoor wheelchairs by health authorities in each of the last three years. [17194]

Mr. Moss *[holding answer 26 February 1996]:* None.

NATIONAL HERITAGE

Public Bodies

Dr. Wright: To ask the Secretary of State for National Heritage which of the executive non-departmental public bodies sponsored by her Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16826]

Mr. Sproat: The information is as follows:

(a)

Arts Council of England
British Film Institute
British Library[1]
British Tourist Authority[1]
Broadcasting Complaints Commission[1]
Broadcasting Standards Council[1]
Crafts Council
English Tourist Board[1]
Football Licensing Authority[1]
Geffrye Museum[1]
Horniman Museum[1]
Millennium Commission[1]
Museum of London[2][2]
Museum of Science and Industry in Manchester[1]
Museums and Galleries Commission
National Gallery[2]
National Portrait Gallery[2]
National Heritage Memorial Fund[1]
Public Lending Right[1]
Royal Commission on Historical Manuscripts
Sports Council

The following bodies are statutorily obliged to produce a triennial report:

British Museum
Natural History Museum
National Museums and Galleries on Merseyside
National Museum of Science and Industry
Tate Gallery
Victoria and Albert Museum
Wallace Collection

(b)

Arts Council for England
British Film Institute[1]
British Library[1]
British Museum[1]
British Tourist Authority[1]
Broadcasting Complaints Commission[1]
Broadcasting Standards Council[1]
Crafts Council
English Tourist Board[1]
Football Licensing Authority[1]
Geffrye Museum[1]
Horniman Museum[1]
Imperial War Museum[1]
Millennium Commission[1]
Museum and Galleries Commission
Museum of London[1]
Museum of Science and Industry in Manchester[1]
National Film and Television School[1]
National Gallery[1]
National Heritage Memorial Fund[1]
National Maritime Museum[1]
National Museums and Galleries on Merseyside[1]
National Museum of Science and Industry[1]
National Portrait Gallery[1]
Natural History Museum[1]
Public Lending Right[1]
Sir John Soane's Museum[1]
Sports Council
Tate Gallery[1]
Victoria and Albert Museum[1]
Wallace Collection[1]

(c)

British Film Institute
Sports Council

(d)

British Film Institute
Sports Council

(e)

British Film Institute
British Library

All of DNH's executive NDPBs are currently developing registers of members' interests. Many of these are already in place and are open to the public on request.

[1] indicates where this is a statutory requirement.
[2] indicates where an annual report is published by the organisation is only statutorily obliged to publish a triennial report.

WALES

Nursery Education

Mr. Dafis: To ask the Secretary of State for Wales if he will list for *(a)* each Welsh county and *(b)* Wales the numbers of children receiving nursery school education and the proportion those children represent of the total number of children of pre-school age for each of the last three available years. [16287]

Mr. Richards: The information is in the tables.

Number of children receiving nursery education[1]

	1992–93		1993–94		1994–95	
	Nursery schools	*Nursery classes*	*Nursery schools*	*Nursery classes*	*Nursery schools*	*Nursery classes*
Clwyd	172	4,757	195	4,542	179	4,718
Dyfed	222	2,248	191	2,139	213	2,210
Gwent	913	3,698	915	3,866	864	4,026
Gwynedd	—	887	—	836	—	1,042
Mid Glamorgan	1,208	4,831	1,216	4,285	1,179	4,323
Powys	—	505	—	298	—	263
South Glamorgan	803	2,748	832	2,850	791	2,940
West Glamorgan	236	4,881	230	4,725	224	4,659
Wales	3,554	24,555	3,579	23,541	3,450	24,181

[1] At January each year. Aged at 31 December (estimated). Data includes both full-time and part-time pupils in nursery schools and nursery classes in maintained primary schools. Pupils in ordinary classes in maintained primary schools, special and independent schools are excluded.

Proportion of children receiving nursery education[1]

	1992–93		1993–94		1994–95	
	Nursery schools	*Nursery classes*	*Nursery schools*	*Nursery classes*	*Nursery schools*	*Nursery classes*
Clwyd	1.6	45.0	1.9	43.5	1.7	43.8
Dyfed	2.6	26.3	2.3	25.9	2.5	25.9
Gwent	7.2	29.2	7.4	31.1	6.8	31.8
Gwynedd	—	14.7	—	14.0	—	17.5
Mid Glamorgan	7.7	30.8	7.9	28.0	7.8	28.6
Powys	—	17.5	—	10.7	—	9.0
South Glamorgan	6.9	23.5	7.2	24.5	6.7	25.0
West Glamorgan	2.5	51.8	2.5	50.5	2.4	49.7
Wales	4.6	31.7	4.7	30.9	4.5	31.4

[1] At January each year. Aged at 31 December (estimated). Data includes both full-time and part-time pupils in nursery schools and nursery classes in maintained primary schools as a proportion of the mid-year population estimates for children aged three and four-years-old. Pupils in ordinary classes in maintained primary schools, special and independent schools are excluded.

Nursery Education

Mr. Dafis: To ask the Secretary of State for Wales what estimate he has made of the likely change in the number of children receiving nursery education and the corresponding proportion of those children as a percentage of the total number of children of pre-school age for each county and for Wales as a whole in consequence of the introduction of the proposed nursery voucher scheme; and if he will make a statement. [16288]

Mr. Richards: The voucher scheme is intended to enhance current levels of provision and stimulate greater choice for parents in the maintained, voluntary and private sectors. No estimate has been made of the actual number of four-year-olds who will take up places under the scheme—that will depend on parental choice and the availability of places; but numbers are expected to be no less than at present.

Public Bodies

Dr. Wright: To ask the Secretary of State for Wales which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16819]

Mr. Hague:

(a) All—under statue, charter or other controlling documents. The report of work by the Agricultural Wages Committee is included in the annual report of the Agricultural Wages Board;

(b) all except the Royal Commission on Ancient and Historical Monuments in Wales and the Agricultural Wages Committee—under statue or charter;

(c) none;

(d) none;

(e) all have adopted or are in the process of adopting a code of practice based on the code of best practice for board members of public bodies published by Her Majesty's Treasury in June 1994, and publish or will then publish or make available such a register.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales what is his current estimate of the outturn cost of the Cardiff bay barrage. [17461]

Mr. Hague: I have asked the corporation to contain total expenditure on the barrage project within the cost figure announced to Parliament. The current estimated outturn cost is therefore £191 million.

Ambulance Services

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 February, at column *56*, if he will place in the Library a copy of the report of the investigating team into the management and finances of the South East Wales ambulance trust. [17350]

Mr. Hague: I will make arrangements for a copy to be placed in the Library of the House.

Mr. Morgan: To ask the Secretary of State for Wales on what date he proposes to announce *(a)* the appointment of new board and *(b)* the re-appointment of existing board members to the South East Wales ambulance trust. [17245]

Mr. Hague: The appointment of executive directors is a matter for the trust. The terms of appointment of two non-executive directors are due to expire on 30 April 1996. I hope to make an announcement shortly.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 February, *Official Report*, column 88, if he will give the dates on which his Department expressed concern to the South East Wales ambulance trust in relation to its financial problem; if the concern was expressed in writing; if he will place in the Library copies of any such expressions in writing; and if he will make a statement. [17351]

Mr. Hague: My Department has maintained close contact with the trust since its financial problems became apparent, including monthly monitoring of the trust's financial performance, meetings between officials and staff at the trust and frequent correspondence. The director of the Welsh Office Health Directorate met the former chairman of the trust on three separate occasions, 27 March 1995; 30 August 1995 and 7 December 1995. He attended a meeting of the trust board on 21 December 1995 to discuss its financial performance.

Unspent Balances

Mr. Morgan: To ask the Secretary of State for Wales what is the total amount of unspent balances held by general practitioner fundholders or by family health service authorities on their behalf at the latest available date *(a)* in the whole of Wales and *(b)* by family health service authority separately. [17354]

Mr. Hague: The information, as at 31 March 1995, is as follows:

FHSA	*£000*
Clwyd	1,115
Dyfed	692
Gwent	2,753
Gwynedd	469
Mid Glamorgan	775
Powys	1,836
South Glamorgan	1,277
West Glamorgan	1,246
Wales	10,163

Source
FHSA annual accounts 1994–95.

Ysbyty Gwynedd NHS Trust

Mr. Morgan: To ask the Secretary of State for Wales what consultations he had had with the chairman of the Ysbyty Gwynedd NHS trust in relation to the suspension of the medical director. [17410]

Mr. Hague: None. The medical director has not been suspended.

Mr. Morgan: To ask the Secretary of State for Wales what reports he has had from the chairman of the Ysbyty Gwynedd NHS trust concerning allegations of fraud. [17409]

Mr. Hague: I have received no formal reports. The chairman of the trust is in contact with my officials about allegations of fraud.

Departmental Report

Mr. Morgan: To ask the Secretary of State for Wales on what date he proposes to publish the departmental report for 1996–97. [17242]

Mr. Hague: The 1996 Welsh Office departmental report, covering the 1995–96 financial year, will be published on 25 March 1996. No date has been decided for the publication of next year's report.

Emergency Medical Admissions

Mr. Morgan: To ask the Secretary of State for Wales if he will place in the Library a copy of his statement of 21 February on the priority for placement of emergency medical admissions and its impact on elective surgery bed availability. [17243]

Mr. Richards: My comments on the response of NHS trusts to the demand for emergency admissions were made at the launch of the 1996 patients charter.

My main message was that hospitals should not refuse to admit emergency cases unless all beds, other than child and maternity beds, are full.

This is in line with the recommendations of the emergency admissions action plan developed by senior health authority and trust staff.

Community Health Councils

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the present Cardiff and Vale of Glamorgan community health councils about the future separation of the administration of the two councils; and what advice he has given about the appointment procedures to be adopted for staff in the event of separate administrative arrangements being implemented. [17244]

Mr. Hague: Consultations with both councils have led to agreement in principle to the possible separation of administrative functions, provided no additional costs are involved.

The Welsh Health Common Services Authority, the employing body, has asked existing staff from both councils whether they want to be considered for the possible chief officer posts.

Training and Enterprise Councils

Mr. Morgan: To ask the Secretary of State for Wales on what date he last requested figures from the Welsh training and enterprise councils as to the levels of their reserves and their latest estimate of year-end balances; and if he will make a statement on the estimated total figure for end-year unspent balances. [17355]

Mr. Hague: TECs in Wales provide my Department on a quarterly basis with current and projected year-end reserve levels. The latest figures, which reflect income and expenditure to 31 December 1995, were received in February.

My officials are currently in discussion with Welsh TECs about the projected year-end position in the light of developments during the final quarter of the financial year.

I will write to the hon. Member when these discussions have been completed.

Planning Department (Welsh Office)

Mr. Llwyd: To ask the Secretary of State for Wales if he will list for each of the last three years the numbers of staff in each grade and in total employed in the planning department of his office. [17570]

Mr. Hague: The requested information can be seen in the table.

The numbers of staff in each grade employed within the Planning Division for the last three years are as follows:

	1 February 1996	*1 February 1995*	*1 February 1994*
G5	1.00	—	1.00
G6	—	1.00	1.00
G7	2.00	3.00	2.00
G7PRO	0.81	1.81	1.81
PPO	2.00	3.00	3.50
SEO	2.00	2.00	1.00
SMCO	1.00	1.00	1.00
SPO	2.50	2.50	2.50
SRO	1.81	1.81	1.81
HEO	6.00	8.40	7.40
HMCO	2.00	3.00	3.00
EO	9.00	10.00	8.00
MCO	12.01	13.01	16.01
AO	6.00	7.00	5.00
MCTG1	0.99	0.99	0.99
PS	1.00	1.00	2.00
AA	3.45	4.45	4.45
MCTG2	1.00	1.00	—
CAS/AA	2.00	—	—
Total	56.57	64.97	62.47

1. The figures include staff in the Drawing Office who provide a general service to the Department but who are attached to Planning Division.

2. The figures do not include Planning Inspectorate staff in Wales.

3. Work on National Parks and related areas was transferred to Planning Division in May 1994 and to Environment Division in December 1995.

LORD CHANCELLOR'S DEPARTMENT

Public Bodies

Dr. Wright: To ask the Parliamentary Secretary, Lord Chancellor's Department which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16825]

Mr. Jonathan Evans: The Lord Chancellor's Department sponsors two such bodies: the Legal Aid Board and the Authorised Conveyancing Practitioners Board. However, the latter has been inactive since March 1992, when the Lord Chancellor announced his decision to postpone implementation of the authorised practitioners scheme.

The Legal Aid Board publishes annual reports which are laid before Parliament. Annual accounts are included in that report, as is information about the background of board members. The board does not publish the agendas or minutes of meetings of the board or its committees. There are statutory requirements for the board to publish information as to the discharge of its functions in relation to legal aid and for the Lord Chancellor to lay before each House of Parliament a copy of every statement of accounts and report of the auditors sent to him in accordance with requirements under the Legal Aid Act 1988.

Divorce Petitions

Mrs. Gorman: To ask the Parliamentary Secretary, Lord Chancellor's Department how many petitions for divorce have been filed *(a)* within one year of marriage and *(b)* in total in each of the last 10 years; and of those petitions how many relate to marriages where one party has lived in the United Kingdom for less than two years. [17749]

Mr. Jonathan Evans: The question concerns a specific operational matter on which the chief executives of the Court Service and the Northern Ireland Court Service are best placed to provide answers on the Lord Chancellor's behalf. I have accordingly asked the chief executives to reply direct.

Letter from M. D. Huebner to Mrs. Teresa Gorman, dated 27 February 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about Divorce Petitions.

The total number of divorce petitions filed in the last ten years, for England and Wales is as follows:

1986: 179,844

1987: 182,934

1988: 182,804

1989: 184,610

1990: 191,615

1991: 179,103

1992: 189,419

1993: 184,471

1994: 175,510

1995: 173,966

Information on the number of petitions filed within one year of marriage is not available and could only be obtained at disproportionate cost. It is also not possible to say how many divorce petitions relate to marriages where one party has lived in the United Kingdom for less than two years.

Letter from H. G. Thompson to Mrs. Teresa Gorman, dated 27 February 1996:

The Parliamentary Secretary has asked me to write to you direct with figures extracted, in relation to Northern Ireland, on foot of the Parliamentary Question put down by you on 23 February 1996 and answered by him today.

In view of the manner in which the records are kept, it has not been possible to extract all the figures requested. As the figure for 1995 is not yet available, I have covered the 10-year period 1985–94 and the total number of petitions filed for each year within that period are as follows.

Year	Number of petitions
1985	2,007
1986	1,652
1987	1,784
1988	2,224
1989	2,407
1990	2,281
1991	2,619
1992	2,615
1993	2,716
1994	2,672
Total	22,987

It is not possible to identify the number of these which related either to marriages of less than one year in duration or to marriages where one party has lived in the United Kingdom for less than two years.

I am able to report that the number of *Decrees Absolute* granted in marriages of less than two years duration was a total of 96 over the same 10-year period.

OVERSEAS DEVELOPMENT ADMINISTRATION

Overseas Development Administration

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations were held with UN agencies before publication of the Overseas Development Administration's fundamental expenditure review and the senior management review. [16398]

Mr. Hanley: At the outset of the fundamental expenditure review exercise, a member of the FER team had discussions in New York with senior officials from the UNDP, UNICEF and with the UK Mission to the UN. Copies of the FER were passed to UN agencies on publication.

No separate discussions with UN agencies took place at the time of the senior management review, but as the SMR followed shortly after the FER, it was able to take account of the discussions and conclusions of the FER.

The FER conclusions are recommendations only. We are now considering how policies should be changed to respond to the recommendations. At present, we have no plans to withdraw from any multilateral agencies. In autumn 1996, we shall be reviewing progress of reform in UN development agencies and coming to conclusion about our future relationship with those agencies.

Ogoni People (Nigeria)

Mr. Dafis: To ask the Secretary of Start for Foreign and Commonwealth Affairs what representations he had made to the UN Commission on Human Rights concerning the situation of the Ogoni people of Nigeria. [16611]

Mr. Hanley: The UK co-sponsored a resolution on the human rights situation in Nigeria at the UN General Assembly in December. The resolution, which was passed by a convincing majority condemned the arbitrary execution after a flawed judicial process of Ken Saro-Wiwa and his eight co-defendants and invited the Commission on Human Rights to give urgent attention to Nigeria at its forthcoming session in March-April.

Pakistan (Afghan Refugees)

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been given to the Pakistan Government to help Afghan refugees who now live in Pakistan; what form such aid has taken; and if he will make statement. [16311]

Mr. Hanley: HMG do not give bilateral aid to the Pakistan Government specifically to help Afghans resident there. However, Pakistan remains a major recipient of British aid, over £28 million in bilateral assistance having been provided in 1994–5. HMG have also provided considerable sums over the years via UN bodies and NGOs to assist the refugees.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what funding has been given in the current financial year by Her Majesty's Government to the Government of Pakistan to provide schooling for the children of Afghan refugees now living in Pakistan. [17158]

Mr. Hanley: No funding is currently being provided to the Pakistan Government for education costs for Afghan children resident in Pakistan.

ATTORNEY-GENERAL

Councillor Norman Scuplak

Mr. Vaz: To ask the Attorney-General what action the Director of Public Prosecutions has taken with regard to the detention of Councillor Norman Scuplak at Charles street police station on 11 January 1996; and if he will make a statement. [17569]

The Attorney-General: Following an allegation of theft made against him by a fellow councillor, Councillor Scuplak voluntarily attended Charles street police station where he was interviewed. The Leicestershire constabulary has its forwarded the results of its investigation to the Crown Prosecution Service, which will decide whether or not to institute criminal proceedings.

PRIME MINISTER

Departmental Officials (Interest)

Mr. Cohen: To ask the Prime Minister if he will list the officials in his Department who have declared a current interest; what requirement are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16883]

The Prime Minister: For these purposes my office forms part of the Cabinet Office. I refer the hon. Member to the answer given today by my hon. Friend, the Parliamentary Secretary, Office of Public Service.

Ministerial Accountability

Mrs. Clwyd: To ask the Prime Minister, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17305]

The Prime Minister *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade on 26 February 1996, *Official Report*, columns 589–604.

EDS Ltd.

Ms Eagle: To ask the Prime Minister if he will list those contracts his Department currently holds with EDS Ltd., indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17453]

The Prime Minister: For this purpose, my office is part of the Cabinet Office. I refer the hon. Member to the answer given today by my right hon. Friend the Parliamentary Secretary, Office of Public Service.

Cabinet Working Group on Iraqi Procurement

Mrs. Clwyd: To ask the Prime Minister if he will list all members of the Cabinet working group on Iraqi procurement between 25 May 1989 and 25 February 1990. [17230]

The Prime Minister: The members of the working group on Iraqi procurement were officials drawn from the Departments concerned. It is not the practice to publish the membership of official committees.

Ministerial Duties

Mr. Ieuan Wyn Jones: To ask the Prime Minister if he will make it his policy to ensure that conventions regulating ministerial duties are codified by legislation. [17781]

The Prime Minister: No. I believe that ministerial duties to Parliament should be supervised by Parliament.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 27 February. [15751]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Live Animal Exports

Sir Terence Higgins: To ask the Prime Minister if the speech by the Secretary of State for Agriculture to the annual general meeting of the Devon members of the National Farmers' Union on the export of live animals represents Government policy. [17241]

The Prime Minister: My right hon. Friend the Minister set out his views on the export of live animals very clearly in his speech on 15 January. They are consistent with the views expressed in the House on previous occasions.

2001 Census

Mr. Wigley: To ask the Prime Minister how many representations his office received *(a)* in favour of and *(b)* against the setting up of a census office for Wales (i) in respect of the 1991 census and (ii) in respect of the 2001 census; and if he will make a statement. [15884]

The Prime Minister: So far as I am aware, none. I refer the hon. Member to the reply that I gave him on 23 January 1996, *Official Report*, column *141*.

Mr. Wigley: To ask the Prime Minister what plans he has to ensure that the format of the 2001 census forms conform with the provisions of the Welsh Language Act 1993; if he will make it his policy to consult the Welsh Language Board in preparing census forms; and if he will make a statement. [15883]

The Prime Minister: The content and format of the 2001 census form are not yet decided. However, the Registrar General will ensure that the forms conform with the Welsh Language Act 1993, consulting other bodies as required.

Mr. Wigley: To ask the Prime Minister what plans he has to include in the 2001 census a question to discover how many people throughout the United Kingdom can understand, read and write the Welsh language. [17534]

The Prime Minister: I refer the hon. Member to the reply I gave to him on 23 January 1996, *Official Report*, column *141*.

Hong Kong

Mr. Byers: To ask the Prime Minister what plans he has to meet David Tang, Jimmy Lai, Morris Nourari, Stanley Ho and Li Kash Ing during his forthcoming visit to Hong Kong. [17813]

The Prime Minister: I naturally hope to meet a broad range of business men, politicians and other opinion formers.

TREASURY

Departmental Officials (Interests)

Mr. Cohen: To ask the Chancellor of the Exchequer if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16878]

Mrs. Angela Knight: Staff are required to inform their line manager in writing of any relevant private financial interest where this might give rise to a conflict of interest with their official dealings in their current post. These records are held by the relevant team leader while the individual is in that post. No central record is held and the Treasury does not propose to establish a central register.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Chancellor of the Exchequer what was the total expenditure by his Department on *(a)* staff, *(b)* services, *(c)* offices and *(d)* other categories on the Isle of Wight in 1994–95. [16767]

Mrs. Angela Knight: Expenditure on the Isle of Wight in 1994–95 for all categories was nil.

EDS Ltd.

Ms Eagle: To ask the Chancellor of the Exchequer if he will list those contracts his Department currently holds with EDS Ltd., indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17458]

Mrs. Angela Knight: The Treasury currently holds no contracts with EDS.

Single Currency

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how much is being allocated by the European Commission to each member state to publicise the alleged benefits of a single currency. [17543]

Mrs. Angela Knight: I refer the hon. Member to the answer I gave him on 7 February 1996, columns *186–87*.

Income Tax

Mr. Pearson: To ask the Chancellor of the Exchequer (1) if he will update his answer to the hon. Member for Hartlepool (Mr. Mandelson) of 14 July 1993, *Official Report*, column *515–16* on the introduction of an upper limit for income tax allowances and reliefs for the years 1995–96 and 1996–97 providing calculations of the yield from restriction to the basic rate and 20p rate only for those reliefs and allowances claimed at the marginal rate; [14264]

(2) if he will update his answer to the hon. Member for Hartlepool of 1 July 1993, *Official Report*, column *598–600* on the introduction of an upper limit for income tax allowances and reliefs for the years 1995–96 and 1996–97 providing calculations of the yield from restriction to the basic rate only for those reliefs and allowances claimed at the marginal rate. [14267]

Mr. Jack: Available analyses of the full year yields at 1995–96 and 1996–97 income levels from introducing combinations of allowance and relief limits and restrictions are given in the table. The figures do not take account of any behavioural effects which might result from the introduction of such changes.

The estimated number of people with total allowances and reliefs in excess of these limits are as follows:

Limit £	*Thousands* 1995–96	1996–97
10,000	170	190
15,000	60	70
20,000	30	40

Upper limit for total allowances and reliefs[1] £	*Full year yield (£ billion) at 1995–96 income levels restricted to:* Marginal rates	Basic rate	20 per cent.	*Full year yield (£ billion) at 1996–97 income levels restricted to:* Marginal rate	Basic rate	20 per cent.
10,000	0.5	2.8	7.8	0.5	3.1	7.1
15,000	0.3	2.6	7.7	0.3	3.0	7.0
20,000	0.2	2.6	7.7	0.2	2.9	7.0
No limit	—	2.5	7.5	—	2.8	6.8

[1] Available at marginal rates of tax.

Mr. Martyn Jones: To ask the Chancellor of the Exchequer if he will update his answer to the hon. Member for Peckham (Ms Harman) of 5 March 1993, *Official Report*, column *335*, on the cumulative gain as a result of changes in income tax and national insurance since 1978–79 and 1987–88 to *(a)* 1995–96 and *(b)* 1996–97. [14402]

Mr. Jack: Readily available information on the annual reduction in income tax and national insurance liability for 1995–96 and 1996–97 compared with the 1978–79 and 1987–88 indexed regimes are given in the table. They are based on projections of the 1993–94 survey of personal incomes. These comparisons are hypothetical since if an indexed version of the 1978–79 and 1987–88 tax regime had prevailed the income base would not have grown in the way it has. The effect of changes in mortgage relief cannot be included in the analysis because most mortgage interest relief is given at source and therefore is not recorded on individual tax records.

Average reduction in income tax and national insurance per individual in 1995–96

£

Range of individuals income in 1995–96	*Compared with 1978–79 indexed regime* Income tax	Income tax and national insurance	*Compared with 1987–88 indexed regime* Income tax	Income tax and national insurance
Under 5,000	130	160	50	60
5,000–10,000	360	320	160	190
10,000–15,000	720	540	220	290
15,000–20,000	1,080	720	290	310
20,000–25,000	1,440	810	360	320
25,000–30,000	1,830	1,100	420	350
30,000–40,000	2,120	1,390	150	60
40,000–50,000	3,350	2,640	430	340

Average reduction in income tax and national insurance per individual in 1995–96

£

Range of individuals income in 1995–96	Compared with 1978–79 indexed regime		Compared with 1987–88 indexed regime	
	Income tax	Income tax and national insurance	Income tax	Income tax and national insurance
50,000–60,000	5,380	4,680	1,230	1,190
60,000–70,000	8,480	7,780	2,600	2,510
70,000–80,000	12,200	11,600	4,340	4,240
Over 80,000	47,900	47,200	19,900	19,800
Average	1,230	970	390	400

Average reduction in income tax and national insurance per individual in 1996–97

£

Range of individuals income in 1996–97	Compared with 1978–79 indexed regime		Compared with 1987–88 indexed regime	
	Income tax	Income tax and National Insurance	Income tax	Income tax and National Insurance
Under 5,000	150	200	60	80
5,000–10,000	390	380	200	250
10,000–15,000	810	670	330	420
15,000–20,000	1,240	920	450	500
20,000–25,000	1,640	1,090	560	550
25,000–30,000	2,070	1,390	690	610
30,000–40,000	2,490	1,830	530	450
40,000–50,000	3,560	2,930	700	630
50,000–60,000	5,490	4,900	1,490	1,420
60,000–70,000	8,320	7,760	2,690	2,640
70,000–80,000	11,800	11,200	4,340	4,270
Over 80,000	47,200	46,700	19,700	19,600
Average	1,410	1,170	540	550

Mortgage Endowment Policies

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will require each major company with mortgage endowment policy repayment schemes which have yet to mature to conduct an audit of these policies. [17475]

Mrs. Angela Knight: If customers with mortgage endowment policy repayment schemes are concerned about the maturity value of their policy, they should discuss the situation with their insurer.

Mr. Field: To ask the Chancellor of the Exchequer if he will list, by the top 10 companies, the sales of mortgage endowment repayment policies since 1979; and if he will indicate the value of these policies by companies for each year since 1979. [17473]

Mrs. Angela Knight: This information is not held centrally.

Self-employment

Mrs. Roche: To ask the Chancellor of the Exchequer what progress has been made on the piloting of a single form to give the self-employed a single notification point along the lines announced in the Government's response to the first annual report of the deregulation task force. [15678]

Mr. Jack *[holding answer 20 February 1996]:* The pilot of the single form to give the self-employed a single notification point for tax, national insurance contributions and VAT commenced in October 1995. The form is available from tax, social security, VAT and business link offices in the pilot area in the north of England. The pilot, which has been well received, is due to run until March 1996. The intention is then to extend the use of the form to the rest of the country. In developing the national version of the pilot, the Inland Revenue has been guided by comments from consultation with customers.

Scott Inquiry

Mr. Hain: To ask the Chancellor of the Exchequer what was the cost of the allocation of persons in his Department to the consideration of the Government's response to the Scott inquiry. [16572]

Mr. Kenneth Clarke *[holding answer 22 February 1996]:* Access to the report itself prior to publication was restricted to a very small number of officials in my Departments, in accordance with the procedure agreed with the Scott inquiry. However, the Scott report covered a wide range of policy issues and a number of other officials contributed to preparation of the Government's response without sight of the report. It is not therefore possible to give the cost of the work.

Mr. Janner: To ask the Chancellor of the Exchequer how he responded to communications received from Mr. Christopher Muttukumaru; what were the dates of letters; and if he will deposit copies in the Library. [16547]

Mr. Kenneth Clarke *[holding answer 22 February 1996]:* I and my officials have responded to a number of letters from Mr. Muttukumaru, for example, about my evidence to the inquiry in February 1994. Sir Richard Scott is free to publish any document he considers to be relevant to his report, consistent with his procedures. I understand that he proposes to do this as soon as possible.

Mr. Janner: To ask the Chancellor of the Exchequer what communication he received from the Secretary of the Scott inquiry, concerning the time needed by the Opposition parties to scrutinise the Scott report; on what date he received such communications; what was the nature of the contents of the letters; and if he will deposit copies of those letters in the Library. [16629]

Mr. Kenneth Clarke *[holding answer 22 February 1996]:* I refer the hon. Member to the answer given to him by the President of the Board of Trade on 22 February, columns *251–52*.

Mr. Madden: To ask the Chancellor of the Exchequer at what hour and minute of which day the report of the Scott inquiry was delivered to his office. [16491]

Mr. Kenneth Clarke *[holding answer 22 February 1996]:* At about 6 pm on Friday 9 February.

Mrs. Dunwoody: To ask the Chancellor of the Exchequer when he first saw the report of the Scott Inquiry. [16581]

Mr. Kenneth Clarke *[holding answer 22 February 1996]:* On 10 February, at about 10 am.

AGRICULTURE, FISHERIES AND FOOD

Badgers (Tuberculosis)

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what has been the cost of the badger TB programme in each area in each of the last five years. [16242]

Mrs. Browning: The information is not available in the form requested. However, the approximate cost of employing staff to undertake badger investigations following TB breakdowns in cattle in England for each of the last five financial years is as follows:

1991–92: £466,707

1992–93: £588,328

1993–94: £792,898

1994–95: £1,202,448

1995–96: £1,212,137—estimate

In addition, considerable resources have been allocated to research into the problem of TB in badgers and cattle. It is estimated that the Department will spend £1.48 million in the current financial year.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what has been the cost of administration of the blood test scheme which identifies TB in badgers since its introduction. [16243]

Mrs. Browning: The cost of using the recently developed live test for TB in badgers, from its introduction in November 1994 to date, has been approximately £536,324.

Food (Peanut Content)

Mr. Galbraith: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure that the peanut content of food is listed on the packaging; and if he will make a statement. [16302]

Mrs. Browning: The European Community's Scientific Committee for Food has recently reported on the subject of food intolerance. We expect the EC Commission to pursue revised labelling rules on the basis of this scientific opinion.

In the meantime, following discussions between my officials and industry and consumer representatives, there is an increased awareness of nut allergy within the industry. Many manufacturers are now voluntarily labelling the presence of nuts on their labels and some have considered the reformulation of their products.

Licensed Meat Wholesalers

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food how many licensed meat wholesale premises there were in *(a)* Wales, *(b)* England and *(c)* Scotland at the end of 1995; and if he will make a statement. [16510]

Mrs. Browning: The tables set out the number of wholesale premises licensed at the end of 1995 under (i) the Fresh Meat (Hygiene and Inspection) Regulations 1995, (ii) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995 and (iii) the Wild Game Meat (Hygiene and Inspection) Regulations 1995:

(i) The Fresh Meat (Hygiene and Inspection) Regulations 1995

Type of premises	*Wales*	*England*	*Scotland*
Slaughterhouses	36	402	48
Cutting Plants	25	357	41
Cold Stores	18	242	44
Farmed Game Handling/Processing Facilities	6	57	7

(ii) The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995

Type of premises	*Wales*	*England*	*Scotland*
Slaughterhouses	11	144	8
Cutting Plants	7	68	1
Cold Stores	1	4	—
Re-wrapping Centres	—	1	1

(iii) The Wild Game Meat (Hygiene and Inspection) Regulations 1995

Type of premises	*Wales*	*England*	*Scotland*
Wild Game Processing Facilities	—	16	13

Fish Discards

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food when he last met his European counterparts to discuss the discarding of fish; and if he will make a statement. [16720]

Mr. Baldry: At the Council of Fisheries Ministers on 21 to 22 December 1995, we discussed the implementation of technical conservation measures under the common fisheries policy. I led the way in pressing the case for improvements to be made to help reduce discards and conserve stocks, and it was agreed that the Commission should present new proposals by 1 June 1996. The Council undertook to reach a decision on these proposals before the end of 1996.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what was the total expenditure of his Department on the Isle of Wight in 1994–95 broken down by category. [16779]

Mr. Boswell: The information is not held centrally. Details of national expenditure broken down into 81 programmes are available from the MAFF/IB annual departmental report. The 1995 edition (CM 2803), available from the House of Commons Library, contains estimated outturn figures for 1994–95. The next edition of this report is due to be published on 25 March 1966 as part of a series, accompanied by a statistical supplement, which present the Government's expenditure plans for 1996–97 to 1998–99.

National Institute of Agricultural Botany

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has for a prior options review of the National Institute of Agricultural Botany. [16973]

Mr. Boswell: None. Discussions are taking place with the National Institute of Agricultural Botany with a view to placing it unequivocally in the private sector.

Sheep Producers (Aid Packages)

Mr. Ieuan Wyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to press the European Union for similar aid packages for United Kingdom sheep producers to those recently awarded to the Republic of Ireland; and if he will make a statement. [17780]

Mrs. Browning: No. As yet, no aid package has been awarded to the Republic of Ireland. My right hon. and learned Friend the Minister made it clear at the Agriculture Council last December that we saw no justification for the special treatment which Ireland was seeking: responding to a weak market situation by granting special aid gives the wrong signals to producers.

The statement agreed at that meeting of the Council makes it clear that the extension of the less favoured areas supplement to the whole of Ireland—that is, including Northern Ireland—will be proposed by the Commission only if there are sufficient funds in the budget to accommodate the resultant payments.

Given the close relationship between sheepmeat production in Northern Ireland and in the Irish Republic, it is right that any special aid granted to producers in the republic should be available also to those in Northern Ireland.

Lame Sheep

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) what is the number and percentage of lame sheep in the national flock; [16337]

(2) if he will make a statement about the results of the recent survey by his Department into lameness in sheep; and what action he intends to take to attempt to reduce the number of lame sheep in the national flock; [16338]

Mrs. Browning *[holding answer 22 February 1996]:* The Government are concerned that sheep lameness is a significant problem both for welfare and economic reasons. We are currently running an advisory campaign and, following recommendations in the Farm Animal Welfare Council's report on the welfare of sheep, propose to amend the welfare code for sheep to emphasise the importance of appropriate prevention and treatment.

We have, in addition, been funding the Royal Veterinary college to carry out a study into ovine lameness. The first part of the study, a survey of a random sample of sheep holdings, found a reported incidence of lameness of about 8 per cent. in 1993–94. This is now being followed up by on-farm investigations into the different causes of lameness with a view to developing improved methods of control.

Scott Inquiry

Mr. Madden: To ask the Minister of Agriculture, Fisheries and Food at what hour and minute of what day the report of the Scott Inquiry was delivered to his office. [16540]

Mr. Douglas Hogg *[holding answer 22 February 1996]:* My copy of the Scott report was collected from the House at 3.30 pm on Thursday 15 February and delivered promptly to my office.

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he will list the members of his Department who saw the report of the Scott inquiry before it was presented to the House; and when each saw the report. [16523]

Mr. Hogg *[holding answer 22 February 1996]:* No member of my Department saw a copy of the report of the Scott inquiry before it was presented to the House.

Mrs. Dunwoody: To ask the Minister of Agriculture, Fisheries and Food when he first saw the report of the Scott inquiry. [16594]

Mr. Hogg *[holding answer 22 February 1996]:* I first saw a copy of the report of the Scott inquiry after its publication.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Minister of Agriculture, Fisheries and Food which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16483]

Mr. Douglas Hogg *[holding answer 22 February 1996]:* If any Ministers did so, that is a matter for them.

Ministerial Accountability

Mrs. Clwyd: To ask the Minister of Agriculture, Fisheries and Food, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17304]

Mr. Douglas Hogg *[holding answer 26 February 1996]:* The Government are considering what further measures may need to be taken in the light of this and other findings of the Scott report.

HOME DEPARTMENT

Prisons (Health Care)

Mr. Gerrard: To ask the Secretary of State for the Home Department what steps are taken to prevent discrimination against prisoners with specific health problems. [16695]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me to reply to your recent Question about steps taken to prevent discrimination against prisoners with specific health problems.

The Prison Service is conscious of the need to prevent discrimination against prisoners with specific health problems. For this reason, all notes pertaining to a prisoner's health are contained in the Inmate Medical Record (IMR). This record is kept under conditions of medical confidentiality and details of an inmate's health status are not normally made known to anyone outside the care team. (There are special exceptions such as reports to Court).

Medical officers and nurses working in the Prison Service adhere to professional codes of conduct and health care officers who are not nurses work under the supervision of the Medical Officer and are covered by that professional Code of Conduct in relation to issues of confidentiality.

Induction training for medical officers, for nurses and health care officers emphasises the need for medical confidentiality to be maintained. HIV training for prison staff, health care staff, counsellors and prison psychologists stresses the importance of medical confidentiality.

Mr. Gerrard: To ask the Secretary of State for the Home Department what regular medical checks prisoners in prisons in England and Wales receive; and what systematic checks are carried out for transmissible diseases. [16701]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me to reply to your recent Question about prisoners' medical checks and what systematic checks are carried out for transmissible diseases.

All persons receive a medical screening on first reception into custody. A health check is also made at each transfer between establishment, and also each time a prisoner returns from court in the case of remand prisoners.

There are no other systematic checks, but prisoners are encouraged to discuss their health care with staff. Prisoners receive advice and are counselled concerning testing for transmissible disease. At reception Hepatitis B vaccine is offered and all health screening includes questions about transmissible disease.

Mr. Gerrard: To ask the Secretary of State for the Home Department what specific provisions are made for those prisoners known to be terminally ill. [16694]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me to reply to your recent Question about provisions for terminally ill prisoners.

All prisoners receive medical treatment appropriate to their needs. Prisoners who are suffering from a terminal illness and who are expected to die before the end of their prison sentence may be released on compassionate grounds. Needs vary between individuals, and the responsible Medical Officer will make recommendations appropriate to the needs of the individual case, bearing in mind security issues and the need to protect the public.

Mr. Gerrard: To ask the Secretary of State for the Home Department what percentage of the total annual budget for prisons in England and Wales is designated for health care. [16696]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me to reply to your recent Question about the percentage of the total annual budget for prisons which is designated for health care.

At individual prison establishments it is for the governor to decide what proportion of his budget should be allocated to health care, having regard to the overall demands to be met. In 1994–95 spending on health care services accounted for £59 million—3.7 per cent. of the Service's total expenditure. This covered staffing costs and provision of patient care at establishments as well as the central Directorate of Health Care budget.

Mr. Gerrard: To ask the Secretary of State for the Home Department what policies the Prison Service has concerning the prevention of transmissible or contagious diseases *(a)* in general and *(b)* in respect of particular outbreaks. [16684]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me to reply to your recent Question about Prison Service policy on prevention of transmissible or contagious diseases.

The Prison Service policy on the prevention of transmissible or contagious diseases in general is to screen for transmissible diseases on reception into prison. Health checks are also provided on transfer to another establishment and in the case of remand prisoners, on return from Court.

In the case of testing for infection, testing is only carried out with the informed consent of the prisoner, which means that pre-test counselling is made available. This is the policy in the community and is reflected in Prison Service policy and practice.

In the case of Hepatitis B, immunisation is offered to inmates on reception.

The policy is to maintain medical confidentiality in respect of a prisoner's health status.

All outbreaks of notifiable transmissible diseases are reported to the Consultant in Communicable Disease Control. His/her advice in the management of outbreaks is mandatory.

Each prison is required to have contingency plans for the outbreak of food-poisoning or other communicable diseases and these contingency plans must be approved by the Consultant in Communicable Disease Control.

Mr. Gerrard: To ask the Secretary of State for the Home Department what provision is available to prisoners for therapeutic and psychological follow-up in the case of positive results in tests for transmissible diseases. [16704]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about what provision is available to prisoners for therapeutic and psychological follow-up in the case of positive results in tests for transmissible diseases.

There is training for medical officers, prison psychologists, HIV counsellors and health care workers to enable them to provide medical, psychological and social care to people who test positive to HIV infection.

The skills and techniques of counselling for HIV infection are directly relevant to the psychological and therapeutic follow-up for other transmissible diseases such as hepatitis B, hepatitis C and tuberculosis. The multi-disciplinary HIV teams and counsellors are now receiving training which orientates them not just to HIV but for all communicable diseases.

Mr. Gerrard: To ask the Secretary of State for the Home Department how many prisoners in prisons in England and Wales are currently known to be terminally ill; and what information is available as to the nature of the terminal illness. [16693]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Neil Gerrard, dated 27 February 1996:

The Home Secretary has asked me to reply to your recent Question about terminally ill prisoners in England and Wales.

Information on the causes and total numbers of inmates who currently have terminal illnesses is not available centrally. However, health care advisors suggest that they average between 20 and 30 in the service at any one time.

Crime and Unemployment

Mr. Rooker: To ask the Secretary of State for the Home Department if he will list the research projects undertaken or commissioned by his Department in each of the past 10 years which included discussion of possible relationships between levels of crime and unemployment; and if he will make a statement. [16405]

Mr. Maclean: There have been four projects of this description.

These are:

Field, S. (1990). "Trends in Crime and their Interpretation" Home Office Research Study No. 119.

Leitner, M., Shapland, J. and Wiles, P. (1993) "Drugs Usage and Drugs Prevention; The Views and Habits of the General Public" HMSO.

Orme, J. (1994) "A Study of the Relationship between Unemployment and Recorded Crime" Home Office Statistical Findings 1/94.

Graham, J. and Bowling, B. (1995) "Young People and Crime" Home Office Research Study No. 145.

Children's Evidence

Mr. Cox: To ask the Secretary of State for the Home Department if children can give evidence through video links to the court in all cases that involve child sex abuse in England and Wales; and if he will make a statement. [16324]

Mr. Maclean: All children in cases of this kind may, with the leave of the court, give evidence by means of a live television link to the court or by means of a video recording of their evidence-in-chief. If a case of this kind arises at a court which does not have the necessary facilities, it can be transferred to one which does.

Police Objectives (Drug Crime)

Mr. Llwyd: To ask the Secretary of State for the Home Department (1) how many representations he has received on the content of the Government's five key objectives for police forces for 1996–97; how many of those representations refer to combating drugs criminality; and if he will make a statement; [16506]

(2) how many representations he has received on his Department's designation of drugs criminality in the target and prevent crime category of the Government objectives for police forces; and if he will make a statement. [16507]

Mr. Maclean: In determining the key objectives for policing for 1996–97, my right hon. and learned Friend took account of the views of the Association of Chief Police Officers, the local authority associations, and colleagues. Three other proposals for additional key objectives were made. None of them related to drugs.

Police Station Closures

Mr. Ian McCartney: To ask the Secretary of State for the Home Department how many police stations were closed, by constabulary, during *(a)* 1980 to 1985, *(b)* 1985 to 1990 and *(c)* 1990 to 1995. [16613]

Mr. Maclean: The information is not collected centrally.

Immigration and Nationality Department

Mr. Vaz: To ask the Secretary of State for the Home Department what guidelines exist to assist officials in the immigration and nationality department in dealing with correspondence with hon. Members. [17062]

Mr. Kirkhope: Staff in the immigration and nationality department receive training and have instructions on the handling of correspondence from Members of Parliament. There are also published guidelines to assist Members of Parliament making representations in immigration cases, which were most recently updated in April 1994.

Immigration Applications

Mr. Gerrard: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 January, *Official Report*, column *486*, when his Department stopped obtaining the figures for refusal of extension of exceptional leave to remain as quoted in his answer of 10 May 1994, *Official Report*, column *74*; and for what reasons. [16947]

Mr. Kirkhope: The precise information requested in the hon. Member's previous question has never been available. The answer given on 10 May 1994, *Official Report*, column *74*, was based on the available information, which now broadly indicates that in 1994 and 1995 no more than some 30 persons in either year were refused an extension of exceptional leave to remain.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Home Department which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16824]

Mr. Howard: The information requested is as follows:

(a) *Publication of annual reports:*

Alcohol Education and Research Council (statutory)
Commission for Racial Equality (statutory)
Community Development Foundation (voluntary)
Data Protection Registrar (statutory)
Gaming Board for Great Britain (statutory)
Horserace Betting Levy Board (statutory)
Horserace Totalisator Board (statutory)
National Lottery Charities Board (statutory)
Police Complaints Authority (statutory)

(b) *Publication of annual reports:*

Alcohol Education and Research Council (statutory)
Commission for Racial Equality (statutory)
Community Development Foundation (voluntary)
Data Protection Registrar (statutory)
Gaming Board for Great Britain (voluntary)
Horserace Betting Levy Board (statutory)
Horserace Totalisator Board (statutory)
National Lottery Charities Board (statutory)
Police Complaints Authority (statutory)

(c) *Publication of the minutes of meetings:*

Community Development Foundation (voluntary)

In addition, the Commission for Racial Equality keeps copies of the Commissioners' monthly meetings, which are available to the public.

(d) *Publication of the agendas of meetings:*

Community Development Foundation (voluntary)

In addition, the Commission for Racial Equality keeps copies of the Commissioners' monthly meetings, which are available to the public.

(e) *Publication of registers of members' interests:*

The Commission for Racial Equality has a register of members interests which is available to the public. In addition, to-date, details of members' interests have sometimes been given in non-departmental public bodies' annual reports. Future arrangements for all Home Office sponsored executive NDPBs are under review, including the possibility of publishing registers of members' interests.

Kani Yilmaz

Mr. Austin-Walker: To ask the Secretary of State for the Home Department if he will provide an answer to the question raised by the hon. Member for Woolwich in his letters of 18 December 1995 and 22 February 1996 regarding Kani Yilmaz; and if he will make a statement. [17750]

Mr. Kirkhope: I replied to the hon. Member's letter of 18 December 1995 on 21 February 1996. I shall be replying to his letter of 22 February shortly.

Commercial Gambling (Advertising)

Mr. Robert Banks: To ask the Secretary of State for the Home Department when he will be issuing the consultation paper on relaxation of the restrictions on casinos, bingo clubs and advertising of commercial gambling. [18215]

Mr. Kirkhope: We have published today a consultation paper which constitutes a comprehensive review of the law on casinos, licensed bingo clubs and the advertising of commercial gambling, and which restates principles for the regulation of gambling. It proposes a number of relaxations in the law.

Subject to this consultation, we propose to bring forward orders under section 1 of the Deregulation and Contracting Out Act 1994 to implement the changes. The paper constitutes formal consultation on some of the proposals for the purpose of section 3(1) of the 1994 Act. Other proposals will need to be the subject of further detailed consultation before implementation. Comments on the proposals are requested by the end of May 1996.

The main proposals on casinos are as follows:

Secondary legislation to allow casinos in 13 new locations. The additional areas proposed are:

Croydon
Dartford
Gloucester
Folkestone
Hastings
Ipswich
Morecambe
Oxford
Peterborough

Redbridge

Slough

Swindon

Weymouth

A reduction in the 48-hour waiting time for membership of a casino to 24 hours, together with provision for postal applications and group membership.

A new regime for gaming machines, with increased numbers and higher stakes and pay-outs.

An extension to liquor licensing hours.

Advertising of the location of casinos in directories and guides.

Payment by debit card.

The proposals on bingo are:

An end to the requirement that bingo establishments operate as members' clubs with a 24-hour waiting period for membership.

Abolition of the demand criterion for the granting of licences.

Removal of restrictions on added prize money and on frequency and prizes in multiple bingo—the national game.

Payment by debit card.

Extension of bingo licences from one year to three years.

Removal of the remaining restrictions on print advertising.

The Government are minded to allow broadcast advertising of bingo subject to the response to the consultation document.

The document also proposes the removal of the ban on the on-site print advertising of gaming machines and the print advertising, but not broadcast advertising, of betting offices.

These measures represent a balanced package of reform which aims to provide new opportunities for the industry and the consumer, while maintaining the effective regulation of gaming.

The timetable for the implementation of changes arising from this document will depend on a number of factors including the response to the consultation and the availability of additional resources for the Gaming Board of Great Britain and the courts.

Pet Animals Protection

Sir Jim Lester: To ask the Secretary of State for the Home Department if he will make a statement on the policy of the United Kingdom in respect of accession to the European convention on the protection of pet animals. [18216]

Mr. Sackville: The Government remain firmly committed to adopting reasonable measures to improve the treatment of animals, but are not at present convinced that accession to the pet animals convention would add significantly to the protection which domestic animals already enjoy under existing United Kingdom law. The Government will review the position again at the end of the decade.

Prisoners (Non-English Speakers)

Mr. Austin-Walker: To ask the Secretary of State for the Home Department what is his policy regarding the conduct of social visits for persons held in Her Majesty's prisons who do not speak English; and if he will make a statement on the matters raised by the hon. Member in his letter dated 14 February. [16649]

Miss Widdecombe *[holding answer 22 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. John Austin-Walker, dated 27 February 1996:

The Homes Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about prisoners' visits.

Generally, prisoners and their visitors may conduct their conversations in the language of their choice. The exceptions and where conversations need to be overhead for reasons of prison security or control, or because there is reason to believe that the prisoner and visitor may discuss matters relevant to national security, public safety of the commission of crime. In these situations governors may require that the conversation is monitored and interpreted.

Further details of Prison Service policy on the conduct of visits to prisoners are set out in the Security Manual, Standing Order 5, and Circular Instruction 11/1991, copies of which are in the Library.

Your letter of 14 February to the Home Secretary, was passed to the Director General because it concerned a number of operational matters and he will reply to you shortly.

Asylum Seekers

Mr. Madden: To ask the Secretary of State for the Home Department how many Pakistan nationals who entered the United Kingdom via Malaysia have applied for asylum *(a)* on entry and *(b)* after entry in each of the last five years; how many applications have been (i) granted and (ii) refused; on how many applications a decision is pending; how many have been (1) upheld and (2) dismissed at appeal; and in respect of how many an appeal is awaited. [17334]

Mr. Kirkhope *[holding answer 26 February 1996]:* Information regarding the number of asylum seekers who have travelled through other countries before arriving in the United Kingdom is not held centrally. A breakdown of applications, initial decisions or appeals for such cases is, therefore, not available.

General information on asylum applications from nationals of Pakistan, including a breakdown of appeal determinations in 1994, can be found in the Home Office Statistical Bulletin "Asylum Statistics United Kingdom 1994", issue 15/95, a copy of which is available in the Library.

Prisons (Staff)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what was the average amount spent on wages per member of staff in each prison for the first six months of the current financial year; and if he will make a statement. [16675]

Miss Widdecombe *[holding answer 26 February 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 27 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to answer your recent Question about the average amount spent on wages per member of staff in each prison for the first six months of the current financial year.

The information requested is not available centrally and could only be obtained at disproportionate cost.

The attached table sets out the expenditure for the first six months of the year at each prison; the staff in post at the end of that six months; and expenditure per staff in post at the end of the period.

Pay as at 30 September 1995 Directorate of Operations (South)

Area	*Establishment*	*Expenditure to end September*	*SLP as at 30 September*	*Average*
East Anglia				
3511	Blundeston	2,854,718	267	10,692
3516	Bullwood Hall	1,380,416	136	10,150
3522	Chelmsford	3,219,834	329	9,787
3551	Highpoint	3,689,380	355	10,393
3553	Hollesley Bay	3,444,989	322	10,699
3580	Norwich	4,113,756	375	10,970
3624	Wayland	2,789,256	265	10,525
Kent				
3501	Aldington	789,877	75	10,532
3510	Blantyre House	774,475	70	11,064
3519	Canterbury	2,556,880	227	11,264
3524	Cookham Wood	1,052,360	101	10,419
3528	Dover	2,207,833	203	10,876
3531	East Sutton Park	559,208	54	10,356
3648	Elmley	4,239,336	412	10,290
3571	Maidstone	3,786,088	344.3	10,996
3592	Rochester	3,008,169	276	10,899
3598	Standford Hill	1,811,096	174	10,409
3633	Swaleside	3,762,555	363	10,365
London North				
3508	Bedford	2,956,981	263	11,243
3545	Grendon	3,201,251	280	11,433
3554	Holloway	5,786,817	491	11,786
3542	Littlehey	2,995,266	275	10,892
3585	Pentonville	6,369,731	525	12,133
3609	Wellingborough	2,126,341	198.9	10,691
3574	Whitemoor	7,423,414	697	10,651
3621	Woodhill	5,105,846	506.8	10,075
3614	Wormwood Scrubs	8,095,596	625	12,953
London South				
3502	Albany	3,386,094	306	11,066
3630	Belmarsh	8,583,014	813	10,557
3513	Brixton	7,675,556	631	12,164
3517	Camp Hill	3,025,770	279	10,845
3537	Feltham	6,016,547	514	11,705
3561	Latchmere House	796,910	72	11,068
3584	Parkhurst	6,075,247	539	11,271
3608	Wandsworth	8,607,791	726.5	11,848
South Coast				
3643	Downview	2,011,823	188	10,701
3538	Ford	1,901,258	173.5	10,958
3547	Haslar	940,292	83	11,329
3646	High Down	4,474,549	422	10,603
3557	Kingston	1,390,006	123	11,301
3564	Lewes	3,392,560	301	11,271
3594	Send	893,314	86	10,387
3613	Winchester	4,629,803	412.5	11,224
Chilterns				
3507	Aylesbury	2,782,890	262	10,622
3623	Bullingdon	5,000,019	425	11,765
3523	Coldingley	2,133,451	191	11,170
3556	Huntercombe	1,910,954	181	10,558
3622	The Mount	2,530,561	247	10,245
3582	Onley	2,927,243	270	10,842
3583	Oxford	52,256	61	857
3590	Reading	1,971,640	183	10,774

Pay as at 30 September 1995 Directorate of Operations (South)

Area	Establishment	Expenditure to end September	SLP as at 30 September	Average
Wales and West				
3512	Bristol	5,221,442	499	10,464
3520	Cardiff	4,002,878	370	10,819
3532	Eastwood Park	97,365	9	10,818
3533	Erlestoke	1,990,797	191	10,423
3544	Gloucester	2,390,545	223	10,720
3565	Leyhill	1,967,558	178	11,054
3588	Pucklechurch	1,031,455	96	10,744
3602	Swansea	2,327,223	209	11,135
3605	Usk	1,961,303	184	10,659
Wessex				
3521	Channings Wood	2,881,105	268	10,750
3525	Dartmoor	4,178,642	374	11,173
3527	Dorchester	1,602,576	144	11,129
3535	Exeter	3,584,262	326	10,995
3546	Guys Marsh	1,927,219	182	10,589
3586	Portland	3,108,216	293	10,608
3595	Shepton Mallet	1,495,209	137	10,914
3606	The Verne	3,012,523	281	10,721

[1]Shared staff with Bullingdon.

Pay as at 30 September 1995 Directorate of Operations (North)

	Establishment	Expenditure to end September	SIP as at 30 September	Cost per member of staff
East Midlands				
	Lincoln	4,346,630	393	11,060
	Lindholme	3,909,398	358.5	10,905
	Moorland	4,122,807	371.5	11,098
	Morton Hall	762,121	74.25	10,264
	North Sea Camp	1,011,080	103.5	9,769
	Nottingham	2,214,551	199.8	11,084
	Ranby	2,369,742	221	10,723
	Stocken	2,309,203	215	10,740
	Whatton	1,400,304	130.9	10,697
North-east				
	Acklington	3,325,093	341	9,751
	Castington	2,138,298	190	11,254
	Durham	6,011,175	568.5	10,574
	Frankland	6,232,569	568.5	10,963
	Full Sutton	7,652,947	711.5	10,756
	Holme House	4,552,547	449	10,139
	Kirklevington	860,880	68.8	12,513
	Low Newton	1,978,309	185.1	10,688
North-west				
	Garth	3,828,877	364.5	10,504
	Haverigg	2,669,824	261.8	10,198
	Hindley	2,956,365	280.03	10,557
	Kirkham	2,163,519	210.96	10,256
	Lancaster Castle	1,526,074	146	10,452
	Lancaster Farms	2,955,215	285	10,369
	Preston	4,610,371	398.5	11,569
	Thorn Cross	1,577,989	152.5	10,216
	Wymott	3,404,808	309.5	11,001
Trans Pennine				
	Leeds	7,838,108	698.5	11,221
	Liverpool	8,894,451	778	11,432
	Manchester	8,149,425	770.5	10,577
	New Hall	2,048,420	187.3	10,936
	Risley	6,000,714	551.5	10,881
	Styal	2,305,032	229	10,065
	Wakefield	6,970,868	609	11,446

Pay as at 30 September 1995 Directorate of Operations (North)

	Establishment	*Expenditure to end September*	*SIP as at 30 September*	*Cost per member of staff*
Yorkshire				
	Askham Grange	821,326	77.5	10,598
	Deerbolt	3,000,859	276	10,872
	Everthorpe	2,295,073	226.4	10,137
	Hatfield	1,393,334	132.4	10,524
	Hull	4,627,270	425.85	10,866
	Northallerton	1,750,228	168.75	10,372
	Wealstun	2,743,146	250	10,972
	Wetherby	1,410,398	131.88	10,694
Central				
	Ashwell	2,002,289	182	11,002
	Birmingham	6,635,518	605.5	10,959
	Brinsford	3,640,163	338.5	10,754
	Featherstone	3,389,342	288	11,768
	Gartree	3,060,016	288	10,625
	Glen Parva	5,349,035	479.75	11,150
	Leicester	3,415,367	307.5	11,107
	Long Lartin	5,746,105	551	10,428
	Stafford	3,859,104	341.17	11,311
Mercia				
	Brockhill	1,228,028	109.5	11,215
	Drake Hall	1,405,874	134.1	10,484
	Hewell Grange	855,957	86.5	9,895
	Shrewsbury	2,369,175	210	11,282
	Stoke Heath	2,386,464	232.5	10,264
	Sudbury/Foston	2,053,136	197	10,422
	Swinfen Hall	1,751,583	161.5	10,846
	Werrington	895,703	88	10,179

Prison Inspections

Mr. Alex Carlile: To ask the secretary of State for the Home Department what was the average number of inspections carried out in each of her Majesty's prisons for each of the last five years; and if he will make a statement. [16661]

Miss Widdecombe *[holding answer 26 February 1996]:* Since January 1990, Her Majesty's inspectorate of prisons has carried out 245 inspections in the 131 Prison Service establishments in England and Wales, an average of nearly two inspections per establishment.

The total number of inspections undertaken by Her Majesty's inspectorate of prisons in each year is as follows:

1990–91: 56 (from 1 January 1990 to 31 March 1991)
1991–92: 44
1992–93: 42
1993–94: 40
1994–95: 33
1995–96: 30 (from April 1995 to date)

Parental Control (Fines)

Sir Michael Marshall: To ask the Secretary of State for the Home Department how many parents of children convicted of an offence have been required to pay a fine in respect of refusal to comply with the court's decision to bind them over to take proper care of and exercise proper control over their child in the last 12 months. [16345]

Mr. Maclean *[holding answer 26 February 1996]:* Section 58(2)(b) of the Criminal Justice Act 1991 gives courts the power to fine a parent or guardian in respect of a refusal to comply with the court's decision to bind them over to take proper care of and exercise proper control over their child. Information on the number of such fines is not separately identifiable centrally.

Mr. Carlile: To ask the Secretary of State for the Home Department what was the total annual budget, for each of the last 10 years, allocated for the inspection of Her Majesty's prisons; and if he will make a statement. [16662]

Miss Widdecombe *[holding answer 26 February 1996]:* Information on the total annual budget allocated for the inspection of Her Majesty's prisons in England and Wales is not available before 1991–92. The total annual budget for each of the last five years was:

Year	*Budget £*
1991–92	568,159
1992–93	664,506
1993–94	726,344
1994–95	665,220
1995–96	737,000

Police (Bicycle Seizures)

Mr. Flynn: To ask the Secretary of State for the Home Department what guidance he has issued on the use of police powers to seize and retain bicycles used in demonstrations; and in what circumstances the police are entitled to take such action. [16792]

Mr. Maclean *[holding answer 26 February 1996]:* There are no specific police powers of this kind and therefore no such guidance has been issued. The role of the police in controlling demonstrations is to preserve the peace, to uphold the law and to prevent the commission of offences. Police tactics and decisions on how to achieve these objectives are a matter for the independent operational judgment of chief officers of police.

Crime (Retail Premises)

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department (1) how many retail premise burglaries in Coventry in each of the last five years resulted in convictions; [17019]

(2) if he will estimate the total cost to retailers in Coventry of robberies and till snatches in each of the last five years; what are the figures in real terms; and what was the percentage change from the previous year; [17021]

(3) how many robberies and till snatches there were in retail premises in Coventry in each of the last five years; and what was the percentage change from the previous year in each case; [17020]

(4) how many retail premises were burgled in Coventry in each of the last five years; and what was the percentage change from the previous year in each case. [17018]

Mr. Maclean *[holding answers 26 February 1996]:* This information is not collected centrally.

Mr. Cunningham: To ask the Secretary of State for the Home Department what was the conviction rate for retail store robbery and till snatches in Coventry in each of the last five years. [17023]

Mr. Maclean *[holding answer 26 February 1996]:* Information which is readily available centrally is given in the table. Data for 1995 will be available in the autumn.

Prosecutions and convictions[1] in Coventry petty sessional division for theft from shops,[2] for the period 1990 to 1994

Number of defendants

	Prosecutions	*Convictions*[1]
1990	585	484
1991	493	408
1992	491	382
1993	468	377
1994	428	377

[1] Includes persons convicted at the Crown court, who were committed for trial/sentence by Coventry PSD.

[2] Section 1 of the Theft Act 1968.

Mr. Cunningham: To ask the Secretary of State for the Home Department (1) what discussions he has had with the President of the Board of Trade with respect to retail crime; what plans he has to combat retail crime; and if he will make a statement; [17024]

(2) what assessment he has made of the likelihood of retail premises being burgled in *(a)* Coventry and *(b)* England and Wales. [17022]

Mr. Maclean *[holding answers 26 February 1996]:* My right hon. and learned Friend and my right hon. Friend the President of the Board of Trade have both contributed to the third White Paper on competitiveness, which will emphasise the importance of crime prevention.

Work to combat retail crime is being energetically pursued by the retail action group, an associate group of the Home Office Crime Prevention Agency Board. Advice booklets for retailers on preventing burglary, robber and violence to staff have already been published. Further guidance on the prevention of customer theft and external fraud and on making an arrest will be published later this year. The group is also looking at ways of identifying and promulgating best practice, including the use of technology in crime prevention.

Closed circuit television can make a significant contribution to reducing crime against retail premises, especially when it forms part of a package of crime prevention measures. The Home Office has provided advice to users in recently published guidance; and has helped promote its use through last year's CCTV challenge competition in which the majority of successful bids were from partnerships who wished to install security cameras in shopping centres and high streets in town centres around the country. My right hon. and learned Friend has announced that £15 million will be available in 1996 for a further CCTV challenge competition and it is likely that shopping areas will again be major beneficiaries.

Numerous projects are also being carried forward by police forces, local partnerships, businesses and shop watch schemes. Some have been funded under the safer cities programme. Police crime prevention officers supply regular and up to date crime prevention advice to businesses, and architectural liaison officers provide advice on the part that good building design can play in preventing crime.

The Home Office conducted a survey in 1994 to assess the risks of crime for retailers in England and Wales, including the risks of burglary. The results are reported in Home Office research study No. 146 and Home Office research and statistics directorate research findings No. 26, copies of which are in the Library. The survey does not allow any reliable results for retailers in Coventry.

Sentencing

Mr. Straw: To ask the Secretary of State for the Home Department, pursuant to his answer of 6 February to the hon. Member for Blackburn, *Official Report*, column *107*, if he will place in the Library a copy of the study of sentences given to those convicted of burglary and drug dealing and copies of similar studies he had commissioned or evaluated. [17009]

Mr. Maclean *[holding answer 26 February 1996]:* A study of a sample of offenders convicted in 1993 is contained in chapter 9 of "Criminal Statistics England and Wales 1994", a copy of which is in the Library. A special statistical analysis was required to provide the hon. Member with the information requested in the previous questions.

Mr. Straw: To ask the Secretary of State for the Home Department what is the average sentence given to adults upon their *(a)* first, *(b)* second and *(c)* third or greater number of convictions for (i) domestic burglary and (ii) drug dealing. [17010]

Mr. Maclean *[holding answer 26 February 1996]:* The information requested is not collected routinely. The results from a sample of those convicted of indictable offences in three weeks of 1993 are given in the table.

Sentencing of domestic burglars and drug dealers[1] aged 21 or over by number of previous convictions

Offence	*1st conviction*		*2nd conviction*		*3rd or greater conviction*	
	Percentage given immediate custody	*Average custodial sentence (months)*	*Percentage given immediate custody*	*Average custodial sentence (months)*	*Percentage given immediate custody*	*Average custodial sentence (months)*
Domestic burglary	39	15	51	15	57	15
Drug dealing	55	32	61	25	75	30

[1] Based on drug trafficking offences monitored and reported in the Home Office Statistical Bulletin "Statistics of Drugs Seizures and Offenders dealt with, United Kingdom, 1994". These are offences of unlawful production of drugs other than cannabis, unlawful supply, possession with intent to supply unlawfully and unlawful import or export.

DUCHY OF LANCASTER

Departmental Officials (Interests)

Mr. Cohen: To ask the Deputy Prime Minister if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16888]

Mr. Willetts: Staff in the Departments and agencies for which my right hon. Friend is responsible, and in other areas which fall to the Cabinet Office vote, are required to declare any business interests which might conflict with their official duties and to comply with any subsequent instructions regarding the retention, disposal and management of such interests. Records are kept at operational level. I have no plans to publish the names of those concerned or to establish a central register.

EDS Ltd.

Ms Eagle: To ask the Chancellor of the Duchy of Lancaster if he will list those contracts his Department currently holds with EDS, indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17448]

Mr. Willetts: There are none.

Citizens Charter

Mr. Harry Greenway: To ask the Chancellor of the Duchy of Lancaster what plans he has to increase understanding overseas of the workings of the citizens charter. [15547]

Mr. Willetts: UK success in public sector reform is recognised internationally. In particular, the citizens charter is an idea that has been adopted, and adapted, in many countries. Australia, Canada, USA, France, Belgium, Portugal, Spain, Israel, Malaysia, Hong Kong and Singapore all have programmes which resemble in substance, though not always in name, the citizens charter initiative.

Interests is still growing as more and more countries, like Argentina, Hungary, South Africa and Kuwait, seek our advice as they develop their own programmes. On current plans, over the next four months, officials will be providing briefings to representatives of 10 different countries, and will be speaking at four international conferences.

Public Bodies

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16815]

Mr. Willetts: No executive non-departmental bodies are sponsored by the Office of Public Service.

SCOTLAND

Algrade Trust

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the police investigation of property acquisitions by the Algrade Trust. [15549]

Lord James Douglas-Hamilton: The police are inquiring into the circumstances surrounding the making of a will. The general heritable property acquisitions of the former trustees are being examined by the Scottish Charities Office in the course of its investigation into the financial affairs of the Algrade Trust.

Mr. Home Robertson: To ask the Secretary of State for Scotland when he expects the Scottish Charities Office to complete its investigation of the affairs of the Algrade Trust; and if he will make a statement. [15550]

Lord James Douglas-Hamilton: The investigation is making good progress. The intervention of the Scottish Charities Office has brought about the resignations of the former trustees and their replacement by the present trustees who have backgrounds in teaching, accountancy and medicine. The new trustees are responsible for the management of the Algrade Trust. The issues giving rise to the past concerns about Algrade developed over the many years during which the former trustees had charge of the administration under the supervision and registration of the local social work department. Some

new matters have emerged in the course of the investigation and further work requires to be done on points arising from the accountancy report and into aspects of the property transactions. The investigation is not likely to be concluded before the end of June of this year.

Court Service

Mr. McFall: To ask the Secretary of State for Scotland how many summary trials there were in the sheriff court during 1995; and if he will indicate the total number of adjournments of summary trials in the sheriff court, the reason for these adjournments and if they were at the instance of the prosecution or the defence. [15861]

Lord James Douglas-Hamilton: The information requested is held by the Scottish Court Service and I have asked the chief executive to arrange for a reply to be given.

Letter from Michael Ewart to Mr. John McFall, dated 27 February 1996:

Lord James Douglas-Hamilton has asked me to reply to your Parliamentary Question about Sheriff Court trials and adjournments during 1995.

The figures you seek are as follows:

1. During the period 1 January 1995 to 31 December 1995 there were 59,299 diets of trial called which involved 43,552 summary cases.

2. Of the 59,299 diets, 15,747 were adjourned trial diets. The reasons recorded for these adjournments were:

Reason	*Number of adjournments*
(a) Availability/absence of Crown witness	3,207
(b) Lack of Court time	2,835
(c) Lateness of the hour/completion of evidence	1,158
(d) Availability/absence of Defence witness	1,155
(e) Inadequate time to prepare for trial	1,016
(f) Adjourned to notional trail diet	945
(g) Miscellaneous[1]	5,431
	15,745

[1] Miscellaneous includes a variety of causes each of which occurs relatively infrequently, including the absence of a defence agent, Procurator Fiscal or Sheriff due to ill health, change of defence agent, difficulties with productions, adverse weather conditions and for further investigation.

These figures do not include adjournments for reasons stated *after* the conclusion of a trail, for example, in those cases where the Sheriff defers sentence for the accused to demonstrate good behaviour.

I am sorry that we do not hold centrally figures which show whether adjournments were at the instance of defence or prosecution.

I hope this information is helpful.

Mr. McFall: To ask the Secretary of State for Scotland (1) what was the total number of summary trials in the sheriff courts during 1995; [16732]

(2) what was the total number of adjournments of summary trials in the sheriff courts and the reason for these adjournments during 1995; and whether they were at the instance of the prosecution or the defence. [16733]

Lord James Douglas-Hamilton: I refer the hon. Member to the answer given to him today by the chief executive of the Scottish Court Service.

Assisted Places Scheme

Mr. Donohoe: To ask the Secretary of State for Scotland how many independent sector schools have *(a)* more than 25 per cent.; *(b)* more than 50 per cent.; and *(c)* less than 5 per cent. of their school rolls made up of pupils covered by the assisted places scheme in the academic year 1995–96. [16328]

Mr. Raymond S. Robertson: The information requested is set out in the table.

School session	*1995–96*
Assisted pupils over 25 per cent. but not more than 50 per cent. of school roll	4
Assisted pupils more than 50 per cent. of school roll	Nil
Assisted pupils less than 5 per cent. of school roll	9

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list for the financial year 1995–96 in descending order the proportions of the school rolls at independent schools made up of pupils covered by the assisted places scheme; what is the total number of pupils covered by the assisted places scheme at each school; what is the total number of pupils on the roll of each school; what proportion of the school roll at each school is covered by the assisted places scheme; what is the level of fees charged for pupils under the assisted place scheme at each school; and what are the amounts received by each school under the assisted places scheme. [16332]

Mr. Robertson: The information requested is detailed in the table. The assisted places scheme is administered, and statistical information collected, in respect of each school session and not by reference to financial years. The information provided relates to fee remission grant allocations for the 1995–96 school session and to pupil numbers in the schools at the spring term of that school session.

School	*Number of pupils covered by scheme 1995–96*	*Total roll 1995–96*	*Proportion of total roll covered by scheme 1995–96 (spring term) (Percentage)*	*Fees charged for assisted pupils 1995–96 (£ per annum)*	*Fee remission grant allocation 1995–96 (£)*
Kilquhanity School	12	32	37.50	2,503	30,000
Keil School	64	210	30.48	3,909–4,614	234,000
Morrison's Academy	133	522	25.48	3,258–3,453	395,000
The Park School	65	259	25.10	3,432–3,822	245,000
Kilgraston School	55	241	22.82	3,840–4,287	192,000

School	Number of pupils covered by scheme 1995–96	Total roll 1995–96	Proportion of total roll covered by scheme 1995–96 (spring term) (Percentage)	Fees charged for assisted pupils 1995–96 (£ per annum)	Fee remission grant allocation 1995–96 (£)
Rudolf Steiner School, Edinburgh	54	260	20.77	2,796–3,702	183,000
St. Denis and Cranley School	27	130	20.77	4,330	125,000
Laurel Bank School	64	335	19.10	3,492–4,131	228,000
Kelvinside Academy	94	520	18.08	3,414–4,259	350,000
High School of Dundee	199	1,126	17.67	2,608–3,716	595,000
Rannoch School	39	235	16.60	5,490	173,000
Merchiston Castle School	65	399	16.29	4,665–6,675	327,000
George Heriot's School	244	1,504	16.22	2,787–3,732	680,000
St. Aloysius College	167	1,088	15.35	3,068	450,000
Glenalmond College	43	291	14.78	5,858–7,802	266,000
Wellington School	51	360	14.17	4,068–4,419	200,000
George Watson's College	246	2,073	11.87	2,886–3,993	775,000
Lomond School	54	461	11.71	4,134–4,242	194,000
Stewart's Melville College and the Mary Erskine School	300	2,573	11.66	2,934–4,029	975,000
St. Margaret's School, Edinburgh	72	650	11.08	3,028–4,012	268,000
Croftinloan School	8	79	10.13	5,639	35,000
Craigholme School	46	477	9.64	3,213–3,429	137,000
St. Leonard's School	31	329	9.42	4,488–5,853	157,000
Fernhill School	30	345	8.70	2,735–2,851	90,000
Butterstone School	5	58	8.62	5,076	26,000
Hutchesons' Grammar School	157	1,866	8.41	3,491	488,000
Strathallan School	41	492	8.33	6,345–7,710	299,000
Glasgow Academy	82	989	8.29	3,850–4,134	300,000
Loretto School	31	378	8.20	5,759–7,451	205,000
Belmont House School	30	366	8.20	3,215–3,628	101,000
Fettes College	39	486	8.02	4,722–7,524	220,000
Aberlour School	8	107	7.48	4,923	37,000
Gordonstoun School	30	418	7.18	6,756	171,000
Edinburgh Academy	56	795	7.04	5,013–5,082	245,000
Dollar Academy	76	1,093	6.95	3,349–3,831	228,000
St. George's School	55	901	6.10	3,842–4,221	184,000
St. Columba's School	32	544	5.88	3,525–3,801	115,000
Clifton Hall School	6	103	5.83	4,965	27,000
Beaconhurst School	15	267	5.62	4,116–4,245	50,000
Albyn School	24	429	5.59	3,534–3,642	73,000
Park Lodge School	3	54	5.56	2,829	10,000
St. Mary's School, Melrose	5	93	5.38	4,761	18,000
New Park School	6	114	5.26	4,071	19,000
Robert Gordon's College	70	1,354	5.17	3,654	210,000
High School of Glasgow	51	986	5.17	3,564–4,104	144,000
Belhaven Hill School	3	70	4.29	5,190	13,000
Lathallan School	6	146	4.11	4,760	28,000
St. Margaret's School, Aberdeen	16	420	3.81	3,141–3,454	50,000
Craigclowan School	9	240	3.75	3,600	27,000
Hamilton College	24	762	3.15	2,341	47,000
Ardvreck School	3	119	2.52	4,725	23,000
Cargilfield School	3	196	1.53	5,865	23,000
Drumley House	1	100	1.00	4,545	5,000
Cademuir International School	0	86	—	5,460	5,000

Mr. Donohoe: To ask the Secretary of State for Scotland which independent sector schools charged *(a)* the highest and *(b)* the lowest level of fees to pupils covered by the assisted places scheme in the academic year 1995–96; and what charges were levied. [16330]

Mr. Robertson: The highest tuition fee charged to pupils covered by the assisted places scheme in academic year 1995–96 was at Glenalmond college at £7,802 per annum. The lowest fees were charged at Hamilton college—£2,341 per annum for pupils aged 12 to 18 years.

Mr. Donohoe: To ask the Secretary of State for Scotland how much his Department has spent on the operation of the assisted places scheme in the academic year 1995–96; how many pupils are covered by the scheme in this period; what is the number of institutions covered by the scheme in this period; and what was the overspend on the budget allocated to the scheme in this period. [16329]

Mr. Robertson: The information requested is set out in the table. Expenditure on the assisted places scheme is cash limited each year and there have been no overspends on the budget allocated in any year since the scheme commenced.

Assisted places scheme	
School session	[1]1995–96
Total expenditure	£10,941,700
Pupils covered	3,050
Schools covered	55

[1] Provisional.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list for each school covered by the assisted places scheme in descending order the amounts which the school received from the scheme for the academic year 1995–96; what is the number of pupils covered by the scheme in each school; what is the total number of pupils on the school's roll and the proportion of the school's roll made up of pupils covered by the assisted places scheme; and what is the level of fees charged for pupils covered by the assisted places scheme at each school. [16331]

Mr. Robertson: The information requested is detailed in the table:

School	Fee remission grant allocation 1995–96 (£)	Number of pupils covered by scheme 1995–96	Total roll 1995–96	Proportion of total roll covered by scheme 1995–96 (spring term) (Percentage)	Fees charged for assisted pupils 1995–96 (£ per annum)
Stewart's Melville College and the Mary Erskine School	975,000	300	2,573	11.66	2,934–4,029
George Watson's College	775,000	246	2,073	11.87	2,886–3,993
George Heriot's School	680,000	244	1,504	16.22	2,787–3,732
High School of Dundee	595,000	199	1,126	17.67	2,608–3,716
Hutchesons' Grammar School	488,000	157	1,866	8.41	3,491
St. Aloysius College	450,000	167	1,088	15.35	3,068
Morrison's Academy	395,000	133	522	25.48	3,258–3,453
Kelvinside Academy	350,000	94	520	18.08	3,414–4,259
Merchiston Castle School	327,000	65	399	16.29	4,665–6,675
Glasgow Academy	300,000	82	989	8.29	3,850–4,134
Strathallan School	299,000	41	492	8.33	6,345–7,710
St. Margaret's School, Edinburgh	268,000	72	650	11.08	3,028–4,012
Glenalmond College	266,000	43	291	14.78	5,858–7,802
Edinburgh Academy	245,000	56	795	7.04	5,013–5,082
The Park School	245,000	65	259	25.10	3,432–3,822
Keil School	234,000	64	210	30.48	3,909–4,614
Dollar Academy	228,000	76	1,093	6.95	3,349–3,831
Laurel Bank School	228,000	64	335	19.10	3,492–4,131
Fettes College	220,000	39	486	8.02	4,722–7,524
Robert Gordon's College	210,000	70	1,354	5.17	3,654
Loretto School	205,000	31	378	8.20	5,759–7,451
Wellington School	200,000	51	360	14.17	4,068–4,419
Lomond School	194,000	54	461	11.71	4,134–4,242
Kilgraston School	192,000	55	241	22.82	3,840–4,287
St. George's School	184,000	55	901	6.10	3,842–4,221
Rudolf Steiner School, Edinburgh	183,000	54	260	20.77	2,796–3,702
Rannoch School	173,000	39	235	16.60	5,490
Gordonstoun School	171,000	30	418	7.18	6,756
St. Leonard's School	157,000	31	329	9.42	4,488–5,853
High School of Glasgow	144,000	51	986	5.17	3,564–4,104
Craigholme School	137,000	46	477	9.64	3,213–3,429
St. Denis and Cranley School	125,000	27	130	20.77	4,330
St. Columba's School	115,000	32	544	5.88	3,525–3,801
Belmont House School	101,000	30	366	8.20	3,215–3,628
Fernhill School	90,000	30	345	8.70	2,735–2,851
Albyn School	73,000	24	429	5.59	3,534–3,642
Beaconhurst School	50,000	15	267	5.62	4,116–4,245
St. Margaret's School, Aberdeen	50,000	16	420	3.81	3,141–3,454
Hamilton College	47,000	24	762	3.15	2,341
Aberlour School	37,000	8	107	7.48	4,923
Croftinloan School	35,000	8	79	10.13	5,639
Kilquhanity School	30,000	12	32	37.50	2,503
Lathallan School	28,000	6	146	4.11	4,760
Clifton Hall School	27,000	6	103	5.83	4,965
Craigclowan School	27,000	9	240	3.75	3,600
Butterstone School	26,000	5	58	8.62	5,076
Ardvreck School	23,000	3	119	2.52	4,725
Cargilfield School	23,000	3	196	1.53	5,865
New Park School	19,000	6	114	5.26	4,071
St. Mary's School, Melrose	18,000	5	93	5.38	4,761
Belhaven Hill School	13,000	3	70	4.29	5,190
Park Lodge School	10,000	3	54	5.56	2,829
Cademuir International School	5,000	0	86	—	5,460
Drumley House	5,000	1	100	1.00	4,545

Clinical Outcome Indicators

Mr. Bayley: To ask the Secretary of State for Scotland what estimate he has made of the cost of *(a)* collecting the data for and *(b)* publishing the clinical outcome indicators for the national health service in Scotland released in February 1996. [16710]

Lord James Douglas-Hamilton: There are no specific data collection costs attributable to the outcome indicators work. Routine returns are simply being examined in new ways. The cost of printing the report which is distributed free was approximately £3,000.

Wheelchairs

Mr. Tom Clarke: To ask the Secretary of State for Scotland what is the most recent figure available for the cost of providing an individual with an electrically powered indoor wheelchair. [17189]

Lord James Douglas-Hamilton: The average cost of providing an electrically powered indoor wheelchair is £1,000.

The actual cost of supplying a wheelchair to an individual patient will vary according to the model provided and any modification necessary to meet a patient's needs.

Mr. Clarke: To ask the Secretary of State for Scotland how many people have been provided with electrically powered indoor wheelchairs by health boards in each of the last three years. [17197]

Lord James Douglas-Hamilton *[holding answer 26 February 1996]:* Information on the number of indoor powered chairs issued in the last three years is not held centrally. Details of the overall number purchased since 1992 are set out in the table.

Year	*Indoor*
1992–94	[1]497
1994–95	409
1995–96	[2]87

[1] For the 24 month period 1 April 1992 to 31 March 1994.
[2] For six months 1 April 1995 to 30 September 1995.

Mr. Clarke: To ask the Secretary of State for Scotland how many people have been provided with electrically powered indoor/outdoor wheelchairs by health boards in each of the last three years. [17195]

Lord James Douglas-Hamilton *[holding answer 26 February 1996]:* Information on the number of indoor/outdoor powered chairs issued in the last three years is not held centrally. Details of the overall number purchased since the provision of special funding in 1992 are set out in the table.

Year	*Indoor/ Outdoor*
1992–93	313
1993–94	267
1994–95	286
1995–96	[1]93

[1] For six months 1 April 1995 to 30 September 1995.

Mr. Clarke: To ask the Secretary of State for Scotland what expenditure has been incurred by health boards for the purchase of electrically powered indoor/outdoor wheelchairs in each of the last three years. [171892]

Lord James Douglas-Hamilton *[holding answer 26 February 1996]:* In February 1992, special funding was made available in Scotland for the provision of patient-controlled electric powered indoor/outdoor wheelchairs. The allocation available to artificial limb and appliance centres for the provision of these chairs over the last three years is as detailed:

1993–94: £900,000
1994–95: £929,000
1995–96: £946,000

Mr. Clarke: To ask the Secretary of State for Scotland what is the most recent figure available for the cost of providing an individual with an electrically powered indoor/outdoor wheelchair. [17015]

Lord James Douglas-Hamilton *[holding answer 26 February 1996]:* The average cost of providing an electrically powered indoor/outdoor wheelchair is £1,750.

The actual cost of supplying a wheelchair to an individual patient will vary according to the model provided and any modification necessary to meet a patient's needs.

Mr. Clarke: To ask the Secretary of State for Scotland what expenditure has been incurred by health boards in Scotland for the purchase of electrically powered indoor wheelchairs in each of the last three years. [17073]

Lord James Douglas-Hamilton *[holding answer 26 February 1996]:* The services provided by the artificial limb and appliance centres—ALACs—which includes the wheelchair service, are at present funded centrally by the national services division, NSD, of the common services agency. A review of the service currently under way recommended that funding of this service should be devolved to health boards from 1 April 1996. This recommendation was accepted and notification of the notional allocation for each board was included in the financial allocations for 1996–97.

Restraint and Confiscation Orders

Mr. Steinberg: To ask the Secretary of State for Scotland how many restraint and confiscation orders have been obtained in each of the last three years; and for what amounts. [17145]

Lord James Douglas-Hamilton: The number of restraint and confiscation orders obtained in the past three years are as undernoted at[1].

Restraint orders, by their nature, cover all the realisable property of an accused person whether specifically detailed in the restraint order or not and therefore it follows that individual amounts cannot be determined. The amounts fixed by the court in individual confiscation orders and totals for each year are undernoted at[2].

Undernote[1] Calendar Year	*Number of Restraint Orders*	*Numbers of Confiscation Orders*
1993	1	3
1994	11	3
1995	28	9

Undernote (2) Calender Year	*Individual values of confiscation orders*
	£
1993	98,966
	90,000
	70,000
	258,966
1994	1,715.65
	5,615
	9,024
	16,345.65
1995	41,865
	32,396
	16,665
	20,000
	7,000
	17,000
	55,000
	38,975
	35,000
	263,901

Breast Screening

Mrs. Ewing: To ask the Secretary of State for Scotland (1) what forecasts he has made of the number of women who will present themselves annually at the national health service breast screening programmes; and if they have been adjusted to take into account the effects of private sector advertising; [17824]

(2) what assessment he has made of the effect of private sector advertising on the number of women presenting themselves at NHS mass screening programmes; and if he will make a statement; [17825]

(3) what discussions have taken place between his Department and Health Care International regarding the recent advertisements of breast screening; [17826]

4) what comparative assessment he has made of the service offered by the NHS breast screening programme and the service being offered by Health Care International; [17827]

(5) what steps he has taken to assess whether the breast screening service provided by Health Care International will follow agreed NHS standards of practice for breast screening. [17828]

Lord James Douglas-Hamilton: There has been no adjustment to the target set for attendance for screening in the Scottish breast screening programme as a result of private sector advertising. The current target for attendance in the UK NHS breast screening programme is 70 per cent. In Scotland, this means that about 130,000 women are invited for screening each year and more than 91,000 are screened. No discussions have taken place between the Scottish Office and Health Care International regarding the recent advertisements for breast screening and no assessment has been made of the service being offered by it.

The Scottish breast screening programme offers free screening every three years to all eligible women aged 50 to 64. Women aged over 64 can attend on request at the same frequency. Every effort is made to ensure that women and their general practitioners are aware of this high-quality free service.

Live Animal Transport

Mr. Maclennan: To ask the Secretary of State for Scotland what steps he is taking to ensure that the implementation of EC directive 95/29 on the transport of live animals does not exclude producers in the highlands and islands from markets; and if he will make a statement. [17531]

Mr. Raymond S. Robertson: EC directive 95/29 sets out a range of requirements for ensuring the welfare of animals being transported throughout the single market. Implementation in Great Britain will have to be sufficiently flexible to allow the traditional pattern of livestock and marketing to continue from all parts of the country, including the highlands and islands. We shall consult further on our legislative proposals.

General Practitioner Fundholding

Mr. McLeish: To ask the Secretary of State for Scotland if he will place in the Library the study of general practitioner fundholding commissioned by his Department and carried out by John Howie of the department of general practice at Edinburgh university during 1995. [17669]

Lord James Douglas-Hamilton: Arrangements are being made for the report of the study to be placed in the Library.

SOCIAL SECURITY

Benefits Statistics

Mr. Chris Davies: To ask the Secretary of State for Social Security how many individuals are currently in receipt of payments from the Benefits Agency. [15432]

Mr. Roger Evans: This administration of benefits is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Chris Davies, dated 26 February 1996:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how many individuals are currently in receipt of payments from the Benefits Agency.

The information is not available in the form requested as a customer may be in receipt of more than one benefit at any time.

Annex A gives details of the number of recipients of the different benefits, administered by the BA. This information which is updated annually is available in the Library.

I hope you find this reply helpful.

Annex A: Benefits Agency benefit recipients

Benefit	*Number of recipients (thousands)*
Attendance Allowance	1,050
Child Benefit	7,000
Disability Living Allowance	1,512
Disability Working Allowance	5
Family Credit	602
Income Support	5,751
Invalidity Benefit	1,857
Invalid Care Allowance	285
Industrial Death Benefit	21
Industrial Disablement Benefit	223
Maternity Allowance	15
Non-Contributory Retirement Pension	27
One Parent Benefit	949
Reduced Earnings Allowance/RA	151
Retirement Pension	10,149
Severe Disability Allowance	342
Sickness Benefit	141
Widows Benefit	290

Notes:
1. Figures are provisional and subject to change.
2. All figures have been rounded to the nearest thousand.
3. Some people receive more than one benefit and the extent of the overlap cannot easily be quantified.
4. The information has been provided for the year 1994–95, with the exception of Industrial Disablement Benefit, Reduced Earnings Allowance/RA which is 1993–94.
5. Information in this table has been collected in March each year, with the following exceptions: Income Support in February; Sickness Benefit, Invalidity Benefit, Severe Disability Allowance, Industrial Injuries Disablement Benefit and Reduced Earnings Allowance/RA in March/April and Industrial Death Benefit in December.
6. Invalidity Benefit and Sickness Benefit were replaced by Incapacity Benefit from 13 April 1995.

Source
Analytical Services Division of DSS.

Benefits Agency (Costs)

Mr. Chris Davies: To ask the Secretary of State for Social Security what amount is spent annually by the Benefits Agency on *(a)* postage, *(b)* stationery and *(c)* printing. [15433]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Chris Davies, dated 26 February 1996:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking what amount is spent annually by the Benefits Agency on (a) postage, (b) stationery and (c) printing.

The information requested is not available in the form requested. The Agency accounting systems do not separate the individual costs of stationery from printing. The figure for stationery and printing also includes the cost of the small local office requisites.

The Figures below are for the financial year 1994/95, the last full year for which figures are available:-

Postage:

For despatch of payments: £43.019 million

Other postage costs: £20.230 million

Stationery and Printing £51.034 million

These figures are provisional and subject to change.

I hope you find this reply helpful.

Public Bodies

Dr. Wright: To ask the Secretary of State for Social Security if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16022]

Mr. Heald: The Occupational Pensions Board is the only executive non-departmental public body sponsored by this Department. It is:

(a) subject to the investigation by the Parliamentary Commissioner for Administration (PCA);

(b) not subject to scrutiny by the Audit Commission;

(c) subject to scrutiny by the National Audit Office, under the National Audit Act 1983;

(d) subject to the statutory provisions for open government;

(e) not subject to published performance indicators;

(f) committed to the principles of the citizens charter.

The board and its staff were brought within the jurisdiction of the PCA on 31 July 1995. From the same date, the board has been subject to the open government provisions which apply only to bodies within the ambit of the Parliamentary Commissioner. In line with the principles of the citizens charter, the OPB published its charter standard statement and code of practice in July 1994.

Dr. Wright: To ask the Secretary of State for Social Security which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16818]

Mr. Heald: The Occupational Pensions Board is the only executive non-departmental public body sponsored by this Department. It does not publish: annual reports; annual accounts; minutes, or agendas, of meetings. It has voluntarily compiled a register of members' interests which is available for public inspection.

Earnings

Mr. Ian McCartney: To ask the Secretary of State for Social Security (1) if he has taken legal advice as to whether the different benefits available to those earning above or below the lower earnings limit for national insurance contributions contravene European law on sex discrimination; and if he will make a statement; [16621]

(2) if he will list the benefits available only to those earning above the lower earnings limit for national insurance contributions. [16620]

Mr. Heald: The benefits available to people who have paid sufficient class 1 national insurance contributions are set out in section 21(2) of the Social Security Contributions and Benefits Act 1992. Statutory sick pay and statutory maternity pay are also available to employees who have earnings at or above the lower earnings limit and meet the other qualifying conditions. Employees with earnings below that limit are not liable

to pay class 1 contributions, but they can pay voluntary class 3 contributions which count towards retirement pension and widow's benefits. In the light of the recent judgment by the European Court of Justice in the case of Inge Nolte v. Landesversicherungsansstalt Hannover (C317/93)), we consider that a lower earnings limit for payment of class 1 contributions is not incompatible with the principle of equal treatment between men and women in matters of social security.

Child Support Agency

Mr. Robert G. Hughes: To ask the Secretary of State for Social Security in what circumstances a deduction from earnings order is imposed by the Child Support Agency. [16388]

Mr. Andrew Mitchell: Deductions from earnings orders are used only as a last resort. They are an important method for securing compliance where it has not proved possible to get absent parents to pay maintenance fully and regularly. Nearly 38,000 deductions from earnings orders have been issued since April 1995. This is a significant increase on the 1994–95 total of 32,027.

Cold Weather Payments, Wales

Mr. Hanson: To ask the Secretary of State for Social Security (1) what was the total amount paid in each year since 1991 in respect of cold weather payments in each Welsh county; [17047]

(2) what was the total amount paid in each parliamentary constituency in Clwyd in respect of cold weather payments in each year since 1991. [17045]

Mr. Roger Evans: The information is not available in the format requested. Such information as is available is contained in the social fund statistical series—cold weather payments by district offices—held in the statistical section of the Library.

Mr. Hanson: To ask the Secretary of State for Social Security if he will undertake a review of weather stations used to monitor payments for cold weather payments for Wales. [17060]

Mr. Evans: The operation of the cold weather payments scheme is reviewed with the Meteorological Office after the end of March each year. In particular, links between weather stations and postcode areas are reviewed and where appropriate, changes are made.

Benefit Entitlement (Water Costs)

Mrs. Helen Jackson: To ask the Secretary of State for Social Security (1) what assessment he has made of the advantages and disadvantages of revising the figure included for water costs in the calculations of benefit entitlement to reflect *(a)* variations of regional costs, *(b)* the rateable value of the property concerned and *(c)* the fact of a property being on a metered charge; [16805]

(2) what figure for water costs is included in the calculations of benefit entitlement *(a)* in 1995 and *(b)* in each of the preceding five years. [16804]

Mr. Roger Evans: Income support is a national benefit which provides a level of income for normal daily expenditure. It does not specify particular amounts for particular items of household expenditure many of which, like water, vary regionally and over time. The cost of restructuring the benefit in the way envisaged would be considerable.

Mrs. Jackson: To ask the Secretary of State for Social Security what is the average deduction from income support, *(a)* with and *(b)* without an element for arrears, paid to water companies where people have opted to have their water costs deducted at source. [16803]

Mr. Evans: The information available is set out in the table.

Direct payment deductions from income support for water/sewerage charges

	£
Average weekly deduction excluding arrears	3.34
Average weekly deduction including arrears	5.86

Source:
Income Support Statistics Quarterly Enquiry February 1995.
Note:
1. In certain circumstances, direct payment deductions for water/sewerage charges may be made without the consent of the Income Support recipient. Figures for people who have specifically opted tor direct payments are not available.

Pension Schemes

Mr. Tipping: To ask the Secretary of State for Social Security if he will make it his policy to ensure that the interests of pensioner members of pension schemes are fully represented through the trustees in drawing up the Occupational Pension Schemes. (Member-nominated Trustees and Directors) Regulations 1996. [17380]

Mr. Heald: Trustees of a trust scheme are not representative of a particular group or category of member. The interests of pensioner members will be fully considered because all trustees have a duty to consider the interests of all the beneficiaries of the pension fund. This aspect of trustees' conduct is a provision of trust law and is unaffected by the proposed Occupational Pension Schemes (Members-nominated Trustees and Directors) Regulations 1996.

Written Answers to Questions

Wednesday 28 February 1996

OVERSEAS DEVELOPMENT ADMINISTRATION

Kenya

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent report he has received on the current human rights situation; what assessment he has made of the electoral process; and if he will make a statement about the current political situation in Kenya. [17830]

Mr. Hanley: We receive reports from a variety of sources about human rights in Kenya. We have some concerns about the political situation and certain aspects of the electoral process. We draw these to the attention of the Kenyan authorities during our regular contacts. The UK is making a positive contribution to Kenya's development as an emerging democracy.

Uganda

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations the Government have made to the Ugandan Government about the necessity of free and fair elections, with particular reference to the need to allow political parties to conduct electoral campaigns. [17602]

Mr. Hanley: We have made it clear to President Museveni and his Government, to representatives of Ugandan political parties and to the Ugandan public through the local media the importance that we attach to the holding of free and fair elections, consistent with Uganda's new constitution.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will itemise the United Kingdom bilateral aid to Uganda in the last year for which figures are available. [17600]

Mr. Hanley: Total UK bilateral aid to Uganda in 1994–95 was £36.2 million, of which programme aid accounted for £20 million. The main sectors of support from our project aid were good government, over £4 million, power, over £3 million, and, health and population, over £2 million.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will itemise European Union aid to Uganda in the last year for which figures are available. [17601]

Mr. Hanley: The European Union disbursed over 55 million ecu in 1994, the last year for which figures are available. Over 44 million ecu was disbursed under the European development fund—EDF VI and EDF VII—and focused on infrastructure, health, income generation and small enterprises. Nearly 11 million ecu was made available from Stabex funds.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the funding of the Ugandan elections. [17599]

Mr. Hanley: Donors have been asked by the Government of Uganda to support the forthcoming presidential and parliamentary elections. We and other donors are considering this request in the light of progress in putting into place arrangements which will ensure that the elections are conducted freely and fairly.

Police Training

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries have received Overseas Development Administration funding to finance police training in the United Kingdom since 1990. [16943]

Mr. Hanley: The countries that received ODA financing of police training in the UK in 1994 and 1995 or who were expected to receive such support in 1995 are as follows;

1994

Anguilla
Bangladesh
Botswana
British Virgin Islands
Cayman Islands
Czech Republic
Grenada
Guyana
India
Indonesia
Lesotho
Mauritius
Namibia
Nigeria
Oman
Papua New Guinea
Poland
St. Lucia
St. Helena
St. Kitts
Sierra Leone
Sri Lanka
Surinam
Tonga
Uganda
Vanuatu

1995

Bangladesh
Barbados
Bosnia
Botswana
Brazil
BVI
Cayman Islands
Czech Republic
Ethiopia
Fiji
Hungary

India
Indonesia
Jordan
Kenya
Lebanon
Lesotho
Madagascar
Mauritius
Montserrat
Nepal
Nigeria
Papua New Guinea
Philippines
Poland
Romania
Russia
Sierra Leone
South Africa
Sri Lanka
St. Vincent
Swaziland
Thailand
Uganda
Ukraine

We have not collated this information for earlier years and it would involve a disproportionate expense to collect it now.

Mr. Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom police *(a)* training consultants and *(b)* technical co-operation officers have been sent to Indonesia since 1990; and what was the cost of their visits. [16942]

Mr. Hanley: Under the police management training project, five police training consultants have visited Indonesia. The cost between 1990–91 and 1994–95 was £584,000. No technical co-operation officers were sent.

Multilateral Aid

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of the multilateral overseas development budget has been directed through *(a)* the European Union and *(b)* each of the UN multilateral agencies in each year between 1992 and 1995. [16396]

Mr. Hanley: In 1994–95 54 per cent. of ODA's multilateral contributions were directed through the European Community programme, and 9 per cent. through UN agencies. More detailed information is set out in table 8 of "British Aid Statistics", 1990–91 to 1994–95, a copy of which is available in the Library.

Country Strategy Papers

Miss Lestor: To ask the Secretary of State for Foreign and Commonwealth Affairs what provision he plans to make for input by UN agencies to the Overseas Development Administration's country strategy papers. [16404]

Mr. Hanley: In drawing up country strategy papers, ODA consults outside bodies including UN agencies where appropriate. The nature and level of this consultation will depend upon the context in which the aid programme is operating in a particular country and the overall strategy being considered.

In turn, we also encourage UN agencies to consult us and other donors on their country strategies.

Pakistan (Afghan Refugees)

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what food aid has been given by the United Kingdom Government from the European Union food surplus to help the Government of Pakistan feed Afghan refugees now living in Pakistan; and if he will make a statement. [17159]

Mr. Hanley: No food aid is being provided for Afghans who have settled in Pakistan, but 5,000 tonnes of wheat have been given to Afghanistan this financial year and a further 5,000 tonnes are expected next year.

UK food aid is not provided as a means of disposing of EU food surpluses, which in any case scarcely exists any longer.

Mr. Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effects of the European Community—technical aid to the commonwealth of independent states project in 1996 on retraining activiites in the Russian Federation. [16909]

Mr. Hanley: The European Commission, which manages TACIS, undertook in 1995 a mid-term assessment of its project for retraining discharged military officers in the Russian Federation. The current project is expected to end in December 1996, when a full independent evaluation of its achievements is planned, before proposals are put forward on any further EC support for retraining.

HOME DEPARTMENT

Refugees (Yugoslavia)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department (1) what representations he has received concerning the safety of refugees in the United Kingdom returning to the states of the former Yugoslavia; and if he will make a statement; [17386]

(2) if he will make a statement concerning the future status of refugees from the former Yugoslavia. [17385]

Mr. Kirkhope: Applications for refugee status in the United Kingdom will continue to be carefully considered on their individual merits and in the light of the circumstances of the case and conditions in the country of origin. We have received no recent representations specifically on the safety of returns to the former Yugoslavia, but we and other Governments are in close touch with the United Nations High Commissioner for Refugees on this subject.

Death Certificates

Mr. Mackinlay: To ask the Secretary of State for the Home Department what guidance has been given to coroners as to the recording of employment status on death certificates. [17251]

Mr. Sackville: Death certification is a matter for the Office of Population Censuses and Surveys. I understand that guidance on how to record the occupation of the deceased person is contained in notes supplied by the OPCS to coroners to assist them in providing registrars of death with the registration particulars required.

Rape Offences

Mr. Mackinlay: To ask the Secretary of State for the Home Department, pursuant to his answer of 6 February, *Official Report*, column *112* (1) what is the definition of the term substantive as used in his answer in respect of the rape offences; [17111]

(2) which constabularies and on how many occasions issued cautions in respect of the offence of substantive rape and attempted rape in the periods January to March 1994 and from April to December 1994; [17112]

(3) when he will be able to give the comparable figures for the cautions issued in 1995. [17110]

Mr. Maclean *[holding answer 27 February 1996]:* Offences of "substantive" rape as quoted in the answer of 6 February refer to all offences of rape under section 1 of the Sexual Offences Act 1956 other than attempted rape, where rape is as defined in section 142(2) of the Criminal Justice and Public Order Act 1994 and an attempt in any act that is more than merely preparatory to the intended commission of the crime but not the crime itself.

Provisional summary information on cautioning in England and Wales in 1995 will be available in the summer of 1996. Final data, including detailed information by offence and police force area, will be available in late autumn 1996.

Information on which police forces issued cautions for offences of substantive rape and attempted rape in 1994 is shown in the following table.

Number of persons cautioned for substantive rape and attempted rape in (a) January to March 1994 and (b) April to December 1994 by police force area.

Police force area	*Number cautioned*
January to March 1994	
Substantive rape	
Bedfordshire	1
Cambridgeshire	1
Hertfordshire	1
Gloucestershire	2
Metropolitan Police	1
Wiltshire	1
April to December 1994	
Substantive rape	
Cambridgeshire	1
Devon and Cornwall	1
Staffordshire	2
West Midlands	1
Dyfed and Powys	1
Attempted rape	
West Midlands	1

Docklands Bombing (Fire Appliances)

Ms Ruddock: To ask the Secretary of State for the Home Department (1) how many appliances attended the site of the docklands bombing on 10 February; what time the first appliance arrived and what time the last appliance left; and from which stations the appliances were drawn; [17028]

(2) how many appliances attended the scene of the docklands bombing on 12 February; what time the first appliance arrived; and from which stations the appliances were drawn; [17030]

(3) how many appliances attended the site of the docklands bombing on 11 February; what time the first appliance arrived and what time the last appliance left; and from which stations the appliances were drawn. [17029]

Mr. Sackville *[holding answers 26 February 1996]:* I refer the hon. Member to the answer given to her on 26 February, *Official Report*, column *412*.

Fire Services

Mr. Barry Jones: To ask the Secretary of State for the Home Department how many incidents the fire brigades of *(a)* Clwyd and *(b)* Gwynedd attended in (i) 1980, (ii) 1994 and (iii) 1995. [17329]

Mr. Sackville: The available information is given in the following table. Data for 1994 are provisional and are not available for 1995.

Incidents attended by local authority fire brigades in (a) Clwyd and (b) Gwynedd in (i) 1980 and (ii) 1994

Year	*(a) Clwyd*	*(b) Gwynedd*
1980[1]	4,087	2,382
1994[2]	7,102	3,887

[1] Includes estimates for periods of industrial action when data were not recorded.

[2] Provisional data which include special services attended between April 1994 and March 1995.

Police Forces (Capital Assets)

Mr. Wigley: To ask the Secretary of State for the Home Department if he will lift the restrictions currently placed on *(a)* United Kingdom police forces and *(b)* the North Wales police preventing them from utilising as they deem fit the 75 per cent. of reserved receipts arising from the sale of capital assets; and if he will make a statement. [17325]

Mr. Maclean: The legislation and regulations governing the use of capital receipts by local and police authorities in England and Wales are matters for my right hon. Friends the Secretary of State for the Environment and the Secretary of State for Wales.

The proportion of capital receipts required to be set aside for debt redemption by police authorities is contained within the Local Authorities (Capital Finance) Regulations 1990, as amended. The Government keep these regulations under review.

Body Belts

Mr. Cohen: To ask the Secretary of State for the Home Department what is the policy of the Metropolitan police towards the body belt of the type involved in the death of Joy Gardner; how that policy has changed since this incident; and if he will make a statement. [17340]

Mr. Maclean: I understand that, following the recommendations of the joint Home Office-police review of removal procedures in immigration cases involving the police, the Metropolitan police intend that a belt with handcuffs should be used only exceptionally and in strictly controlled conditions, taking into account the advice of a qualified medical practitioner in each case.

Police Escorts (Abnormal Loads)

Mr. Wilson: To ask the Secretary of State for the Home Department how many abnormal loads were notified to police authorities for escorted access in the United Kingdom since 1 January 1994. [17152]

Mr. Maclean: The information requested is not available centrally and could be obtained only at disproportionate cost.

Programme Development Unit

Ms Hodge: To ask the Secretary of State for the Home Department by what date he expects to announce his decision on the outcome of the second round of funding for local projects considered by the programme development unit of his Department. [16718]

Mr. Howard: I refer the hon. Member to the answer I gave to her on 15 February, *Official Report*, column *706*.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for the Home Department if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interest. [16882]

Mr. Howard: Standing guidance to staff requires that anyone who is faced with a conflict of interest must declare that interest to senior management so that the latter can determine how best to proceed. Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer. No comprehensive central record of declarations of interests or holdings is kept in my Department and I have no plans to establish such a register.

International Terrorists

Mr. Bennett: To ask the Secretary of State for the Home Department if he will list the *(a)* incidents and *(b)* potential incidents involving international terrorists in (i) England, (ii) Wales, (iii) Scotland and (iv) Northern Ireland in each of the last 10 years. [16037]

Mr. Howard: The list covers known terrorism believed to have international links, occurring in England and Scotland in the last 10 years. There have also been 22 terrorist-type incidents associated with opposition to Salman Rushdie, not necessarily of foreign origin. There have been no international terrorist incidents in Wales and Northern Ireland during this period. Information on those involved in international terrorist incidents and potential incidents could be obtained only at disproportionate cost.

(a) Incidents of international terrorism
February 1986–February 1996

Date	*Location*	*Incidents*
(i) England		
17 April 1986	Heathrow airport	Bomb
24 April 1986	British Airways office, London	Bomb
19 August 1986	Kensington Video Co., London	Bomb—one fatality
10 November 1986	Shoebury Road, East Ham	Bomb
14 November 1986	Burges Road, East Ham	Bomb
9 July 1987	ANC offices London	Kidnapping
18 July 1987	Kensington High Street, London	Car Bomb
22 July 1987	Al Qal as newspaper office, Ives Street, Chelsea	Shooting—one fatality
2 October 1987	Chalk farm Estate, Wembley	Shooting—two fatalities
11 November 1987	High School Southall	Shooting—three fatalities
6 January 1988	Notting Hill Gate, London	Poisoning one—fatality
25 March 1988	Air France office London	Occupation
14 April 1988	Carlton Bolling, Yorkshire	Bomb
12 September 1988	Paddington, London	Shooting
16 January 1989	Israeli Embassy, London	Postal booby trap
22 February 1989	El Al TWA office, London	Bomb
3 August 1989	Beverley House Hotel, London	Terrorist killed by own bomb
18 August 1989	Indonesian Embassy, London	Bomb
18 November 1989	Belgrave Square, London	Car bomb
13 March 1992	Turkish Airlines office, London	Bomb
13 March 1992	Heathrow Airport	Bomb
11 July 1992	Islamic Centre, Nelson, Lancs	Postal bomb
18 December 1992	Burgess Road, London	Postal bomb
29 October 1993	Turkish Airlines office, London	Petrol bomb

(a) Incidents of international terrorism February 1986–February 1996

Date	*Location*	*Incidents*
4 November 1993	Turkish Embassy, London	Petrol bomb
4 November 1993	Turkish Airlines office, London	Petrol bomb
4 November 1993	London Islamic Turkish Association	Petrol bomb
4 November 1993	British Telecom office, London (Wrongly identified as TC Zjraat Bank)	Bricks and petrol bomb thrown
4 November 1993	Sabana Turkish Bank, London	Petrol bomb
26 July 1993	Israeli Embassy, London	Car bomb
27 July 1994	Balfour House, London	Car bomb
March 1995	Turkish bank, London	Paint thrown and hoax bomb planted
March 1995	Turkish Airlines office, London	Paint thrown and hoax bomb planted
April 1995	Turkish bank, London	Petrol bomb
April 1995	Turkish travel agent, London	Petrol bomb
20 June 1995	Turkish Chamber of Commerce, London	Occupation
24 July 1995	Turkish Cultural offices, London	Occupation
(iii) Scotland		
20 October 1988	Glen Road, Kilcady	Shooting
21 December 1988	Lockerbie	Bombing of Pan Am flight 103

DEFENCE

Marine Services Organisation

Mr. Luff: To ask the Secretary of State for Defence if the market testing of the Marine Services Organisation has been completed; and if he will make a statement. [18425]

Mr. Soames: Final proposals for the management of marine services support to the Department were received on 18 December 1995 from an in-house bid team drawn from the Royal Maritime Auxiliary Service and from two private sector interests; a Denholm-SERCO consortium and the Ocean Group. These bids were evaluated accordingly to a pre-defined and publicised methodology.

Based on the results of this evaluation, it is intended to award the management of the moorings and buoys task and the naval armaments freighting task to the in-house bid team, the RMAS. The operation of the ports task—under which services are provided to the three main naval bases—will be awarded under a five-year contract to Denholm-SERCO. This latter award followed the elimination of the in-house team for reasons of non-compliance with the management requirements of the task. RMAS personnel currently employed on ports activities will have the option of transferring to Denholm-SERCO under the terms of the Transfer of Undertakings (Protection of Employment) Regulations 1981. Existing RMAS vessels required by Denholm-SERCO will be leased to the company under commercial charter terms. The vesting date for the new management arrangements is currently scheduled for 8 July 1996.

All the proposals received envisaged a significant reduction in the number of vessels and posts required to undertake the tasks. The selected bids will entail a total reduction of some 500 posts—approximately 45 per cent. of the current work force—as well as some 35 per cent. fewer vessels. Consultation with the TU side on the TUPE implications of this decision and on any redundancy arrangements necessary will take place in the normal way.

The MOD will benefit from the efficiencies which the market test will introduce into all the current marine service activities. It is envisaged that the Department will save some £105 million over 10 years as a result of the measures announced today.

Elizabeth Barracks, Pirbright

Lady Olga Maitland: To ask the Secretary of State for Defence what decision he has made about the future occupancy of Elizabeth barracks, Pirbright. [18426]

Mr. Soames: As announced by my right hon. Friend the then Minister of State for the Armed Forces on 5 July 1994, *Official Report,* column *173*, it had been intended to move the Gurkha battalion based at Church Crookham to Elizabeth barracks, Pirbright at the end of 1996. We have revised this plan in the light of the decision to replace one of the three Foot Guard battalions currently engaged on public duties by a line infantry battalion, so as to enable the Foot Guards battalion to increase the proportion of its effort employed on training for its operational roles.

The Foot Guards battalion concerned will continue to provide reinforcements for public duties on a surge basis, and it is therefore our intention that it should be based at Elizabeth barracks, Pirbright where it can fulfil this role and undertake effective operational training. The Gurkhas will move instead to Sir John Moore barracks at Shorncliffe in early 1999. Sir John Moore barracks will be modernised during the intervening period. We are confident that these moves make the most efficient use of the Army's resources, including the defence estate, and meet its operational priorities in the most effective way.

Type 23 Frigates

Mr. Coe: To ask the Secretary of State for defence if he will make a statement about the type 23 frigate order. [18427]

Mr. Arbuthnot: I am pleased to announce that an order will be placed shortly with Yarrow Shipbuilders Ltd. for a further batch of three type 23 frigates to enter service with the Royal Navy around the turn of the century.

We received bids from two shipyards: Yarrow Shipbuilders Ltd. and Vosper Thornycroft (UK) Ltd. Both companies submitted high-quality tenders, reflecting their longstanding and world-renowned expertise in the construction of modern warships. The prices offered by Yarrow Shipbuilders, however, were significantly lower.

Our decision has been reached on the basis of best value for money for the taxpayer. It does not in any way reflect adversely on the capabilities of Vosper Thornycroft as a builder of warships; indeed, it remains one of the foremost warshipbuilders in the world.

At the same time, however, the order reflects great credit on Yarrows, and will be good news for jobs not only in the Clyde area but for other communities throughout the UK who will benefit from subcontracts for weapons and other systems for the ships. The total value of this work will approach £400 million.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Secretary of State for Defence what was the total expenditure by his Department on the Isle of Wight in 1994–95 broken down by category. [16775]

Mr. Arbuthnot: The information is not available in the form requested. However, there are no MOD establishments or employees, service or civilian, on the Isle of Wight. Sixteen defence contractors on the island received payments direct from MOD, totalling some £32 million in 1994–95; details of payments to individual firms are commercially confidential. Payments by defence prime contractors to their subcontractors are not included in the figure.

Mr. Ian McDonald

Mr. Cousins: To ask the Secretary of State for Defence what are the present duties of Mr. Ian McDonald, former head of the defence export sales section. [17799]

Mr. Arbuthnot: Mr. McDonald remains the head of the defence export services secretariat. The division provides the secretariat function for the Defence export services Organisation and is the focus for export licensing within my Department.

Defence Establishments (Security)

Mr. David Nicholson: To ask the Secretary of State for Defence what measures his Department takes to ensure that the security of Army camps and other MoD establishments against terrorist attack is fully taken into account when local authorities consider planning proposals in the near vicinity to such establishments. [17509]

Mr. Soames: It is not our practice to discuss security measures. However, all measures deemed necessary take into account the local threat and are kept under constant review by establishments.

Where proposed developments require planning permission, local authorities are obliged by planning guidance to consult all adjoining landowners in both the private and public sector. Local authorities are also required to consult my Department about proposed developments near certain essential defence establishments and installations—that is, airfields, explosive establishments and technical (radar/radio) sites.

Business Appointment Rules

Mr. Keen: To ask the Secretary of state for Defence what procedures his Department follows to ensure that an individual applicant does not take up the appointment stated in a failed application made under the business appointment rules. [17668]

Mr. Arbuthnot: Where a condition is imposed on a business appointment application, both the applicant and the prospective employer are informed in writing and it is made clear that the employment should not be taken up before the duration of the condition has lapsed.

Sri Lanka (Arms Sales)

Mr. Llwyd: To ask the Secretary of state for Defence what is his current policy on the sale of *(a)* aircraft and *(b)* other armaments to Sri Lanka; and if he will make a statement. [17558]

Mr. Arbuthnot: It is the Government's policy to support the sale of British defence equipment overseas where this is compatible with our political, strategic and security interests. All licence applications for the export of defence equipment are considered on a case-by-case basis in the light of established criteria, including the international guidelines to which we are committed.

Central Ammunition Depot, Longtown

Mr. Llew Smith: To ask the Secretary of State for Defence what payments were made to which companies for the storage of ammunition at the central ammunition depot at Longtown from 7 to 16 June 1988. [17700]

Mr. Arbuthnot: The Army stores its own ammunition and does not pay contractors; therefore, no payments were made to companies for the storage of ammunition at the central ammunition depot, Longtown between 7 and 16 June 1988.

Seconded Staff

Mr. Cousins: To ask the Secretary of State for Defence in how many cases since 13 May 1985 company staff seconded to the Defence Export Services Organisation continued to have their salary and allowances paid by the original company; and what written guidelines to cover this situation have been issued. [17798]

Mr. Arbuthnot: Nine staff have been seconded to DESO under MOD's interchange programme since May 1985.

Inward secondees remain the employees of their parent company. As such, the company continues to be responsible for payment of salary, pension contributions, company medical plan payments, earnings-related national insurance contribution, etcetera, in accordance with company rules. As part of the formal agreement between MOD and the company, the Department reimburses salary and other costs at the rate equivalent to the civil service grade held by the secondee.

Guidance on the payment of secondees into the civil service has been issued in the civil service management code. This states that, subject to general rules on pay—pay levels, etcetera, and the appointment of secondees, the actual secondment terms are a matter for negotiation between the receiving organisation, the sending employer and the secondee.

Land Mines (Bosnia)

Mr. Chris Davies: To ask the Secretary of State for Defence what was the country of origin of the land mines which have been responsible for the death or injury of British soldiers in Bosnia. [17667]

Mr. Soames: Complete information is not available. Where it has been possible to recover and examine fragments, however, the mines concerned were identified as having been manufactured in the former Yugoslavia.

Army Tanks

Dr. David Clark: To ask the Secretary of State for Defence how many tanks the Army possessed in *(a)* 1979 and *(b)* 1996. [17758]

Mr. Arbuthnot: At 1 January 1979, the Army possessed 870 main battle tanks, of which 620 were deployed in operational units, and at 1 January 1996, 470 main battle tanks, of which 350 were deployed in operational units.

Medical Services Review

Dr. David Clark: To ask the Secretary of State for Defence if he will place in the Library the submissions received from the Department of Health, the NHS executive, NHS trusts and health authorities in relation to *(a)* the defence medical services review in "Options for Change" and *(b)* the "Front Line First" review in the period 1 January 1994 until 17 October 1994. [17762]

Mr. Soames: I will write to the hon. Member.

RAF Aircraft

Dr. David Clark: To ask the Secretary of State for Defence how many front-line aircraft the RAF possessed in *(a)* 1979 and *(b)* 1996. [17757]

Mr. Soames: The number of operational, excluding training and communications, RAF aircraft at 31 March 1979 was 628. The corresponding figure for 31 March 1996 is planned to be 512.

Railhead Transfer Equipment

Dr. David Clark: To ask the Secretary of State for Defence if railhead transfer equipment was deployed in the gulf war with the DROPS—demountable rack offloading and pick-up system—logistic supply chain; and if he will make a statement. [17761]

Mr. Soames: Railhead transfer equipment was not deployed in the Gulf because the tractor units on which it was mounted were not designed to operate in the desert conditions of the Gulf.

Dr. Clark: To ask the Secretary of State for Defence if he will make a statement on the deployment of the Arbau-Klaus railhead transfer equipment to Bosnia; and how trains transporting British equipment unload their cargo before that deployment. [17759]

Mr. Soames: There is no requirement for the Arbau-Klaus railhead transfer equipment to be deployed to Bosnia. The unloading of cargo is currently undertaken by whichever mechanical handling system is available at each station or siding.

Dr. Clark: To ask the Secretary of State for Defence if Arbau-Klaus railhead transfer equipment is capable of unloading DROPS flatracks. [17760]

Mr. Arbuthnot: Yes. The Arbau-Klaus railhead transfer equipment fully meets the specification to handle the DROPS flatracks.

Destroyers

Dr. David Clark: To ask the Secretary of State for Defence how many destroyers the Royal Navy possessed in *(a)* 1979 and *(b)* 1996. [17755]

Mr. Soames: On 1 April 1979 12 destroyers were in service with the Royal Navy, the same number as today.

Exercise Purple Star

Dr. David Clark: To ask the Secretary of State for Defence if he will list his Department's vessels which will take part in the sea exercise Purple Star with the American navy, when the exercise will take place, and if he will make a statement. [17763]

Mr. Soames: Exercise Purple Star will take place, with the United States Navy, off the eastern seaboard of the United States from late April to mid-May. It is not our normal practice to give details in advance of the composition of groups of ships taking part in exercises. The UK will, however, be making a sizeable contribution in terms of ships, aircraft and personnel.

Personnel Statistics

Dr. David Clark: To ask the Secretary of State for Defence what was the strength of the *(a)* Army manpower, *(b)* RAF manpower and *(c)* Royal Navy manpower in (i) 1979 and (ii) 1996. [17756]

Mr. Soames: The information requested is contained in "TSP1—Tri-Service Personnel Statistics—Strengths, Intake and Outflow of UK Regular Forces", a copy of which has been placed in the Library of the House.

Radar

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement on the choice of a radar system for his Department's replacement maritime patrol aircraft. [17671]

Mr. Arbuthnot: The responses to the invitation to tender for a replacement maritime patrol aircraft are currently being assessed by my Department. The selection of particular subcontractors for subsystems is a matter for the bidders themselves.

Spartan Vehicles

Dr. David Clark: To ask the Secretary of State for Defence when Spartan vehicles will be converted from petrol to diesel engines; and if he will make a statement. [17672]

Mr. Arbuthnot: As part of the enhancement programme for the combat vehicle reconnaissance (tracked)—CVR(T)—family of vehicles, which includes Spartan, studies have been undertaken into the feasibility of replacing existing petrol engines with diesel. Further work is currently in progress, which should allow a decision on whether to proceed to be made this summer. If it is decided to proceed, the first diesel engines are expected to enter service in 1998, with production complete by 2000–01.

Advanced Rifle Grenades

Dr. David Clark: To ask the Secretary of State for Defence what recent contracts he has signed for the purchase of advanced rifle grenades. [17663]

Mr. Arbuthnot: A contract was signed on 22 December 1995 to purchase rifle grenades from TAAS Israel Industries.

Maritime Patrol Aircraft

Dr. David Clark: To ask the Secretary of State for Defence how many replacement maritime patrol aircraft his Department plans to purchase. [17674]

Mr. Arbuthnot: The number of replacement maritime patrol aircraft to be purchased is currently under examination in the context of our assessment of responses to the invitation to tender. At present, no decision has been taken.

American Contracts

Dr. David Clark: To ask the Secretary of State for Defence what was the total value of the contracts placed with American companies in the last two years. [17675]

Mr. Arbuthnot: The total value and number of contracts placed with American companies over the last two years are as follows:

	Number	*Value (£)*
1994	270	153,965,050
1995	296	1,602,086,486
Totals	566	1,756,051,536

Royal Marines Reserve

Mr. Brazier: To ask the Secretary of State for Defence if he will update his answer of 15 March 1995, *Official Report*, column *638*, in respect of the roles and future strength of Royal Marines Reserve. [17831]

Mr. Soames: The role and tasking, and therefore the strength, of the Royal Marines Reserve are kept under review so as to ensure that they reflect our operational requirements. Any future changes would of course be subject to consultation in the usual way.

HOUSE OF COMMONS

Passes

Miss Emma Nicholson: To ask the Chairman of the Administration Committee what procedures exist governing the issue of House of Commons passes to foreign nationals; and if he will make a statement. [17856]

Mr. Michael J. Martin: A House of Commons photographic pass may be issued to a foreign national provided the appropriate application is signed by the sponsoring Member and security clearance has been obtained.

Members' Interests

Mr. Cohen: To ask the Chairman of the Committee on Standards and Privileges when he expects the Parliamentary Commissioner for Standards to provide guidelines to hon. Members in respect of the declaration of interest on parliamentary questions and motions. [17231]

Mr. Newton: Following recommendations to the House contained in paragraphs 55 to 60 of the first report of the Select Committee on Standards in Public Life of Session 1994–95, HC 637, the House agreed, with effect from the beginning of Session 1995–96, to extend the rules about declaring interests to cover the giving of written notices. Accordingly, on 23 October last, the Table Office issued a guidance note to Members on the application of the amended rules. Members were advised that if they had doubts about whether a declaration of interest was appropriate they should consult the Parliamentary Commissioner for Standards.

Walter Somers (Trade and Industry Committee)

Mr. Llew Smith: To ask the Lord President of the Council if he has anything to add to his oral answer to the right hon. Member for Yeovil (Mr. Ashdown) of 25 May 1993, *Official Report*, column 750, on the briefing of witnesses from Walter Somers before the Trade and Industry Committee. [15999]

Mr. Newton: The inquiry to which I referred has been completed, and the report was published on 15 February.

Scott Inquiry

Mr. Winnick: To ask the Lord President of the Council when he first consulted other Cabinet Ministers about the contents of the report of the Scott inquiry; and where and when such discussions took place and with whom. [16519]

Mr. Newton: It is not the practice to give details of ministerial meetings.

Parliamentary Questions

Mr. Frank Field: To ask the Lord President of the Council how many *(a)* oral and *(b)* written parliamentary questions have appeared on the Order Paper in each of the last 30 years.

Mr. Newton: The information requested is in the following table:

House of Commons parliamentary questions

Session	Orals total	Written total
1964–65	10,878	8,270
1965–66[1]	4,332	3,646
1966–67[2]	17,014	16,951
1967–68	11,309	13,601
1968–69	10,721	12,743
1969–70[1]	7,914	9,546
1970–71[2]	13,646	20,300
1971–72	11,108	17,486
1972–73	7,781	17,950
1973–74[1]	2,363	6,387
1974–[1]	3,783	11,753
1974–75	9,215	27,843
1975–76	9,081	33,239
1976–77[1]	6,463	25,076
1977–78	9,046	28,739
1978–79[1]	4,699	13,152
1979–80[2]	12,453	39,112
1980–81	8,175	22,688
1981–82	8,991	23,439
1982–83[1]	6,125	17,095
1983–84[2]	13,386	40,119
1984–85	14,800	31,523
1985–86	18,139	31,808
1986–87[1]	12,766	21,331
1987–88[2]	24,940	47,726
1988–89	23,932	39,540
1989–90	24,687	41,358
1990–91	4,821	32,843
1991–92[1]	2,383	16,050
1992–93[2]	7,134	56,550
1993–94	4,559	41,051
1994–95	4,903	44,924

[1] Unusually short session.

[2] Unusually long session.

From 1972–73 Members were limited to one oral question per Minister. Priority written questions were introduced in the 1972–73 Session.

TREASURY

Tax Allowances

Mr. Frank Field: To ask the Chancellor of the Exchequer if he will estimate the savings for each of the next five financial years if *(a)* the additional value of tax allowances for (i) single and (ii) married pensioners was frozen at the current rate and *(b)* the allowance was frozen and remained in force only for current pensioners. [15196]

Mr. Jack: An indication of the effects of reducing the additional value of age-related personal allowances and of denying age-related allowances to those who are currently aged below 65 is given in the table. The figures are set at 1996–97 levels and, as an illustrative assumption, the increases in the retail prices index is taken to be 2¼ per cent. for the first year and 2 per cent. in subsequent years. The full-year cost of the age-related component of personal allowances is estimated to be about £960 million at 1996–97 income levels.

Estimated full year yields

(£ million)

Year after the change	Age allowance frozen at current rate	Age allowance frozen and available only for those aged over 65 in year 0
1	70	140
2	140	260
3	200	380
4	260	500
5	330	620

Departmental Sickness Cover

Mrs. Roche: To ask the Chancellor of the Exchequer what procedures are followed by his Department to ensure that when employees fall ill, their functions are fulfilled by other officials. [16197]

Mrs. Angela Knight *[holding answer 20 February 1996]:* When staff are absent from work through illness, any urgent work will be carried out by colleagues within the team. Where it appears that a member of staff will be absent for a prolonged period, the line manager either rearranges the day-to-day work of the team to cover the duties of the absent officer, or puts in a temporary replacement depending on the functions involved.

Reinvestment Relief

Mr. Barry Field: To ask the Chancellor of the Exchequer how many decisions by local inspectors of taxes on qualifying companies for reinvestment relief have been disallowed by senior tax inspectors; and if he will list those companies that have been declared as not qualifying for reinvestment relief. [17136]

Mr. Jack: Normally, if Inland Revenue has accepted a claim for tax relief, it will not be withdrawn in respect of that particular claim. It is investors, not companies, that qualify for reinvestment relief.

Mr. Field: To ask the Chancellor of the Exchequer how many taxpayers have had their reinvestment relief disallowed to date. [17138]

Mr. Jack: The information requested is not collected centrally.

VAT (Sanitary Protection Products)

Mr. Alfred Morris: To ask the Chancellor of the Exchequer what representations he has had in relation to the imposition of VAT at 17.5 per cent. on sanitary protection products for women; what response he has made; what action he is taking; what was the yield of the tax on these products in each of the last three years for which figures are available; and if he will make a statement. [16347]

Mr. Heathcoat-Amory *[holding answer 27 February 1996]:* Because VAT is intended to be a broad-based tax on consumer expenditure generally, sanitary protection products for women have been taxed at the standard rate

from the outset. The revenue yield is approximately £35 million a year. Around 160 representations for tax relief have been received since April 1995.

Since the last Labour Government agreed with other EU member states in 1977 that the UK would not extend the scope of its existing zero-rates, there is no possibility now of zero-rating these products.

Mortgage Endowment Policies

Mr. Frank Field: To ask the Chancellor of the Exchequer what research his Department has evaluated from the major sellers of mortgage endowment policies in respect of estimates of shortfalls of individual policies to meet mortgage commitments. [17476]

Mrs. Angela Knight *[holding answer 27 February 1996]:* The Treasury has carried out no such research. If individual policy holders have concerns, they should review their policy with the issuer of their mortgage endowment policy.

Landfill Tax

Mrs. Helen Jackson: To ask the Chancellor of the Exchequer (1) who will define the types of waste which qualify for the £2 rate as inert or inactive waste under the proposed landfill tax; and by what mechanisms disputes over the definitions will be resolved; [16918]

(2) if he will list the types of waste described under the waste classification scheme which will qualify as inert or inactive waste under the proposed landfill tax. [16917]

Mr. Heathcoat-Amory *[holding answer 27 February 1996]:* Customs and Excise recently carried out a consultation exercise on the scope of the lower rate of landfill tax, which ended on 31 January. The consultation exercise was carried out on a proposal to link the lower rate of tax to wastes listed in category 1 of the proposed UK waste classification scheme, on which the Department of the Environment consulted at the same time.

I expect to receive a report shortly following an analysis by Customs and Excise in consultation with other interested Government Departments. An announcement of the outcome will be made in due course. A list of the wastes that will qualify for the lower rate of landfill tax will be set out in a Treasury order, which will be laid before the House in the summer.

On disputes, the current Finance Bill provides for reviews, and appeals to an independent tribunal by tax payers against decisions by customs relating to tax liability.

Income Tax (Pensioners)

Mr. Morgan: To ask the Chancellor of the Exchequer how many pensioner households paid income tax in Wales at the latest available date. [17587]

Mr. Jack: Income tax is calculated on the basis of individuals. There are around 500,000 individuals in Wales aged 65 years or over. According to the 1993–94 survey of personal incomes, 130,000 or 26 per cent. of these are taxpayers.

ATTORNEY-GENERAL

Ministerial Accountability

Mrs. Clwyd: To ask the Attorney-General, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17302]

The Attorney-General *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589-606.

Confiscation Unit

Mr. Steinberg: To ask the Attorney-General how many full-time staff there are in the confiscation unit of the Department of the Director of Public Prosecutions in Northern Ireland. [17147]

The Attorney-General: The Department of the Director of Public Prosecutions for Northern Ireland has no separate confiscation unit. Two lawyers on the director's staff are nominated to deal with confiscation as part of their duties.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. John Marshall: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to strengthen the arrangements for means-testing applicants for legal aid. [18424]

Mr. Jonathan Evans: The Lord Chancellor has today laid before Parliament regulations which will:

(a) provide those assessing the means of applicants for legal aid with a discretionary power to include in the means assessment the assets of friends, relatives and children where these appear to be providing a significant material advantage to the applicant;

(b) place a limit of £100,000 on the amount of equity value in a house that is ignored in the legal aid means assessment. The regulations also limit the maximum amount of mortgage that can be offset against the equity value of a house to £100,000 and limit the amount of mortgage repayment allowable against income to the amount due on a £100,000 mortgage.

These regulations will come into effect for applications for legal aid made on or after 1 June 1996.

Both these measures are being taken as a result of the consultation exercise on legal aid for the "apparently wealthy" which was undertaken in 1995.

Also as a result of the consultation exercise, the Lord Chancellor announced last year that he intended that a special investigations unit should be established to handle legal aid means assessments where the applicant's financial circumstances are exceptionally complex. He invited the Legal Aid Board to advise him on the feasibility of establishing such a unit.

The Legal Aid Board has now submitted its report and I have placed a copy in the library. The Lord Chancellor has accepted the central recommendations in the report

and has invited the Legal Aid Board to take the necessary steps to ensure that the special investigations unit is fully operational as soon as possible.

The special investigations unit will build on the prototype of such a unit set up by the Benefits Agency in its legal aid assessment office at Preston in June 1995. This unit is already investigating certain cases.

Initially, the unit will deal with applications for civil legal aid, but it will be extended as soon as possible to cover both civil and criminal legal aid. Referrals to the unit will be made, in civil cases, by the Legal Aid Board or the existing staff of the legal aid assessment office and, in criminal cases, by the court or court clerk. They will be invited to refer cases to the unit when:

(a) they are of the opinion that the means information provided merits further investigation, verification or expect evaluation by the special investigations unit, and

(b) one or more of the following appears to apply:

(i) the applicant or partner has assets overseas;

(ii) the applicant or partner has access to assets or income apparently owned by others;

(iii) the applicant or partner has a wealthy life style, such as an expensive car, house or jewellery, or is able to indulge in significant foreign travel;

(iv) the applicant or partner has interests in a business with substantial assets;

(v) the applicant or partner has other complex personal financial affairs, which may include persona insolvency or having assets subject to a mareva injunction or an asset freezing order;

(vi) legal claims of significant value are being pursued by or against the applicant or partner;

(vii) the applicant or partner is reputed to have significant income or assets;

(viii) the applicant or partner has re-arranged his or her financial affairs so that he or she now apparently qualifies for legal aid.

The unit will be headed by a qualified accountant and will be empowered to seek outside expert assistance when this seems appropriate.

The Government are fully committed to ensuring that legal aid is granted only to those who are entitled, under the regulations, to receive it, and believe that the establishment, and further development, of the special investigations unit is an important step in meeting that commitment.

Scott Inquiry

Mr. Winnick: To ask the Parliamentary Secretary, Lord Chancellor's Department when he first consulted other Cabinet Ministers about the contents of the report of the Scott inquiry; where and when such discussions took place; and with whom. [16638]

Mr. Jonathan Evans: It is not the practice to give details of ministerial meetings.

Ministerial Accountability

Mrs. Clwyd: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers." [17303]

Mr. Jonathan Evans: I refer the hon. Member to the speech made by my hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

PRIME MINISTER

Scott Inquiry

Mrs. Clwyd: To ask the Prime Minister if information communicated by the United Nations special commission to the International Atomic Energy Agency by Her Majesty's Government on British companies which supplied materials relevant to Iraqi programmes to acquire weapons of mass destruction, was communicated to the Scott inquiry in its entirety. [17321]

The Prime Minister *[holding answers 26 February 1996]:* Yes, insofar as it related to the period covered by the inquiry's terms of reference.

Mr. Llew Smith: To ask the Prime Minister what representations he received from Ministers at the time he established the Scott inquiry in respect of *(a)* the remit and *(b)* the format of the inquiry. [17701]

The Prime Minister: My discussions with Ministers are private.

Mr. Smith: To ask the Prime Minister (1) if he will place in the Library a copy of the Iraq note referred to on page 439 of the Scott report; [17702]

(2) if he will now place in the Library a copy of the information note prepared by his private secretary on 3 December 1990. [17786]

The Prime Minister: This document was submitted as evidence to Sir Richard Scott's inquiry. I understand that Sir Richard Scott proposes to publish as soon as possible any documents which he considers relevant to his report, consistent with his procedures.

Mr. Gordon Prentice: To ask the Prime Minister what response he plans to make to the representations made by the secretary of the Scott inquiry concerning the nature of statements by various Ministers following the press conference held by Sir Richard Scott on 15 February. [17777]

The Prime Minister: A reply has been sent to the secretary of the inquiry's letter on this matter. As the inquiry's letter has been widely quoted and reproduced in the media, this reply was made public.

The inquiry wrote again subsequently making it clear that Sir Richard's view applied to any summary of his report, whether by Government, Opposition or the media.

Mr. Kirkwood: To ask the Prime Minister if he will place copies of ministerial and departmental responses to the first draft of Sir Richard Scott's report of the inquiry into the sale of arms to Iraq in the Library; and if he will make a statement. [17819]

The Prime Minister *[holding answer 27 February 1996]:* Departments' closing statements to the Scott inquiry have already been published in part B of volume V of the Scott inquiry report. I understand that Sir Richard Scott proposes to publish as soon as possible documents that he considers relevant to his report, consistent with

his procedures. However, paragraph B3.11 of the report records that, in the interests of fairness, Sir Richard does not propose to publish comments submitted by witnesses on the draft report.

Mr. Kirkwood: To ask the Prime Minister if he will list all the people who received copies of the Scott report in advance of the official publication date; and if he will make a statement. [17818]

The Prime Minister *[holding answer 17 February 1996]:* The following Ministers received advance copies of Sir Richard Scott's report: the Prime Minister; the Foreign and Commonwealth Secretary; the President of the Board of Trade; the Chief Secretary to the Treasury; the Secretary of State for Defence and the Attorney-General.

In addition, the Deputy Prime Minister, the Chancellor of the Exchequer, the Chancellor of the Duchy of Lancaster, the Minister of State, Department of Trade and Industry, the Paymaster General and the Parliamentary Secretary, Office of Public Service, had access to the report prior to publication, in accordance with the terms laid down by the Scott inquiry.

A small number of civil servants in the main Departments concerned also received advance copies.

Iraq (Defence-related Exports)

Mr. Kirkwood: To ask the Prime Minister when he first learned of the 1988 amendments to the 1985 Howe guidelines into defence-related exports to Iraq; and if he will make a statement. [17821]

The Prime Minister *[holding answer 27 February 1996]:* The first time I learned that a change in the guidelines had been considered in 1988 was in a minute from my private secretary dated 13 November 1992.

Mr. Omar al Hassan

Miss Emma Nicholson: To ask the Prime Minister on how many occasions in 1994 he met Mr. Omar al Hassan; and if he will make a statement. [17853]

The Prime Minister: As far as I am aware, once, at a speaking engagement.

Millennium Exhibition

Mr. Booth: To ask the Prime Minister what part he envisages that Government will play in relation to the millennium exhibition; and if he will make a statement. [18342]

The Prime Minister: The Government very much welcome the announcement by the Millennium Commission of its decision to stage a national millennium exhibition in Greenwich. This visionary and exciting scheme will enable the whole nation to mark this significant event in a wholly appropriate way. It should also encourage large numbers of overseas visitors to join in our national celebrations during the millennium year.

Arrangements for the millennium exhibition are the responsibility of the independent Millennium Commission. The exhibition will be funded by the Commission from its share of national lottery proceeds and from private sector contributions. Given its scale, the event will, raise many issues to which the Government have to respond.

In order to ensure that the Government's participation in this significant national event is well planned and co-ordinated, I have asked the First Secretary of State and Deputy Prime Minister to convene a ministerial group with the following terms of reference:

"to oversee the Government's role in relation to the Millennium Festival and to take forward any necessary planning of the Government's involvement in this event."

In addition to the chairman, members of the group will be as follows:

Chancellor of the Exchequer

Secretary of State for the Home Department

Secretary of State for the Environment

Secretary of State for Northern Ireland

Secretary of State for National Heritage

Lord Privy Seal

Secretary of State for Transport

Secretary of State for Scotland

Secretary of State for Wales

Other Ministers will be invited to attend for items in which they have a departmental interest.

The Government will do all they can to assist the Millennium Commission to ensure that the millennium festival is an outstanding successful national event.

Hong Kong

Mr. Byers: To ask the Prime Minister what plans he has to meet Mr. C. H. Tung, Mr. Rong Yiren, Mr. David Choy, Mr. Tsui Tsin-tong, Mr. George Cardona and Mr. Algy Cluff during his forthcoming visit to Hong Kong. [17864]

The Prime Minister: I hope to meet a broad range of business men, politicians and other opinion formers.

HEALTH

GPs' Expenditure

Mr. Cousins: To ask the Secretary of State for Health if he will announce the conclusions of the joint review of monitoring and forecasting of general practitioners' expenditure. [17802]

Mr. Malone: There is no such review.

Medium Secure Units

Dr. Lynne Jones: To ask the Secretary of State for Health in which regions the five privately owned medium secure registered mental nursing homes visited by the mental Health Act Commission are situated; and what are their names and locations. [16784]

Mr. Bowis: The Mental Health Act Commission sixth biennial report 1993 to 1995 refers to visits to the following five private and charitable medium secure registered nursing homes:

Hospital	*Region*
Stockton Hall Hospital, The Village, Stockton on the Forest, Yorkshire YO3 9UN	Northern and Yorkshire
Llanarth Court Hospital, Llanarth, Raglan, Gwent NP5 2YD	Wales
St. John's House Hospital, Lion Road, Palgrave, Diss, Norfolk IP22 1BA	Anglia and Oxford
Kneesworth House Hospital, Bassingbourne cum Kneesworth, Royston, Hertfordshire SG8 5JP	Anglia and Oxford
St. Andrew's Hospital, Billing Road, Northampton NN1 5DG	Anglia and Oxford

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Health, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17310]

Mr. Dorrell *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589-604.

Hospital Closures

Ms Harman: To ask the Secretary of State for Health how many hospitals have closed by region in each of the last five years. [18059]

Mr. Horam: The Department does not routinely collect information on hospital closures. Information is available centrally only on proposals to close or change the use of health service facilities which are referred to Ministers for a decision following objections from a community health council. A list of such closures for the period January 1992 to December 1995 is available in the Library, and is updated quarterly.

Ms Harman: To ask the Secretary of State for Health what plans he has to review the hospital closure programme. [18060]

Mr. Horam: The Government do not have a hospital closure programme. Decisions on closing, opening, or significantly changing the use of hospital facilities are for local management.

MRSA

Mr. Hinchliffe: To ask the Secretary of State for Health (1) if he will name the non-national health service hospitals which have reported methicillin-resistant staphylococcus aureus infections; [17088]

(2) how monitoring of methicillin-resistant staphylococcus aureus infection in private hospitals, residential and nursing home care is conducted; and what protection from expulsion and exclusion from such facilities is available to clients; [17089]

(3) what number of United Kingdom hospitals have been infected with methicillin-resistant staphylococcus aureus; what percentage this is of all United Kingdom hospitals; and what mechanism is available to advise the public of methicillin-resistant staphylococcus aureus outbreaks; [17084]

(4) how many persons are known to have been infected, within NHS hospitals, by methicillin-resistant staphylococcus aureus; and what was the total number of persons infected in the last 12 months for which figures are available; [17085]

(5) if he will name the hospitals in England and Wales which have recorded cases of methicillin-resistant staphylococcus aureus and the number of cases at each hospital. [17086]

Mr. Horam: The public health laboratory service maintains aggregate data on MRSA as part of its national surveillance of communicable disease and infection, compiled from requests submitted by hospitals—both NHS and private—and from the community for the typing of isolates. These aggregate data do not identify individual hospitals or patients.

Information about an outbreak of MRSA will be provided, as required, by the hospital's "Outbreak Control Group".

MRSA is an uncommon cause of infection in the community. However, we shall shortly be issuing guidance on MRSA and infection control in general to the managers of residential and nursing homes and their registration officers.

Mr. Hinchliffe: To ask the Secretary of State for Health what guidance his Department has issued on avoidance of cross contamination of methicillin-resistant staphylococcus aureus in NHS patients. [17087]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Carmarthen (Mr. Williams) on 22 January, *Official Report*, columns *16–17*.

Mr. Hinchliffe: To ask the Secretary of State for Health what research his Department is currently undertaking into the incidence of methicillin-resistant staphylococcus aureus; and how many strains have been detected. [17083]

Mr. Horam: I refer the hon. Member to the reply I gave the hon. Member for Carmarthen (Mr. Williams) on 22 January, *Official Report*, columns *15–16*. The public health laboratory service has described 16 strains of epidemic methicillin-resistant staphylococcus aureus.

Mr. Hinchliffe: To ask the Secretary of State for Health how many deaths in the last 12 months for which figures are available resulted from methicillin-resistant staphylococcus aureus infection. [17092]

Mr. Horam: In 1994, the latest year for which figures are available, there were a total of 102 deaths from staphylococcal infection, of which eight resulted from methicillin-resistant staphylococcus aureus.

Mental Health Challenge Fund

Ms Coffey: To ask the Secretary of State for Health what priority will be given to bids for mental health challenge fund applications by those authorities that are over target according to the weighted capitation allocation formula. [17753]

Mr. Bowis: Bids from over target health authorities will be given the highest priority.

Capitation Targets

Ms Coffey: To ask the Secretary of State for Health what is the percentage capitation target according to the weighted capitation allocation formula of each health authority in England. [17752]

Mr. Horam: A table showing planned 1996–97 health authority distance from targets in percentage terms will be placed in the Library.

Vinney Green Secure Unit

Mr. Steen: To ask the Secretary of State for Health if he will institute an inquiry into allegations of bribery at Vinney Green secure unit, Mangotsfield, Avon. [17847]

Mr. Bowis: I am not aware of any allegations of bribery involving staff or residents at Vinney Green secure unit.

NATIONAL HERITAGE

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for National Heritage, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures she proposes to ensure her Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17312]

Mrs. Virginia Bottomley *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

NORTHERN IRELAND

Marketing Awareness Programme

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if he will make a statement on the religious breakdown of employees in the marketing awareness programme. [14054]

Mr. Ancram: The Local Enterprise Development Unit does not monitor the religious affiliation of individuals participating in the marketing awareness programme as they are involved as representatives of the company. The monitoring of the religious composition of companies is a matter for the Fair Employment Commission.

Sinn Fein

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what representations have been made to the United States Government regarding visa applications from Sinn Fein members to travel to the United States since 9 February. [16349]

Mr. Ancram: A decision on applications for visas to visit the United States is a matter for the US Government. We have informed the US Government of the changed circumstances of our contacts with Sinn Fein as a result of the breakdown in the IRA ceasefire.

£1 Coin

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 1 February, *Official Report*, column *792*, what factors led him not to submit his decision on the choice of a Celtic torc and a Celtic cross as symbols representative of Northern Ireland on the new £1 coin, to his Department's policy appraisal and fair treatment guidelines. [16745]

Sir Patrick Mayhew: The PAFT guidelines apply to the formulation of policy and delivery of services to the public. They would not normally be applied in the case of a consultation on the design of coins, where decisions are made by the Chancellor of the Exchequer. In any event, the consultation of the new £1 coin preceded the issue of the PAFT guidelines.

Ulster Dialect Dictionary

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will set out the costs to date of the Ulster dialect dictionary project at the Ulster folk and transport museum in terms of *(a)* staff and *(b)* computer systems; if he will make a statement on the future of this project; and what plans he has for the future of the equipment and the archives in the event of discontinuance. [16747]

Mr. Ancram: The costs to date of staff have been £171,712, whilst the computer system has cost £37,745.

It is planned that the dictionary will be available to all schools for the 1996–97 school year. The database and equipment will be retained by the Ulster folk and transport museum. Future development will be a matter in the first instance for the museum.

Terrorist Bombs

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what information he has received as to the controls on sale or distribution of ingredients for the manufacture of terrorist bombs, and their equivalent, in the Irish Republic; and what assessment each jurisdiction has made as to their adequacy. [16746]

Sir John Wheeler: The principal and most common ingredient used by terrorists in Northern Ireland to make bombs has been ammonium nitrate based agricultural fertiliser. The Explosives Regulations (Northern Ireland) 1972 prohibit fertilisers containing more than 79 per cent. ammonium nitrate by weight except under licence issued by the Secretary of State. Broadly equivalent legislation applies in the Irish Republic.

As with all counter-terrorist legislation in Northern Ireland, the 1972 regulations are kept under review to ensure that they are appropriate to the prevailing situation and can be effectively enforced.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Northern Ireland if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16887]

Sir John Wheeler: Details of current interests declared by officials of the various Northern Ireland civil service departments are held on that individual's personal file. A central list of such interests is not held and to obtain this information from personal files would incur disproportionate costs.

Civil servants faced with a conflict of interest must declare their interest to senior management so that senior management can determine how best to proceed. This requirement is set out in the respective management codes of the home civil service and the Northern Ireland civil service covering pay and conditions.

Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer.

As NICS departmental circumstances are so different I would not propose to establish a central register of officials' interests. Officials will continue to register such interests within their own Department, as necessary.

Divorce Law

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will estimate the costs of the research the Government have commissioned into divorce law in Northern Ireland; and if he will indicate the names of the people and the bodies involved. [17114]

Sir John Wheeler: It is estimated that the cost of the research project on divorce law in Northern Ireland will be in the region of £35,000. The research team consisted of the following members.

Mr. Ciaran White, Lecturer in Law, School of Public Policy, Economics and Law, University of Ulster at Jordanstown.

Ms Monica McWilliams, Senior Lecturer, School of Social Community Sciences.

Ms Claire Archbold, Lecturer in Law at The Queen's University of Belfast.

Dr. Brendan Murtagh, School of Social and Community Science, University of Ulster at Magee.

Mrs. Pat McKee, Senior Computing Officers, School of Public Policy, Economics and Law, University of Ulster at Jordanstown.

Law Commission

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will ask the Law Commission in future to consult with his Department on every new project with a view to having its research and consultation include Northern Ireland. [17116]

Sir John Wheeler: I regret that I am unable to do so. The Law Commission's remit under the Law Commission Act 1965 specifically excludes any law which the Northern Ireland Assembly could have power to amend.

We are however committed to ensuring that the law of Northern Ireland is kept under review. The independent civil law reform function is carried out by the Law Reform Advisory Committee for Northern Ireland set up by the then Secretary of State, my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) in 1989 in response to representations from the Law Society of Northern Ireland for an independent element in the law reform process. The committee consists mainly of senior lawyers and senior members of the judiciary and is chaired by a Lord Justice of Appeal. Its remit is to keep the civil law of Northern Ireland under review and make recommendations for its reform to my right hon. and learned Friend. As part of its working methods the committee counts widely with local interested bodies and has regular contact with the Law Commission on matters of mutual interest.

The Northern Ireland Office also maintains regular contact with the Law Commission and initiates parallel consultation in appropriate instances where the law under consideration is similar to that in Northern Ireland. We arranged last year for its consultation paper on hearsay and related matters to be circulated in Northern Ireland.

Domestic Violence

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will list the Northern Ireland Instruments relating to domestic violence; and what consideration he has given to incorporating Northern Ireland into the Family Law Bill. [17118]

Sir John Wheeler: The Northern Ireland statutory instruments relating to domestic violence are as follows:

Domestic Proceedings (Northern Ireland) Order 1980 (NI.5)

Children (Northern Ireland) Order 1995 (NI.2)

Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (NI.4)

Housing (Northern Ireland) Order 1983 (NI.15)

Rent (Northern Ireland) Order 1978 (NI.20)

Magistrates' Courts (Northern Ireland) Order 1981 (NI.26)

Police and Criminal Evidence (Northern Ireland) Order 1989 (NI.12).

The Government, after careful consideration, have taken the decision that the Family Law Bill should not extend to Northern Ireland. With regard to the reasons for not extending the divorce provisions in part II of the Bill, I refer the hon. Gentleman to the answer I give him on 23 November 1995, *Official Report*, columns *301-02*.

As to part III of the Bill—that is, the matrimonial homes and domestic violence provisions—the Government take the view that since there are a number of aspects of the law of Northern Ireland which vary from

that of England and Wales extension of this part of the Bill is undesirable. It is also the case that direct extension would create considerable drafting difficulties. The resulting complexity of the Bill would have the effect of making the legislation more difficult to use for those seeking its protection.

Housing Benefit

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland in what circumstances the Housing Executive has power to ascertain the name of the ultimate beneficial private landlord whose tenant is being paid housing benefit; and for what reasons these powers are not routinely used. [17117]

Mr. Moss: The information obtained by the Northern Ireland Housing Executive in respect of all claims from private tenants for housing benefit includes the name and address of the estate agent, if appropriate and the owner. The estate agent or owner is also required to complete and sign a certificate giving his name and address as well as that of the claimant.

Investors' Visits

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) how many visits have been made to each council area by *(a)* investors seeking a site for manufacturing industry and *(b)* investors seeking a site for service or retail facilities, in which his Department or the Industrial Development Board were involved; and in what order the council areas were visited in each case for each of the last three years; [15769]

(2) what was the number of visits made to each parliamentary constituency in Belfast by investors seeking a site for *(a)* manufacturing industry and *(b)* service or retailing facilities, in which his Department or the IDB were involved; and in what order the constituencies were visited in each of the last three years. [15768]

Mr. Ancram: The information requested is not available and could be provided only at a disproportionate costs. However, visits made to Northern Ireland district council areas by potential investors in the last three years are detailed in the table.

Visits to Northern Ireland by potential investors

District council	*1993*	*1994*	*1995*
Antrim	26	31	17
Ards	4	2	3
Armagh	0	0	1
Ballymena	3	8	5
Ballymoney	0	1	2
Banbridge	0	1	3
Belfast	102	106	155
Carrlok	7	9	8
Castlereagh	6	1	3
Coleraine	8	1	5
Cookstown	2	1	10
Craigavon	6	4	13
Derry	18	14	15[1]
Down	1	5	8
Dungannon	11	7	7
Fermanagh	5	1	4
Lame	4	4	2
Limavady	2	4	1
Lisburn	7	15	22
Magherafelt	1	3	2
Moyle	2	1	0
Newry and Mourne	8	5	28
Newtownabbey	25	18	19
North Down	6	6	8
Omagh	1	2	1
Strabane	0	2	3
Total	255	252	343

[1] Includes four visits managed by Londonderry Development Office (DOE).

FOREIGN AND COMMONWEALTH AFFAIRS

Cuba

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from organisations *(a)* within and *(b)* outside the United Kingdom concerning the treatment and condition of pensioners in Cuba; and what discussions he has held on these matters. [17201]

Sir Nicholas Bonsor: None, other than letters just received from the hon. Member for Coventry, South-West (Mr. Butcher) and for Coventry, North-West (Mr. Robinson) to which separate replies will be sent.

Mr. Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of *(a)* Her Majesty's Government and *(b)* the EU on the blockade on Cuba. [17203]

Sir Nicholas Bonsor: We consider the US embargo against Cuba to be primarily a matter for the two Governments concerned. We do, however, protest strongly and frequently to the Americans about the extra-territorial aspects of the embargo and are lobbying hard against the draft legislation currently before Congress which seeks to tighten the embargo.

There is no common EU policy on the embargo.

Mr. Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* the United Nations and *(b)* the United States of America regarding the blockade on Cuba. [17202]

Sir Nicholas Bonsor: We have traditionally abstained at the UN General Assembly on the Cuban-tabled resolution against the US embargo. This is because we think it is primarily a bilateral matter and that the UNGA is not the correct forum in which it should be discussed.

I refer the hon. Member to my previous answer.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those contracts his Department currently holds with EDS, indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17446]

Mr. Hanley: We currently have only one contract with EDS, awarded on 2 February 1996 at the value of £11,950 and expiring in March 1996.

United Nations

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the United Kingdom's annual contribution to the United Nations' regular budget in each of the last five years; and if he will make a statement. [17523]

Sir Nicholas Bonsor: The UK's annual contribution to the United Nations's regular budget in each of the last five years was as follows:

1991: $44,775,548 (£25,598,167)

1992: $49,437,6754 (£28,260,694)

1993: $51,229,662 (£33,820,091)

1994: $51,067,778 (£34,755,641)

1995: $57,589,390 (£36,414,616)

The UK continues to pay its assessed contributions to the UN promptly and in full and encourages others to do likewise.

Hong Kong

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people are currently detained in Hong Kong. [17658]

Mr. Hanley: On 23 February 1996, there were 19,499 Vietnamese in detention in Hong Kong.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Vietnamese boat people have been deported from Hong Kong in each of the last three years. [17659]

Mr. Hanley: The breakdown of Vietnamese who have returned to Vietnam from Hong Kong since 1993 is as follows:

	Voluntary repatriation	*Orderly repatriation*	*Deportation*
1993	12,301	375	75
1994	5,581	242	116
1995	1,668	858	112
1996[1]	552	218	14

[1] To 23 February.

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions in the past 12 months the Governor of Hong Kong invited *(a)* Mr. C. H. Tung, *(b)* Mr. Rong Yiren, *(c)* Mr. David Choy, *(d)* Mr. Tsui Tsin-tong, *(e)* Mr. George Cardona and *(f)* Mr. Algy Cluff to (i) receptions, (ii) lunches and (iii) dinners. [17865]

Mr. Hanley: The Governor has naturally met some of these people on a number of occasions in the course of his official duties.

EU Foreign and Security Policy

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he intends to table at the 1996 intergovernmental conference to make the European pillar of common foreign and security policy more effective; and if he will make a statement. [17779]

Mr. David Davis: We have already made a number of proposals for improving the effectiveness of the common foreign and security policy including ways of strengthening the roles of the Political Committee and Council secretariat. Our proposals were sent to the Chairman of the Foreign Affairs Committee on 7 June 1995. Our approach to making CFSP more effective will be set out in more detail on the forthcoming White Paper on the intergovernmental conference.

Nuclear Non-proliferation Treaty

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of allegations that the United Kingdom breached its obligations in regard to article II of the nuclear non-proliferation treaty in trade with Iraq since 1979. [17699]

Mr. David Davis: Article II of the nuclear non-proliferation treaty confers obligations on non-nuclear weapon states party to the treaty not to obtain or manufacture nuclear weapons or other nuclear explosive devices, or seek or receive any assistance in their manufacture. The United Kingdom is a nuclear-weapon state and the obligations under article II of the treaty are therefore not directly relevant.

Chechnya

Mr. Llwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Chechnya; and what plans he has to visit the country. [17526]

Sir Nicholas Bonsor: We do not maintain relations with Chechnya, which is recognised internationally as part of the Russian Federation. My right hon. and learned Friend the Foreign Secretary has no plans to visit Chechnya.

Former Yugoslavia (Refugees)

Mr. Alex Carlile: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the safety of refugees in the United Kingdom returning to the states of the former Yugoslavia; and if he will make a statement. [17384]

Sir Nicholas Bonsor: We closely monitor the security situation in the former Yugoslavia.

We share the United Nations High Commissioner for Refugees' view that returns should take place in conditions of safety. As well as making our own assessments, we are in close touch with the UNHCR who has undertaken to provide information on the security, political, economic and social situation prevailing in the area to which return is planned.

East Timor

Mr. Fatchett: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans the Government have to raise the issue of human rights and self-determination for East Timor during the forthcoming Europe-Asia summit in Bangkok; and if he will make a statement. [17764]

Mr. Hanley: We regularly raise our concerns about East Timor and human rights with Indonesian Ministers. We are still waiting for confirmation of whether time will permit an opportunity for bilateral discussion with Indonesia during the Asia-Europe meeting in Bangkok.

Hussein Kamel

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what consideration was given to prosecuting Hussein Kamel as a war criminal. [17873]

Mr. Hanley: None. There is no war crimes tribunal at the United Nations for Iraqi war criminals.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the reasons for Hussein Kamel's return to Iraq. [17875]

Mr. Hanley: We do not know why Hussein Kamel decided to return to Iraq. Reports that he was killed on 23 February show that his decision was ill-conceived and that he fatally underestimated the brutality of Saddam Hussein.

Omar al Hassan

Miss Emma Nicholson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has had from Mr. Omar al Hassan; and if he will make a statement. [17854]

Mr. Hanley: Officials from this Department have had occasional contact with Dr. al Hassan, in his capacity as director of the Gulf Centre for Strategic Studies.

TRANSPORT

Rail Privatisation

Ms Short: To ask the Secretary of State for Transport how much money will be paid by the British Railways Board, subsidiaries of the British Railways Board, and other Government–owned railway companies in subscriptions to the Association of Train Operating Companies in *(a)* the current financial year and *(b)* the next financial year. [16982]

Mr. Watts: Subscriptions paid to the Association of Train Operating Companies will amount to £1.129 million this financial year and £1.220 million next financial year.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Transport if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16879]

Mr. Norris: In accordance with service-wide rules, the Department's staff handbook requires staff to declare to line managers any business or financial interests which they or immediate members of their families hold, which they would be able to further as a result of their official position. Staff must then follow any departmental instructions regarding the retention, disposal, or management of such interests. However, it is not departmental policy to disclose information given in confidence by staff.

Copies of written declarations and subsequent advice from line managers are retained on the individuals' personal files. This arrangement works satisfactorily but the need for a central register will be kept under review.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Transport, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17319]

Sir George Young: I refer the hon. Member to the speech made by my right hon. Friend, the President of the Board of Trade, on 26 February, *Official Report*, columns 589–604.

Seat Belts

Mrs. Dunwoody: To ask the Secretary of State for Transport what (1) action he intends to take to ensure that the manufacturers of the Ford Fiesta cars registered G or H recall all the cars with defective seat belt mechanisms; and if he will make a statement; [17398]

(2) what action he intends to take concerning allegations of defective seat belts on Ford Fiesta cars registered G or H; [17400]

(3) what representations he has received concerning defects on seat belts on Ford Fiesta carts registered G or H; [17401]

(4) what investigations the Vehicle Certification Agency has carried out to ensure that the seatbelts of Ford Fiesta cars registered G and H function efficiently and correctly; [17396]

(5) what proposals he is considering to include an examination of the inertia reel of seat belts in the Ministry of Transport test. [17393]

Mr. Norris: The Department's Vehicle Inspectorate has received a small number of reports of seat belts failing to work correctly in Ford Fiesta cars. All have come from the Driving Standards Agency and relate to cars which have been used on driving tests. This is currently being investigated in conjunction with the vehicle manufacturer. It would be premature to decide on a course of action until the Vehicle Inspectorate's investigations are complete.

I hope that the matter will be resolved quickly.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many cases of injuries to driving examiners have resulted from defects in seat belts on the car on which the test is taking palace for each year since 1988; if he will name the make, model and year of manufacture; and what measures he proposes to take to protect such examiners. [17392]

Mr. Norris: The circumstances surrounding injuries to examiners on test were not recorded in this sort of detail in the past. The Driving Standards Agency is aware of nine cases of injuries to driving examiners on test which

were allegedly attributable to defects with seat belts in 1994, and seven during 1995. The agency's new accident reporting system, introduced this month, will provide for more detailed recording and analysis.

Mrs. Dunwoody: To ask the Secretary of State for Transport what measures he intends to take to protect driving examiners conducting driving tests in G or H registered Ford Fiesta cars. [17398]

Mr. Norris: In addition to instructions to examiners about avoiding injuries on driving tests, and the new accident reporting system being implemented this month, the Driving Standards Agency will be reporting to the Vehicle Inspectorate information which indicates a potential fault in a vehicle component.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many cases of injuries to driving examiners have resulted from defects on seat belts on ford Fiesta cars registered G or H. [17399]

Mr. Norris: The Driving Standards Agency's records show that, since mid-1994, there have been six cases which were attributed to alleged defects in seat belts on those vehicles.

Emergency Towing

Mr. Ron Davies: To ask the Secretary of State for Transport if he will place in the Library a copy of the emergency towing study team report. [17805]

Mr. Norris: The report will be published shortly and a copy will be placed in the Library.

Bus Working Group

Mr. Allen: To ask the Secretary of State for Transport if he will list the membership of the bus working group; who attended its last meeting; and which organisations they represent. [17139]

Mr. Norris: Under my chairmanship, the bus working group comprises representatives form the Confederation of Passenger Transport, the Joint Local Authority Associations and the National Federation of Bus Users. Officials from the Department of Transport and the Scottish and Welsh Offices also attend. In addition to me and officials, the following attended the most recent meeting of the group, held on 20 November:

Local authority representatives

Councillor M. Dowd—Association of Metropolitan Authorities

Councillor M. Ingram—Public Transport Consortium of Non Metropolitan Counties

Councillor M. Nash—Association of County Councils

Councillor B. White—Association of District Councils

Mr. B. Dobbs—Association of County Councils

Mr. J. Carr—Association of Metropolitan Authorities

Mr. G. Ball—Association of Metropolitan Authorities

Mr. R. Bristow—Association of County Councils

Mr. V. Christie—Association of District Councils

Mr. W. Tyson—Association of Metropolitan Authorities

Mr. S. Lockley—Convention of Scottish Local Authorities

Mr. A. Elmer—Association of Metropolitan Authorities

Confederation of Passenger Transport

Mrs. V. Palmer

Mr. E Hesketh

Mr. T. Smallwood

Mr. D. Flower

National Federation of Bus Users

Dr. C. Cahm

Mr. J. Cartledge

Jubilee Line Extension

Mr. Sheerman: To ask the Secretary of State for Transport what penalties will be exacted from contractors building the Jubilee line extension by London Underground Ltd. in the case of late completion. [17741]

Mr. Norris: The details of any such penalties are a matter for London Underground Ltd. In assessing such penalties, LUL will take into account any mitigating factors.

Mr. Sheerman: To ask the Secretary of State for Transport what is London Underground's current estimate of the delay in completing the Jubilee line extension. [17742]

Mr. Norris: London Underground is still aiming for the extension to be completed in early 1998, as planned.

Central Railway

Mr. Pawsey: To ask the Secretary of State for Transport, pursuant to his answer of 20 February, *Official Report*, column *128*, what matters were discussed with Central Railway when he met it on 17 January. [17167]

Mr. Watts: The meeting discussed applications by Central Railway plc for directions by my right hon. Friend the Secretary of State under rule 12 of the Transport and Works (Applications and Objections Procedure) Rules 1992 granting absolute, partial or conditional waivers from compliance with certain rules. The company subsequently decided to withdraw these applications and to re-submit them in a modified form. We have given no assurance that any rule 12 directions will be given in respect of any fresh waiver applications.

Royal Train

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many people are employed on a *(a)* full-time and *(b)* part-time basis to run, clean, maintain and service the royal train. [17791]

Mr. Watts: Eleven full-time and four part-time staff are employed to run, clean, maintain and service the royal train. Other staff employed by Rail Express Systems Ltd., Railtrack plc and other companies, undertake work related to the royal train as part of their normal duties, as and when needed. For example, certain administrative staff plan individual journeys and train crews are allocated on a train-by-train basis.

Rail Passenger Fare Revenue

Mr. Wilson: To ask the Secretary of State for Transport what was at constant prices the declared revenue from passenger fares of the train operating companies already franchised and currently offered for franchising in *(a)* 1993–94 and *(b)* 1994–95. [17168]

Mr. Watts: The information requested is contained in following the table:

£ million

Train operating company	*Passenger revenue (at 1995 prices) year ended:*	
	31 March 1994	*31 March 1995*
Anglia Railways Train Services Ltd.	32.0	34.0
Cardiff Railway Company Ltd.	6.7	5.7
Gatwick Express Ltd.	28.0	27.0
Great Western Trains Company Ltd.	160.0	151.0
InterCity East Coast Ltd.	223.0	206.0
LTS Rail Ltd.	54.0	51.0
Midland Main Line Ltd.	60.0	59.0
Network SouthCentral Ltd.	162.0	157.0
ScotRail	92.0	86.0
South Wales and West Railway Ltd.	40.0	40.0
South West Trains Ltd.	227.0	230.0
Thames Trains	40.0	46.0
The Chiltern Railway Company Ltd.	15.0	22.0
The South Eastern Train Ltd.	211.0	215.0

Borga Incident

Mr. Ron Davies: To ask the Secretary of State for Transport if he will publish the report of the marine accident investigation branch into the grounding of the Borga off St. Anne's head in October 1995; and if he will make a statement. [17807]

Mr. Norris: A report will be published by the marine accident investigation branch.

Sea Empress Incident

Mr. Dafis: To ask the Secretary of State for Transport if he will list the reports he received from *(a)* the port authorities, *(b)* his inspectors and *(c)* Her Majesty's Coastguard about the Sea Empress vessel; and if he will make a statement. [17662]

Mr. Norris: No reports have been received from port authorities. MAIB inspectors have made three informal reports to Ministers on general matters related to their investigation. The Coastguard Agency has made numerous reports to Ministers on the incident, in writing, orally and via a video conferencing facility.

Channel Tunnel Rail Link

Ms Glenda Jackson: To ask the Secretary of State for Transport what have been the total payments made to date by his Department to the channel tunnel rail link project team. [17249]

Mr. Watts *[holding answer 27 February 1996]:* Union Railways is the Government-owned company which has developed the channel tunnel rail link project. Union Railways has spent £47 million on the project to date.

Ms Jackson: To ask the Secretary of State for Transport how many *(a)* consultants and *(b)* other employees are currently employed by the channel tunnel rail link project teams. [17248]

Mr. Watts *[holding answer 27 February 1996]:* As at 9 February 1996, Union Railways retained 166 individual consultants and 470 other employees.

Ms Jackson: To ask the Secretary of State for Transport if he will list the total payments made to date by his Department to *(a)* consultants, *(b)* outside organisations and *(c)* individuals for work on the channel tunnel rail link scheme indicating the name of the body involved and the services provided. [17247]

Mr. Watts *[holding answer 27 February 1996]:* The information relates to work on the route announced by the then Secretary of State in October 1991. My Department has made use of the consultants listed in table 1. The total expenditure on these consultants amounts to approximately £8.75 million excluding VAT but including expenses. Some expenditure has been incurred in addition to this for legal advice on the implications of the project for railway privatisation, but this is ascribed to the privatisation programme and not to the rail link. Details of payments to individual firms are commercially confidential. No payments have been made by the Department to organisations or individuals not listed in the table except for Union Railways, expenditure by whom is the subject of a separate answer given today to the hon. Member.

Table 1: Consultants retained by Department of Transport in respect of Channel Tunnel Rail Link project

Consultant	*Services*
Samuel Montagu[1]	Financial advice
WS Atkins[1]	Technical advice
Grandfields[1]	Conferencing services
Hill Samuel	Financial advice
Touche Ross	Accountancy services
McKenna and Co	Legal advice
G Maunsell and Partners	Technical advice
Tony Ham Insurance Brokers	Insurance advice
Richard Ellis[1]	Property advice
Sherwoods	Parliamentary agent Parliamentary (includes Parliamentary Counsel)
Mr. J. Hawkshaw	Negotiating services

[1] Denotes consultants no longer retained.

Tug Provision

Ms Ruddock: To ask the Secretary of State for Transport if he will make a statement on emergency tug provision in the western approaches. [17861]

Mr. Norris: The emergency towing study carried out for the Coastguard Agency last year stated that there are tugs at a number of ports in the south-west and in south and west Wales, including Falmouth, Fowey, Milford Haven, Port Talbot and Avonmouth. The Coastguard Agency continues to keep the supply of emergency tugs under review. In deciding future deployment, we will take into account experience of the Government-funded provision of tugs at Dover and Stornoway this winter and of liaison arrangements with tug operation. Any relevant findings of the investigations into the Sea Empress incident will also be taken into account.

Ms Ruddock: To ask the Secretary of State for Transport when his Department will respond to the report on tug provision around the UK coast which it received in June 1995. [17860]

Mr. Norris: Having taken account of the report and other available information, the Coastguard Agency announced on 25 October 1995 that emergency tugs would be stationed at Dover and at Stornoway for six months from 1 November 1995.

Oil Tanker Shipping Lanes

Mr. Hinchliffe: To ask the Secretary of State for Transport what plans he has to review oil tanker shipping lanes around the United Kingdom coastline and in United Kingdom waters; and if he will make a statement. [16812]

Mr. Norris: The Marine Safety Agency has undertaken maritime traffic surveys using mobile radar. We shall continue to consider the effectiveness of existing ship routeing and reporting measures, and the need for any new measures, in the light of those surveys.

Single European Currency

Mr. Jon Owen Jones: To ask the Secretary of State for Transport, pursuant to his answer of 14 February, *Official Report*, column *574*, when he expects to assess the impact of a single European currency on freight and passenger transport to and from the continent. [16969]

Mr. Watts: The United Kingdom will agree to take part in a single currency only if it is in our national interest to do so, given the circumstances at the time. A full assessment of the benefits and disadvantages will be carried out nearer the time, before the decision is made.

TRADE AND INDUSTRY

Regional Supply Network

Mrs. Roche: To ask the President of the Board of Trade, pursuant to his answer of 12 February, *Official Report*, columns *404–405*, if he will publish the quarterly monitoring reports obtained from each regional supply network and the national totals. [15686]

Mr. Page *[holding answer 20 February 1996]:* Reports based on the monitoring information collected from regional supply network offices will be made available on a quarterly basis. The first of these reports will be placed in the Library of the House in June 1996 and quarterly thereafter. The first report will supply information for the first year of regional supply network operation and for business link operations in the 1995–96 financial year. The performance of an individual regional supply office is a commercial matter for that office and information about individual offices will, therefore, not be included in the report.

Naval Sonar Equipment Exports

Mr. Cousins: To ask the President of the Board of Trade what goods have been exported under the export licence for naval sonar equipment approved at an interdepartmental meeting on 28 June 1988. [16312]

Mr. Lang: The application approved at the IDC on 28 June 1988 was an arms working party application inquiring about the supply of 360 degree naval sonar to Iraq. The approval given to that application simply indicated that, should the company submit an export licence application, it was likely that it would be granted. It did not give the company authority to export these goods.

Iraq

Mr. Cohen: To ask the President of the Board of Trade what was the amount of the Export Credits Guarantee Department's exposure in trade with Iraq *(a)* at the beginning of December 1988 and *(b)* at the end of December 1989; and what was the largest sum this Export Credits Guarantee Department exposure reached. [16654]

Mr. Oppenheim *[holding answer 22 February 1996]:* ECGD estimated its maximum potential exposure on Iraq at £900 million at the end of 1988 and at £1,150 million at the end of 1989.

ECGD's highest estimate of its maximum potential exposure on Iraq was £1,260 million in September 1986.

Maximum potential exposure is calculated on the assumption of full utilisation of credit facilities, but taking into account repayments. Current exposure is £652 million. The difference is accounted for by a mixture of repayments since 1989, together with facilities not being fully utilised.

Scott Inquiry

Mr. Sheerman: To ask the President of the Board of Trade what have been the costs of the Scott inquiry in respect of *(a)* press and communications, *(b)* legal aid bills, *(c)* printing and publications, *(d)* administration and *(e)* telephone bills. [17048]

Mr. Lang: The information is as follows:

(a) The cost of press and communications in respect of the Scott inquiry is not readily quantifiable. Sir Richard Scott has had a full time press officer allocated to his team, and various officers of departmental press offices have been involved as the normal course of their duties required. The cost of purchasing copies of Sir Richard Scott's report for the media was £18,000.

(b) As far as I am aware, no individual received legal aid in connection with their appearance as a witness to the Scott inquiry. The total amount paid by Government in legal advice for witnesses to the inquiry to date is £1,210,000.

(c) HMSO normally bears the costs of printing, publishing and distributing all parliamentary publications, with the overall aim of recovering these from sales revenue. However, in this case, and at the request of Sir Richard Scott, my Department has agreed to pay a subsidy in the region of £85,000 so that the cover price can be contained at a level which ensures that the report is as accessible as possible to the general public.

(d) The administration costs of Sir Richard Scott's inquiry team to date amount to £153,000. This includes the cost of office machinery and computers as well as stationery, typing etc. but does not include salary costs of the staff in the inquiry team.

(e) Records are not kept in such a way as to quantify the size of the telephone bills relating to the Scott inquiry.

Bank of Credit and Commerce International

Mr. Vaz: To ask the President of the Board of Trade when he expects the creditors of BCCI will receive their payments. [17348]

Mr. Oppenheim: The payment of the first dividend remains subject to the resolution of court proceedings in Luxembourg and the Cayman islands. The liquidators hope to be able to make such a payment by the summer of this year.

Mr. Vaz: To ask the President of the Board of Trade what is the current level of fees paid to the solicitors to the liquidators of BCCI. [17347]

Mr. Oppenheim: The fees paid to solicitors by the English liquidators of BCCI in the year to 15 January 1996, the fourth year of the liquidation, totalled approximately £5.2 million.

Mr. Vaz: To ask the President of the Board of Trade what is the current level of fees paid to the liquidators of BCCI Touche Ross. [17346]

Mr. Oppenheim: Total fees authorised for the English liquidators for the year to 15 January 1996, the fourth year of the liquidation, amounted to £9.4 million.

Textile Industry

Mr. Gordon Prentice: To ask the President of the Board of Trade how many people were employed in the textile industry making colour woven fabric in each year since 1987. [17794]

Mr. John M. Taylor: Information on the number employed in the textile industry making colour woven fabric is not available. Information on employment in the textile weaving industry is available for 1991 and 1993 when 14,000 and 13,200 people respectively were employed in the industry in Great Britain.

Invest in Britain Bureau

Mr. Llwyd: To ask the President of the Board of Trade how many inward investment projects have settled in England as a result of guidance given by the Invest in Britain Bureau over the past three years; and if he will make a statement. [17729]

Mr. Eggar: Although the IBB can offer guidance to potential investors, the final decision on where to invest rests solely with the company. The following table shows numbers of projects that have located in England over the last three financial years, where the Invest in Britain Bureau has had a significant involvement.

Year	*Number of England projects*
1992–93	38
1993–94	63
1994–95	56

Export Controls

Mrs. Clwyd: To ask the President of the Board of Trade what priority he accords to foreign policy objectives in establishing export controls. [17362]

Mr. Lang *[holding answer 26 February 1996]:* The Government attach considerable importance to their foreign policy objectives in establishing export controls.

Fan Clubs

Mr. Nigel Griffiths: To ask the President of the Board of Trade what recourse is open to people who do not receive advertised services from fan clubs to which they have paid money. [17550]

Mr. John M. Taylor: People who do not receive services for which they have paid have recourse under civil law for breach of contract. They could take legal advice on how to take the matter forward from their local citizen's advice bureau or law centre or a solicitor. Their local authority trading standards department may also be able to intervene if an offence has been committed under legislation which it is responsible for enforcing.

Mr. Griffiths: To ask the President of the Board of Trade if he will make it his policy to license fan clubs. [17549]

Mr. Taylor: I have no plans to do so.

EC Funding

Mr. Barry Field: To ask the President of the Board of Trade if he will list the EC rules for designating a region in a member state for the purposes of *(a)* objectives 1, 2 and 3 funding and *(b)* other structural funding; and if each individual member can unilaterally designate *(a)* an offshore island and *(b)* other small areas as a region to enable it to qualify for funding. [17135]

Mr. Oppenheim: The criteria for eligibility for objective 1 grants from the EC structural funds are set out in article 8 of Council regulation (EEC) 2052/88 as amended by Council regulation (EEC) 2081/93—OJL 193, 31.7.93. The criteria and procedures for designation for eligibility for objective 2 grants are set out in article 9.

Eligibility for objective 3 grants is not defined geographically.

The objective 1 areas are listed in an annex to the regulation, and are therefore decided by the Council. Objective 2 areas are decided by the Commission following proposals from the member states. Member states cannot designate areas unilaterally.

Coal Industry

Mr. Clapham: To ask the President of the Board of Trade (1) what responsibilities the Coal Authority has to meet the cost of keeping Markham Main and the other Coal Investment collieries on a care and maintenance basis until a new licensee is found; [17175]

(2) what plans the Coal Authority has to invite new licensees to tender for Markham Main and other Coal Investment collieries. [17176]

Mr. Page: This is a matter for the Coal Authority.

Indonesia

Mrs. Clwyd: To ask the President of the Board of Trade what equipment not classified as military but having military applications is currently being exported from the United Kingdom to Indonesia; and if he will take steps to halt such supplies or orders. [17226]

Mr. Oppenheim: There is a vast range of manufactured products capable of military use, only a small proportion of which are licensable.

In respect of licensable goods, it has been the practice of successive Governments not to reveal details of export licenses or applications for export licenses.

Official Receivers

Mr. Wilshire: To ask the President of the Board of Trade if the contracting-out exercise of the case administration functions of official receivers, begun by the Insolvency Service in July 1993, has now been completed; and if he will make a statement. [18035]

Mr. Oppenheim: The Government announced in October 1994 that, following the completion of pre-feasibility and feasibility studies, it was their intention to pursue, subject to parliamentary approval of the appropriate primary and secondary legislation, the preferred option identified by the then consultants ie the contracting out of insolvency casework by official receivers immediately on the making of the insolvency order.

Advertisements for potential bidders were placed in May 1995 and resulted in the receipt of 149 expressions of interest. One hundred and thirty-six passed through to the next stage and were sent the requirements scoping document. Ninety-one organisations went on to submit initial proposals, 34 of which were selected to participate in negotiations with the Insolvency Service. Following these negotiations, a further sift was carried out and an invitation to tender was issued to six organisations—two managed service providers and four insolvency practitioner-accountants—and formal tenders were received from all six at the beginning of December. Three—Capita Managed Services Ltd., ITnet Ltd. and Larking Gowen—were identified as possibly being able to offer value for money and a final series of discussions were held with them.

The three bids were subjected to stringent technical and financial evaluation and were considered by the Agency Steering Board, particularly the independent, private sector members.

The aim of the contracting-out process is to ensure that people receive the best service for the most reasonable price whether it is provided by the public or private sector. In this instance, having considered very carefully the evaluation of the bids and the advice of the steering board, I have concluded on these grounds that the case administration functions of official receivers should not be contracted out.

I congratulate the service and its staff on the service's performance in recent years during which its unit costs have been substantially reduced while its investigative role has been enhanced. This exercise has confirmed the value of money of the service's operation for the taxpayer and I look to it to continue to deliver improvements in the future.

Mrs. Helen Jackson: To ask the President of the Board of Trade when he intends to make the decision regarding the contracting out of the work of the official receiver; and when this decision will be announced to the House. [17468]

Mr. Oppenheim *[holding answer 27 February 1996]:* As I informed the House in my answer to my hon. Friend the Member for Spelthorne (Mr. Wilshire), having carefully considered the technical and financial evaluation of the bids and the recommendation of the Agency Steering Board, I have concluded that the case administration functions should not be contracted out and the work should remain with official receivers.

Mrs. Jackson: To ask the President of the Board of Trade what involvement Dr. Alan Kemp has had in the contracting out of the work of the official receiver. [17466]

Mr. Oppenheim *[holding answer 27 February 1996]:* Dr. Kemp had no involvement in the contracting out exercise undertaken by the Insolvency Service.

Arrangements were introduced to ensure that any papers concerning this matter which were sent to the then President of the Board of Trade were withheld from Dr. Kemp.

Mrs. Jackson: To ask the President of the Board of Trade (1) how many bidders for the work of the Insolvency Service who have been rejected have had insolvency experience; [17471]

(2) how many bidders for the work of the Insolvency Service who are still being considered have insolvency experience. [17470]

Mr. Oppenheim *[holding answer 27 February 1996]:* Of the six tenders received for the work of official receivers, four were submitted by insolvency practitioner-accountancy firms and two by managed service providers.

However, as I informed the House in my answer to my hon. Friend the Member for Spelthorne (Mr. Wilshire), having carefully considered the technical and financial evaluation of the bids and the recommendation of the Agency Steering Board, I have concluded that the case administration functions should not be contracted out and the work should remain with official receivers.

Public Interest Disclosure Bill

Mr. Touhig: To ask the President of the Board of Trade how many responses his Department has received on *(a)* the Public Interest Disclosure Bill and *(b)* the Whistleblower Protection Bill; in each case how many (i) were in support of each Bill and (ii) indicated that each Bill would pose an undue burden on business; and if he will list those organisations which did not respond in confidence. [17535]

Mr. John M. Taylor: Up to 26 February, my Department has received 34 letters, all supporting the Public Interest Disclosure Bill. Of these, 29 were from individuals, two from general secretaries of trade unions and three from national organisations. No letters were received by my Department about the Whistleblower Protection Bill.

Mr. Touhig: To ask the President of the Board of Trade what consultations his Department has undertaken on the Public Interest Disclosure Bill. [17536]

Mr. Taylor: No public consultation has been undertaken by my Department on the Public Interest Disclosure Bill.

Regional Selective Assistance

Mr. Hicks: To ask the President of the Board of Trade what was *(a)* the number of applications that have been made for regional selective assistance, *(b)* the number approved, *(c)* the total financial value of the approved applications and *(d)* the average time taken to process and approve the applications in the last three years for which figures are available in each United Kingdom assisted area. [16978]

Mr. Oppenheim: In the period 1 April 1992 to 31 March 1995 the figures for Great Britain were:

Assisted area	*Number of applications received*	*Number of applications approved*	*Value of applications approved (£ million)*	*Average processing time (working days)*
East	75	47	3.0	30
East Midlands	202	111	11.2	56
London	60	44	3.1	42
Merseyside	404	267	46.4	52
North East	829	635	95.8	25
North West	893	740	66.7	39
South East	96	72	5.1	41
South West	320	230	32.8	50
West Midlands	892	635	68.7	25
York and Humberside	615	440	53.4	35
Scotland	860	719	333.1	32
Wales	721	583	236.7	40

Single European Currency

Mr. Jon Owen Jones: To ask the President of the Board of Trade, pursuant to his answer of 19 February, *Official Report*, column *42*, when he intends to make a precise judgment on the impact of a single European currency on United Kingdom trade. [16970]

Mr. Oppenheim: The United Kingdom will agree to take part in a single currency only if it is in our national interest to do so, given the circumstances at the time. A full assessment of the benefits and disadvantages will be carried out nearer the time, before the decision is made.

Water Companies

Mr. Burden: To ask the President of the Board of Trade how much water plcs have spent in takeovers or mergers with *(a)* electricity companies and *(b)* other companies. [17477]

Mr. John M. Taylor: This information is not known to my right hon. Friend.

Merseyside

Mr. Alton: To ask the President of the Board of Trade how much European regional development fund funding has been allocated to Merseyside since it acquired objective 1 status; what percentage has so far been spent; and if he will make a statement. [15545]

Mr. John M. Taylor: Under the Merseyside objective 1 programme, the amount of European regional development fund allocated for 1994 and 1995 is £104 million. The amount of ERDF claims paid to date is £13.6 million.

The first ERDF projects under objective 1 were approved in late 1994. Given this, and the lead time for large capital projects, the profile of grant payments was expected to be low for the early part of the programme. One hundred and forty-one projects now have full approval to spend and claim grant, and recipients are being encouraged to take them forward promptly.

EDUCATION AND EMPLOYMENT

Parliamentary Questions

Mr. Kirkwood: To ask the Secretary of State for Education and Employment how many written parliamentary questions were passed for answer to executive agencies and non-governmental departments in each of the last five years; and if she will make a statement. [14993]

Mr. Robin Squire: The information requested is a matter of public record, but could be extracted in the form requested only at disproportionate cost.

Compulsory Sex Education

Dame Jill Knight: To ask the Secretary of State for Education and Employment what scope exists for Ofsted to examine whether compulsory sex education under the Education Act 1993 adheres to the requirements of sections 28 and 29 of the Local Government Act 1993. [16752]

Mr. Paice: I assume that my hon. Friend is referring to section 2A of the Local Government Act 1986—as inserted by section 28 of the Local Government Act 1988. Section 2A applies to the activities of local authorities and not to individual schools. It is not legislation with which school sex education must comply and is not therefore included within the scope of Ofsted's inspections of schools.

Unskilled Home Workers

Mr. Wigley: To ask the Secretary of State for Education and Employment when she will publish the results of the research carried out on behalf of her Department into unskilled home workers, referred to by the Under-Secretary of State for Consumer Affairs in his oral statement of 26 January, *Official Report*, column 585. [17394]

Mr. Forth: The research results will be published on behalf of the Department for Education and Employment by HMSO. Publication of the report, entitled "Homeworkers in Britain", is scheduled for Thursday 4 April 1996.

Roots and Wings Monitoring Scheme

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many people at school in *(a)* Coventry and *(b)* the west midlands are involved in the roots and wings monitoring scheme; and what proposals she has to encourage the development of the scheme in Coventry. [17121]

Mr. Robin Squire: This information is not held centrally. The Government continue to encourage the development of effective links between business and education, which can help young people reach their highest potential and meet employers' needs for a well-qualified and motivated work force. Activities at local level are normally co-ordinated through education business partnerships involving senior representatives from employers, education and the local community.

Schools (Management and Administration Costs)

Mr. Pawsey: To ask the Secretary of State for Education and Employment, pursuant to her answer of 16 February, *Official Report*, column *735*, if she will give the management and administration cost per pupil in each local education authority in England. [17134]

Mr. Robin Squire: The following table provides the information requested, for the financial year 1995–96.

LEA	£
Avon	63
Barking and Dagenham	73
Barnet	48
Barnsley	14
Bedfordshire	39
Berkshire	37
Bexley	55
Birmingham	50
Bolton	28
Bradford	33
Brent	78
Bromley	63
Buckinghamshire	77
Bury	46
Calderdale	41
Cambridgeshire	33
Camden	113
Cheshire	29
Cleveland	54
Cornwall	29
Corporation of London	352
Coventry	39
Croydon	35
Cumbria	27
Derbyshire	25
Devon	33
Doncaster	42
Dorset	48
Dudley	25
Durham	39
Ealing	65
East Sussex	26
Enfield	57
Essex	40
Gateshead	47
Gloucestershire	49
Greenwich	93
Hackney	87
Hammersmith and Fulham	52
Hampshire	47
Haringey	49
Harrow	64
Havering	38
Hereford and Worcester	30
Hertfordshire	17
Hillingdon	96
Hounslow	47
Humberside	57
Isle of Wight	32
Isle of Scilly	95
Islington	79
Kensington and Chelsea	133
Kent	81
Kingston	61
Kirklees	46
Knowsley	23
Lambeth	160
Lancashire	35
Leeds	28

LEA	£
Leicestershire	42
Lewisham	67
Lincolnshire	39
Liverpool	52
Manchester	49
Merton	42
Newcastle upon Tyne	59
Newham	51
Norfolk	18
North Tyneside	35
North Yorkshire	37
Northamptonshire	28
Northumberland	41
Nottinghamshire	43
Oldham	44
Oxfordshire	28
Redbridge	60
Richmond	33
Rochdale	39
Rotherham	64
Salford	59
Sandwell	35
Sefton	74
Sheffield	42
Shropshire	37
Solihull	11
Somerset	18
South Tyneside	34
Southwark	82
St. Helens	49
Staffordshire	20
Stockport	32
Suffolk	27
Sunderland	40
Surrey	51
Sutton	74
Tameside	32
Tower Hamlets	51
Trafford	37
Wakefield	35
Walsall	40
Waltham Forest	54
Wandsworth	125
Warwickshire	43
West Sussex	42
Westminster	108
Wigan	29
Wiltshire	31
Wirral	30
Wolverhampton	30

1. The figures have been calculated by dividing planned expenditure on management and adminsitration, as recorded in each LEA's LMS budget statement for 1995–96, by pupil numbers from the same source.

2. The amount per pupil is rounded to the nearest pound.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Education and Employment, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures she proposes to ensure her Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17307]

Mrs. Gillian Shephard *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade, on 26 February, *Official Report*, columns 589–604.

Capita Managed Services Ltd.

Ms Corston: To ask the Secretary of State for Education and Employment what guidance has been given to Capita Managed Services Ltd. to *(a)* ensure and *(b)* monitor a fair and equitable allocation of nursery education places. [17218]

Mr. Robin Squire: No such guidance has been given. Capita Managed Services has no role in the allocation of nursery places.

Access to Work Scheme

Mr. Llwyd: To ask the Secretary of State for Education and Employment if she will list for *(a)* each of the constituent nations of the United Kingdom and *(b)* the United Kingdom in constant prices the amount of Government expenditure allocated for 1994–95, 1995–96 and that anticipated for 1996–97 for the access to work scheme, indicating in each case the percentage year on year change. [17556]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Elfyn Llwyd, dated 28 February 1996:

The Secretary of State has asked me to reply to your question about expenditure allocated to Access to Work for 1994/95, 1995/96 and 1996/97.

Access to Work began in June 1994. The annex gives the initial allocation for Access to Work for England, Scotland and Wales for the period requested. In 1995/96, as in 1994/95, we will spend more than the allocation. The total allocation is for Great Britain as the Access to Work programme does not extend to Northern Ireland.

I hope this is helpful.

Access to Work initial allocation (£ million) at 1994–95 prices

	1994–95	*1995–96*	*1996–97*
England	12.4	10.8	10.7
Percentage change	—	–13 per cent.	–1 per cent.
Scotland	1.2	1.3	0.9
Percentage change	—	+8 per cent.	–31 per cent.
Wales	1.0	0.9	0.6
Percentage change	—	–10 per cent.	–33 per cent.
GB total	14.6	13.0	12.2
Percentage change	—	–11 per cent.	–6 per cent.

1. Access to Work began on 6 June 1994. The 1994–95 figure includes expenditure on previous special schemes.

2. The calculations have been made using Treasury GDP deflators: 3.25 per cent. for 1994–95 to 1995–96 and 2.5 per cent. for 1995–96 to 1996–97.

Jobcentres

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education and Employment if she will list *(a)* the number and *(b)* the location of jobcentres which are currently operational in Wales. [17735]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service

Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Ieuan Wyn Jones, dated 28 February 1996:

The Secretary of State has asked me to reply to your question about the number and location of Jobcentres in Wales.

There are 102 Jobcentres in Wales and I attach a list showing their locations for your information.

I hope this is helpful.

District	*Job centre location*
North West Wales	Amlwch
	Bangor
	Barmouth
	Beaumaris
	Blaenau Ffestiniog
	Caernarfon
	Dolgellau
	Holyhead
	Llangefni
	Penygroes
	Porthmadog
	Pwllheli
North Wales Coast	Colwyn Bay
	Conwy
	Denbig
	hLlandudno
	Llanrwst
	Prestatyn
	Rhyl
North East Wales	Buckley
	Cefn Mawr
	Flint
	Holywell
	Llangollen
	Mold
	Shotton
	Wrexham
Powys	Brecon
	Llandrindod
	Wells
	Newtown
	Welshpool
Caephilly and Heads of the Valleys	Abergavenny
	Abertillery
	Bargoed
	Blackwood
	Brynmawr
	Caerphilly
	Ebbw Vale
	Merthyr Tydfil
	Newbridge
	Pontlottyn
	Risca
	Tredegar
	Treharris
	Ystrad
	Mynach
Newport, Torfaen and Monmouth	Blaenavon
	Cladicot
	Chepstow
	Cwmbran
	Monmouth
	Newport
	Pontypool
South Glamorgan	Barry
	Cardiff Caradog House
	Cardiff Westgate Street
	Cardiff Friary
	Cardiff Gabalfa
	Cardiff Coptic House
	Cardiff Ely
	Cardiff Llanrumney
	Llantwit
	Major
	Penarth
Bridgend and Glamorgan Valleys	Aberdare
	Bridgend
	Ferndale
	Llantrisant
	Maesteg
	Mountain Ash
	Pontypridd
	Porth
	Porthcawl
	Pyle
	Tonypandy
	Tonyrefail
	Treorchy
Outer Swansea	Ammanford
	Cymmer
	Garnant
	Glynneath
	Kidwelly
	Llandeilo
	Llanelli
	Neath
	Pontardawe
	Port Talbot
	Tumble
	Ystradgynlais
Inner Swansea	Gorseinon
	Morriston
	Pontardulais
	Swansea
West Wales	Aberystwyth
	Carmarthen
	Cardigan
	Fishguard
	Haverfordwest
	Lampeter
	Llandysul
	Machynlleth
	Milford Haven
	Pembroke Dock
	Tenby

Total number of offices=102.

Mr. Jones: To ask the Secretary of State for Education and Employment what plans her Department has to establish further jobcentres in Wales in areas of high unemployment. [17720]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Services Agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Ieuan Wyn Jones, dated 28 February 1996:

The Secretary of State has asked me to reply to your question about what plans there are to establish further Jobcentres in Wales in areas of high unemployment.

The Employment Service (ES) is, through its integration programme, creating a national network of around 1100 new style Jobcentres which will bring Jobcentres and Benefit Offices together under one roof to provide a one stop employment service to help people back to work.

The new ES Jobcentres provide an improved service to clients, giving them easier access to the full range of services.

The integration programme in Wales has been completed providing 102 one stop Jobcentres to help unemployed people back into employment.

There are no plans at present to increase the number of Jobcentres in Wales. However, the provision and location of Jobcentre services are subject to regular review.

I hope this is helpful.

Part Course Fees Reimbursement Scheme

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment what funding changes are planned for the European Union part course fees reimbursement scheme administered by the British Council; what are the reasons for such changes; and what is the current level of funding for the European Union part course fees reimbursement scheme administered by the British Council. [17665]

Mr. Forth: The EC part course fees reimbursement scheme is a voluntary initiative by the UK Government which we have decided to discontinue. At a time of public expenditure constraint and many competing claims for funding, we are concerned to concentrate resources on our prime objectives, including participation in higher education by British students. The estimate of expenditure on the scheme in the current financial year is £1.389 million, including administration costs. The financial year 1996–97 will be the final full year of the scheme.

School Buildings

Mr. Spearing: To ask the Secretary of State for Education and Employment if she will provide a comparative table of quantities, measurements, ratios or other mathematical requirements contained in the Education (School Premises) Regulations 1981 as amended by subsequent regulations now extant together with those relating to the same features as set out in the draft regulations laid on 22 February, showing in each case the changes in figures and percentages, and for each case where figures do not occur in both parts the reasons for their omission or inclusion. [17812]

Mrs. Gillan *[holding answer 27 February 1996]:* Both sets of regulations are available in the Library. Where figures which appear in one set of regulations are omitted in the other, the reasons are explained in the documents which went out for public consultation on 14 August 1995, which are also available in the Library.

Mr. Spearing: To ask the Secretary of State for Education and Employment how many and which consultees favoured the reduction or elimination of quantifiable standards in the draft school building regulations which she laid before the House on 22 February. [17815]

Mrs. Gillan *[holding answer 27 February 1996]:* The listed consultees favoured the reduction or elimination of one or more quantifiable standards in the draft version of the Education (School Premises) Regulations which went out to consultation in August 1995.

Local Education Authorities

Doncaster
East Sussex
Houslow
Lancashire
Lincolnshire
North Yorkshire
Oxfordshire
Stockport
Wandsworth
Warwickshire
Wiltshire

National organisations

Association of County Councils
Royal Institute of British Architects

Churches and religious bodies

Agency for Jewish Education
Diocese of Arundel and Brighton Free Churches Federal Council

Schools

Highfield Junior School, Bromley
Lady Manners School, Bakewell

Furniture

Mr. Steen: To ask the Secretary of State for Education and Employment if she will itemise expenditure on furniture for *(a)* jobcentres, *(b)* unemployment benefit offices and *(c)* departmental offices between 1991–92 and 1995–96. [15885]

Mr. Robin Squire: We are not able to disaggregate the costs between jobcentres and unemployment benefit offices. However, the following list is a breakdown of the available information on furniture expenditure for the Department for Education and Employment.

Total expenditure on furniture

	1991–92 £	*1992–93* £	*1993–94* £	*1994–95* £	[1]*1995–96* £
ES Head Office	913,000	694,000	737,000	483,000	1,154,000
ES Regional Network (totals for all Regions including Jcs and UBOs	23,573,000	11,924,000	17,788,000	9,064,000	4,213,000
Former EDHQ	1,911,282	2,624,585	1,468,493	1,543,268	196,609
Former DfE HQ	4,820,007	197,000	111,000	82,500	139,500
DfEE totals	31,217,289	15,439,585	20,104,493	11,172,768	5,703,109

[1] To January 1996.

Private Finance Initiative

Mr. Spearing: To ask the Secretary of State for Education and Employment if she will make a statement on proposals to use the private finance initiative in the activities of new providers for funded early years' education; and if she will make a statement on the role to be played in administering education by sources of the private finance initiative. [17872]

Mr. Robin Squire: My right hon. Friend expects projects under the private finance initiative to make an increasing contribution to the capital needs of the education sector, including the provision of early years' education. The Government's voucher scheme for nursery education creates an identifiable source of revenue which should prove attractive to the private sector. Phase 1 of the voucher scheme will highlight opportunities to potential providers.

PFI gives the public sector the opportunity to benefit from the application of private sector expertise and resources in developing innovative solutions for capital projects and services, thereby ensuring improved management of public projects and best value for money for public resources.

Nursery Education

Mr. Spearing: To ask the Secretary of State for Education and Employment if she will list for each of the education authority areas participating in her voucher scheme for early years education *(a)* the number qualified nursery school teachers in post, *(b)* the number of qualified nursery school assistants or nurses in post and *(c)* the number of persons holding qualifications of the Pre-school Learning Alliance. [17868]

Mr. Robin Squire: The available information is shown in the following table:

Full-time equivalent numbers of teachers and nursery assistants employed in maintained nursery schools and nursery classes in maintained primary schools: January 1995.

	Teachers		Nursery Assistants	
LEA	*Total*	*of which qualified*	*Total*	*of which qualified*
Kensington and Chelsea	39	39	44	30
Wandsworth	72	68	85	77
Westminster	41	39	45	36
Norfolk	29	20	26	26

Qualified nursery assistants are those holding the NNEB Certificate (or equivalent) not employed as qualified teachers.

Mr. Spearing: To ask the Secretary of State for Education and Employment if she will list *(a)* the estimated number of five-year-olds eligible, *(b)* the number of places already available through existing providers, by category, *(c)* the additional number of places expected from existing or new providers by category and *(d)* the deficit or surplus of places at the latest convenient date, for each of the local education authority areas participating in phase I of the early age voucher scheme. [17870]

Mr. Robin Squire: Children aged five will hold nursery education vouchers only where they become five in the term before compulsory school age. Data on these children are not held separately.

Lay Inspectors

Ms Estelle Morris: To ask the Secretary of State for Education and Employment how many lay inspectors who have received a distant learning package and no training have undertaken inspections. [17878]

Mr. Robin Squire: This is a matter for Her Majesty's chief inspector of schools, who heads the Office for Standards in Education. I have asked Mr. Chris Woodhead to write to the hon. Member.

WALES

Official Engagements

Mr. Barry Jones: To ask the Secretary of State for Wales how many official engagements he carried out in Wales in 1995. [15760]

Mr. Hague: After my appointment in July, I carried out over 100 official engagements in Wales in 1995.

Manufacturing Industry

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to meet *(a)* the Confederation of British Industry and *(b)* the Trades Union Congress to discuss manufacturing industry; and if he will make a statement. [16208]

Mr. Hague: I met the CBI (Wales) on 4 December 1995 and the Wales TUC on 17 October. A range of issues were discussed, including some with relevance to manufacturing industry.

Public Bodies

Dr. Wright: To ask the Secretary of State for Wales if he will list the executive non-departmental public bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open Government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [16026]

Mr. Hague: The information requested is as follows:

(a) The Curriculum and Assessment Authority for Wales, the Arts Council of Wales, the Cardiff Bay development corporation, the Countryside Council for Wales, the Development Board for Rural Wales, Housing for Wales, the Land Authority for Wales, the Residuary Body for Wales, the Royal Commission on the Ancient and Historical Monuments of Wales, the Sports Council for Wales, the Wales tourist board, the Welsh Language Board, and the agricultural wages committees are all open to the scrutiny of the Parliamentary Commissioner for Administration.

(b) The Audit Commissioner is the external auditor of the Residuary Body for Wales.

(c) The Comptroller and Auditor General is the external auditor of all Welsh executive NDPBs except the RB, Wales Youth Agency, HfW, and CBDC, to whose books and papers he nevertheless has access *(a)* under the National Audit Act 1983 for the purpose of carrying out examinations on value for money, and *(b)* by agreement, for the purpose of examining questions of regularity and propriety.

(d) All are encouraged to adopt procedures under the code of access to government information.

(e) All identify, publish and report against key performance measures in their annual reports other than the Higher and Further Education Funding Councils for Wales which give details in their corporate plans which are also published.

(f) All are subject to the provisions of the citizen's charter.

Overseas Companies (Employment)

Mr. Llwyd: To ask the Secretary of State for Wales how many people are employed by companies from *(a)* Japan, *(b)* the European Union and *(c)* the United States of America in Wales; and if he will make a statement. [16508]

Mr. Gwilym Jones: The number of people currently employed by Japanese-owned manufacturing companies in Wales is 13,147; for European Union manufacturing companies, the figure is 19,487; and, for United States-owned manufacturing companies, the figure is 30,439. Wales has an excellent inward investment record which complements the part played by indigenous companies in the economic well-being of the country.

Mr. Llwyd: To ask the Secretary of State for Wales how many people are employed by overseas-owned manufacturing companies in Wales; and if he will make a statement. [16509]

Mr. Jones: Some 70,670 people are employed by overseas-owned manufacturing companies in Wales. These are valuable jobs provided by some of the biggest companies in the world. Their contribution to the Welsh economy is enormous and I am keen to see that contribution increased even further.

RAF Valley

Mr. Spellar: To ask the Secretary of State for Wales what assistance his Department is giving to maintain training for employees at RAF Valley. [16628]

Mr. Gwilym Jones: In the light of decisions relating to the maintenance work at RAF Valley, the Welsh Office is prepared to help the North West Wales training and enterprise council with the cost of training local people to take up employment opportunities that might arise. An additional £75,000 has already been allocated to the council as a contribution towards the cost of taking forward the development of training programmes.

South-East Wales Ambulance Trust

Mr. Alan Williams: To ask the Secretary of State for Wales what severance package was agreed by South-East Wales ambulance trust for *(a)* its ex-chairman and *(b)* its ex-chief executive; and if these packages were submitted to the Welsh Office for approval. [16334]

Mr. Richards: The ex-chairman and ex-chief executive resigned voluntarily. The chairman did not receive a financial settlement. Any financial settlement agreed following the resignation of the chief executive is a matter for the trust and the individual concerned. The Department was consulted on the terms agreed between the trust and the ex-chief executive. The details are confidential but open to audit.

Grant-Maintained Schools Foundation

Mr. Alan Williams: To ask the Secretary of State for Wales what funding the Welsh Office provides for each Grant-Maintained Schools Foundation office in Wales; and who is the accounting officer for the foundation. [16335]

Mr. Richards: Funding provided by the Welsh Office enables the Grant-Maintained Schools Foundation to maintain an office in Swansea. Details of the payments made to date were given in my answer of 22 January to the hon. Member for Islwyn, (Mr. Touhig), at column 97.

The accounting officer for the foundation is its director, Mr. Andrew Turner.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Wales, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17301]

Mr. Hague *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my hon. Friend, the President of the Board of Trade, on 26 February, *Official Report*, columns 589–604.

European Currency

Mr. Jon Owen Jones: To ask the Secretary of State for Wales, pursuant to his oral answer on 19 February, *Official Report*, column 4, when he expects to assess the particular interests of Wales in respect of the introduction of a single European currency. [16968]

Mr. Hague: The United Kingdom will agree to take part in a single currency only if it is in our interest to do so, given the circumstances at the time. A full assessment of the benefits and disadvantages will be carried out nearer the time, before the decision is made.

Labour Statistics

Sir Wyn Roberts: To ask the Secretary of State for Wales what were the numbers of people in *(a)* full-time and *(b)* part-time employment in Wales in (i) April 1979 and (ii) April 1995. [17356]

Mr. Gwilym Jones: Information on the numbers in full-time and part-time employment in Wales is not available for April 1979. However, information from the 1978 census of employment on full-time and part-time employees—excluding the self-employed—is published in appendix iv of the 1986 edition of "Welsh Economic Trends". The number of full-time and part-time employees in 1995, based on the Central Statistical Office's quarterly employment estimates is published in table 1.5 of the February 1996 edition of "Labour Market Trends". Copies of these publications are available in the Library.

Weekly Earnings

Sir Wyn Roberts: To ask the Secretary of State for Wales what are average weekly earnings *(a)* overall and *(b)* in manufacturing. [17360]

Mr. Gwilym Jones: Average gross weekly earnings of full-time employees in Wales, at April 1995, were £301.3 overall and £317.2 in manufacturing, based on information from the new earnings survey.

Patients Charter

Mr. Morgan: To ask the Secretary of State for Wales if he will give the cost to public funds of the latest publication of the patients charter. [17585]

Mr. Hague: The cost of publishing the 1996 edition of the patients charter was £32,370—equivalent to about 13p per copy.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to the guarantees contained in the new patients charter for Wales booklet, if he will specify the circumstances in which exceptions to the six months maximum waiting time will not be regarded as breaches of the patients charter. [17586]

Mr. Hague: The six month target for a first out-patient appointment is a standard and not a guarantee. It forms part of a total waiting time guarantee covering the period between GP referral to hospital and admission for treatment. The circumstances under which a waiting time in excess of the guarantees would not count as a breach are described in "Total Waiting Times; Operational Guidance", a copy of which is available in the Library of the House.

Medical Priority Dispatch Systems

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairmen of the Welsh ambulance trusts concerning the introduction of medical priority dispatch systems. [17589]

Mr. Hague: None. The possible use of medical priority despatch systems is being examined alongside the current review of ambulance performance standards.

Treatment Centres

Mr. Morgan: To ask the Secretary of State for Wales what are conditions for acceptance for treatment at the treatment centres for cataracts, orthopaedics and general surgery; and at the latest available date how many patients in each health authority area are deemed as qualifying under those conditions. [17584]

Mr. Hague: The key requirement for referral to the three treatment centres are that the patient has been assessed as in need of the operation by his local consultant, has no clinical contra-indication and, for cataract procedures and hip or knee replacements, has been on an in-patient waiting list for a minimum of four months.

The number of patients estimated by health authorities as eligible under the waiting time criterion for each treatment centre procedure, as at 30 June 1995, is as follows:

District health authority	*Cataracts*	*Hernias/varicose veins*	*Hips*[1]	*Knees*[1]
North Wales	584	606	179	245
Dyfed Powys	381	254	327	139
Gwent	1,033	546	219	187
Bro Taf	330	635	79	69
Morgannwg	677	467	125	89
Wales	3,005	2,508	929	729

[1] Hips and knee replacement figures include those for joint revisions.

Geriatric Long-Stay Beds

Mr. Morgan: To ask the Secretary of State for Wales how many patients occupied geriatric long-stay beds in NHS hospitals in *(a)* 1971, *(b)* 1976, *(c)* 1981, *(d)* 1986 and *(e)* 1991 and in each of the last three years. [17588]

Mr. Hague: Information is collected centrally on the basis of the number of in-patient cases treated in the specialty of geriatric medicine and, therefore, no split between long-stay and acute patients is available. The number of in-patient cases is given in the following table.

Number of in-patient cases treated in the specialty of geriatric medicine

	Number
1971	11,153
1976	17,840
1981	23,776
1986–87	37,634
1991–92	47,219
1992–93	50,255
1993–94	51,666
1994–95	48,577

Pembrokeshire Cliffs

Ms Ruddock: To ask the Secretary of State for Wales when he proposes to complete the designation of the Pembrokeshire cliffs candidate special protection area. [17862]

Mr. Gwilym Jones: Castlemartin coast in Pembrokeshire was classified as a special protection area under the wild birds directive on 12 January 1996. Consultation has taken place on the proposed Ramsey and St. David's coast SPA and responses are being considered. The Limestone sea cliffs side in south-west Wales was submitted to the European Commission in June 1995 for consideration as a candidate special area of conservation under the habitats directive. The Pembrokeshire islands candidate SSC has yet to be submitted to the Commission. A decision will be taken when all the points arising from last year's public consultation have been fully considered.

Sea Empress

Ms Ruddock: To ask the Secretary of State for Wales what monitoring of the seabird population he is proposing as a result of the Sea Empress oil spill. [17863]

Mr. Gwilym Jones: The Countryside Council for Wales is conducting a study of the entire marine environment to monitor the effects of the Sea Empress oil spill. Monitoring of seabird populations is an important element of the study which will involve liaison with all of the interested agencies in the area. This will form part

of a comprehensive environmental monitoring and assessment programme for which my right hon. Friend has provided £250,000.

AGRICULTURE, FISHERIES AND FOOD

Cattle (Tuberculosis)

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what levels of compensation were paid to farmers with cattle affected with TB in each of the last five years; and what would have been paid if the level of compensation was set at *(a)* 100 per cent. and *(b)* 120 per cent. [16241]

Mrs. Browning: The total of compensation paid to farmers in England with cattle affected by TB is as follows:

Year	*Compensation £*
1990–91	371,173
1991–92	557,987
1992–93	1,030,340
1993–94	1,928,000
1994–95	1,329,936

For 1994-95 it is estimated that compensation would have increased by (a) £826,280 and (b) £1,257,523 respectively if the level had been at (a) 100 per cent. and (b) 120 per cent. of the value of the animals. Comparable figures cannot be established, except at disproportionate cost, for earlier years.

Food Content

Mr. Galbraith: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the research into food products being conducted by York university, with particular reference to fruit pastilles. [16318]

Mrs. Browning: The research project is part of the LINK food processing sciences research programme. LINK projects are jointly funded by industry and Government. The academic contribution to this project is provided by York university and the Cranfield institute of technology with a consortium of food companies providing the industrial contribution. Half of the resources for the project are provided by the industrial consortium with the remainder coming from Government. The project is directed at developing a fundamental understanding of the behaviour of mixtures of biopolymers, such as protein and starch. Fruit pastilles are a convenient and simple model system for use in part of the study.

British Beef (Ban)

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had during the last month with the German Government as to the existing ban on the import of British beef; and if he will make a statement. [16322]

Mrs. Browning: I deeply regret the action taken by some German länder in banning the import of British beef. This clearly breaches Germany's EC obligations and is an unacceptable restriction on British trade.

My right hon. Friend wrote to the German Agriculture and Health Ministers earlier this month to protest against the bans and to seek an assurance that urgent action is being taken to ensure compliance by the länder with the Community rules on trade in beef. My right hon. Friend also wrote to Commissioner Fischler about this matter and discussed it with him on 20 February. The Commission has started the process necessary to commence infringement proceedings against Germany.

Abattoir Industry

Mr. Nicholas Winterton: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on capacity in the abattoir industry; what plans he has to reduce that capacity; and by what means and under what authority he intends to take forward such plans. [16655]

Mrs. Browning *[holding answer 22 February 1996]:* The Meat and Livestock Commission estimates that basic slaughtering capacity in Great Britain is already some 45 per cent. in excess of our current slaughter requirements and that the situation is getting worse. It is generally recognised that this has been the major cause of serious under-investment, low profitability and poor competitiveness over the last decade.

The Government have no plans to reduce abattoir capacity and believe that it is for the meat and livestock industry to determine for itself what are the needs of the market-place and how they should best be met. The Agriculture Act 1967 gives the MLC the power to prepare a development scheme to deal with excess capacity in the industry. The MLC is currently consulting the meat and livestock industry on such a scheme. My right hon. Friend is required by the Act to consider any development scheme put to him by the MLC, together with objections to it, before deciding whether to put it to Parliament for approval.

Departmental Officials (Interests)

Mr. Cohen: To ask the Minister of Agriculture, Fisheries and Food if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16891]

Mr. Boswell: A number of officials in the Department have declared their outside interests in accordance with departmental requirements. As with all employment matters, individuals' details are a confidential matter between them and their employer.

The departmental requirements are that staff must seek approval before becoming associated with any kind of private business interest which is related to the work of the Department, including holding shares which represent more than 10 per cent. of the issued share capital in any

agricultural, food or fishery businesses or in any other businesses directly related to the area in which they work.

A central record of declarations is kept in accordance with the Department's records management procedures.

Bovine Spongiform Encephalopathy

Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* confirmed and *(b)* unconfirmed cases of BSE there were in each week in October, November and December 1995. [16791]

Mrs. Browning *[holding answer 26 February 1996]:* The number of suspected BSE cases placed under restriction and subsequently confirmed or not confirmed as having BSE in the last 13 weeks of 1995 are as follows:

Date (week ending)	*Restricted*	*BSE confirmed*	*Not BSE*
6 October 1995	280	204	46
13 October 1995	284	212	40
20 October 1995	263	184	54
27 October 1995	280	197	45
03 November 1995	341	237	59
10 November 1995	347	250	46
17 November 1995	390	251	60
24 November 1995	380	220	70
01 December 1995	330	213	45
08 December 1995	359	207	66
15 December 1995	313	164	56
22 December 1995	382	149	65
29 December 1995	179	68	22

The remaining balance consists of animals:

(i) which have not been slaughtered and where restrictions have been lifted, that is, no longer BSE suspects;

(ii) which are still under restriction as BSE suspects but which have not yet been slaughtered; and

(iii) which have been slaughtered but for which the results of histopathological examination to confirm BSE are still pending.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what was the total expenditure by the Forestry Commission on the Isle of Wight in 1994–95 broken down by category. [16778]

Mr. Boswell: The Forestry Commission spent some £29,000 on grants to woodland owners and £130,000 on managing its own woodlands.

Cereal Prices

Mr. Steinberg: To ask the Minister of Agriculture, Fisheries and Food what was the average price of *(a)* wheat, *(b)* barley and *(c)* oats per ton in (i) the year preceding the introduction of set-aside and (ii) in each year since. [17150]

Mr. Baldry: The cereals marketing year 1 July 1992 to 30 June 1993 saw the marketing of the last—i.e. 1992—harvest prior to the introduction of compulsory set-aside. The average realised price for wheat, barley and oats produced in the UK and marketed during 1992–93 and subsequent years has been as follows:

Year[1]	*Average realised price (£ per tonne)*		
	Wheat	*Barley*	*Oats*
1992–93	129	126	128
1993–94	107	110	117
1994–95	113	116	98

[1] July to June.

Source:
MAFF.

Mr. Steinberg: To ask the Minister of Agriculture, Fisheries and Food what forecasts his Department *(a)* made and *(b)* evaluated of the prices for (i) barley, (ii) oats and (iii) wheat following the introduction of set-aside. [17151]

Mr. Baldry: The introduction of compulsory set-aside was linked to cuts in EU cereal support prices of around 35 per cent.—in ecu terms—over the three-year period 1993–94 to 1995–96. These cuts were expected to result in a broadly comparable fall in market prices. Average prices did indeed fall significantly between 1992–93 and 1993–94 but various external factors, including a rise in world market prices for cereals, meant that this initial fall was not sustained.

Egg and Poultry Producers

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many egg and poultry producers there *(a)* were in 1986 and *(b)* are currently. [17178]

Mr. Baldry: Estimates for England from the June 1987 agricultural and Horticultural census—the earliest date for which figures are readily available—and the June 1995 agricultural and horticultural census are shown in the table.

	Holding size groups (number of birds)			
	1:<10,000	*10,000: <100,000*	*100,000 and over*	*Total*
1987				
Number of Producers of eggs and poultry of which:	34,776	1,545	234	36,555
only producing hen eggs for eating[1]	14,986	568	54	15,608
only producing other poultry[2]	6,560	827	163	7,550
producing both eggs and poultry[3]	13,230	150	17	13,397
1985				
Number of Producers of eggs and poultry of which:	25,165	1,229	239	26,633
only producing hen eggs for eating[1]	8,559	363	57	8,979
only producing other poultry[2]	5,986	788	172	6,946

	Holding size groups (number of birds)			
	1:<10,000	10,000: <100,000	100,000 and over	Total
producing both eggs and poultry[3]	10,620	78	10	10,708

All figures exclude Turkeys.
[1] only producing hens eggs for eating covers those holdings returning under the census questions headed 'Hens and pullets kept mainly for producing eggs', but no other poultry questions.
[2] only producing other poultry covers those holdings returning under the census poultry questions other than those headed 'Hens and pullets kept mainly for producing eggs for eating'.
[3] producing both eggs and poultry covers those holdings returning under the census questions headed 'Hens and pullets kept mainly for producing eggs for eating' while also returning any other poultry questions.

Agriculture Council

Mr. Patrick Thompson: to ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 26 February; and if he will make a statement. [18475]

Mr. Douglas Hogg: The Council had a first discussion on the 1996 farm price proposals. The United Kingdom regretted that the Commission had not taken this opportunity to propose a move towards the more market orientated CAP which its recent report had recognised was inevitable for the longer term. In particular, the UK regretted the failure to address the over-compensation of the arable sector which resulted from high Community and world market prices for cereals and unchanged area payments.

The Council also discussed Commission proposals on the use of hormones and so-called beta agonists in livestock farming. Most member states remain opposed to any use of hormones and, with few limited exceptions, beta agonists. The UK stressed the desirability of avoiding the adoption of a policy which would run serious risks of adverse judgments in the World Trade Organisation. However, this approach was supported only by Spain and the Netherlands. The President announced that he expected to take final decisions at the next meeting in March.

The Commissioner outlined his proposals to improve the welfare of calves used for veal production. The UK welcomed the proposal but criticised the proposed 12-year transitional period as being much too long.

Arable Area Payments

Mr. Duncan: To ask the Minister of Agriculture, Fisheries and Food what action he has taken to strengthen his Department's regional organisation following the delays experienced in 1995 in payments under the arable area payments scheme. [18476]

Mr. Douglas Hogg: With the aim of avoiding any such delays on this or other schemes, and despite a general reduction in the Ministry's running costs budget of over 5 per cent., the regional organisation, which makes such payments, will benefit from an increased level of provision for the financial year 1996–97 compared with the current. Various improvement in IT and in management procedures are also in train.

LORD PRESIDENT OF THE COUNCIL

Ministerial Accountability

Mrs. Clwyd: To ask the Lord President of the Council, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17314]

Mr. Newton *[holding answer 126 February 1996]:* I refer the hon. Member to the speech made by my hon. Friend, the President of the Board of Trade, on 26 February, *Official Report*, columns *589–604*.

EDS Ltd.

Ms Eagle: To ask the Lord President of the Council if he will list those contracts his Department currently holds with EDS indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration.

Mr. Newton: The Privy Council Office has no contracts with EDS Scicon.

DUCHY OF LANCASTER

Scott Inquiry

Mr. Hain: To ask the Chancellor of the Duchy of Lancaster if he will make available to the members of the Intelligence and Security Services Committee Sir Richard Scott's further recommendation in section K7.7 which has been submitted to the Government but not made publicly available. [16950]

Mr. Freeman: Yes.

Mr. Hain: To ask the Chancellor of the Duchy of Lancaster what steps he intends to take in the light of Sir Richard Scott's recommendation in section K8.13 to amend paragraph 27 of "Questions of Procedure for Ministers"; and if he will make a statement. [16948]

Mr. Freeman: The Government are considering what further measures may need to be taken in the light of this and other findings of the Scott report and my right hon. Friend the Prime Minister will consider in due course whether such measures require amendments to "Questions of Procedure for Ministers".

Mr. Hain: To ask the Deputy Prime Minister (1) what assessment he has made of Sir Richard Scott's conclusion in section G13.113 and 115 that Ministers should inform the court if they have views on disclosure; and if he will make a statement; [17369]

(2) what assessment he has made of Sir Richard Scott's conclusions in section G18.107 that it is a waste of public time and money to place the issue of disclosure in respect of trivial documents before the trial judge; and if he will make a statement. [17367]

The Deputy Prime Minister: Following the House of Lords judgment in ex parte Wiley—1994—Ministers can make voluntary disclosure of documents if they conclude that this is in the overall public interest.

Mr. Hain: To ask the Deputy Prime Minister what assessment he has made of Sir Richard Scott's conclusion in section G18.66 that the Attorney-General's advice was without any sound legal foundation; and if he will make a statement. [17371]

The Deputy Prime Minister: The Government are entirely satisfied that the Attorney-General's advice was soundly based in law. A copy of the Government's response to the Scott report on public interest immunity is in the Library of the House.

Mr. Hain: To ask the Deputy Prime Minister if he will make a statement on the conclusions he reached in page 114 of the oral evidence he gave to Sir Richard Scott on 28 February 1994 relating to disclosure of documents; and what assessment he has made of Sir Richard Scott's conclusions set out in section G of his report relating to this matter. [17366]

The Deputy Prime Minister: The Attorney-General and prosecuting counsel in the Matrix Churchill case had advised that it was for the trial judge to decide on disclosure of the documents covered by my public interest immunity certificate. The trial judge, Judge Smedley, subsequently ordered disclosure as I had expected him to.

Mr. Hain: To ask the Deputy Prime Minister what assessment he has made of Sir Richard Scott's conclusion in G13.106 that the brief to Mr. Moses and the Attorney-General's submissions to Judge Smedley were inconsistent with his views as outlined in oral evidence given on 28 February 1994; and if he will make a statement. [17370]

The Deputy Prime Minister: I am satisfied that Judge Smedley dealt with the PII certificate which I signed in precisely the way in which the Attorney-General had advised me he would. Judge Smedley looked at the documents covered by my PII certificate and decided which should be disclosed.

Mr. Hain: To ask the Deputy Prime Minister what assessment he has made of Sir Richard Scott's conclusion in section G18.104 that the class claims made in the Matrix-Churchill trial; and if he will make a statement. [17368]

The Deputy Prime Minister: The PII class claims in the Matrix Churchill trial were held by the trial judge to have been properly made. The application of PII class claims in criminal cases has since been confirmed by the higher courts.

Mr. Hain: To ask the Deputy Prime Minister what assessment he has made of Sir Richard Scott's conclusion in section G18-60 that the Government are entitled to authorise the disclosure of their confidential or secret documents; and if he will make a statement. [17372]

The Deputy Prime Minister: Following the House of Lords judgment in ex parte Wiley—1994—Ministers can make voluntary disclosure of documents if they conclude that this is in the overall public interest. It has always been for Ministers to decide whether disclosure for purposes other than legal proceedings is in the public interest.

Ministerial Accountability

Mrs. Clwyd: To ask the Deputy Prime Minister, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17315]

The Deputy Prime Minister: I refer the hon. Member to the speech made by my right hon. Friend, the President of the Board of Trade, on 26 February, *Official Report*, columns 589-604.

SCOTLAND

Local Government Finance

15. **Mr. Wilson:** To ask the Secretary of State for Scotland when he next intends to meet the Convention of Scottish Local Authorities to discuss local government finance. [15799]

25. **Mr. McMaster:** To ask the Secretary of State for Scotland when he next plans to meet representatives of the Convention of Scottish Local Authorities to discuss local government funding. [15809]

Mr. Kynoch: I will be meeting COSLA on 28 June.

29. **Dr. Reid:** To ask the Secretary of State for Scotland when he last met the Convention of Scottish Local Authorities to discuss Scottish local government; and if he will make a statement. [15814]

Mr. Kynoch: On 26 January. At the meeting, the convention representatives argued that the 1996–97 local government finance settlement was inadequate and have since put a figure of £395 million on the alleged shortfall in funding. The settlement already provides for an increase of £148 million or 2.9 per cent. in the level of aggregate external finance which is £26.5 million more than the formula consequences of the English settlement and the convention were asked to say which other Scottish expenditure programmes should be further reduced in order to increase the level of the local government settlement, but declined to express any view on this.

Fire Services

16. **Mr. Gallie:** To ask the Secretary of State for Scotland what sums were made available in *(a)* 1995–96 and *(b)* 1996–97 to local authorities for fire services in Scotland; and if he will make a statement. [15800]

Lord James Douglas-Hamilton: Grant-aided expenditure for the fire service in Scotland was set at £134.4 million in 1995–96 and has been set at £147.4 million for 1996–97—an increase of nearly 10 per cent. It is up to local authorities to decide whether to spend at, below or above GAE on any particular service.

Scottish Economy

17. **Mr. Salmond:** To ask the Secretary of State for Scotland when he next expects to meet with representatives of Scottish Enterprise to discuss trends in the Scottish economy; and if he will make a statement. [15801]

Mr. Michael Forsyth: Ministers meet Scottish Enterprise regularly to discuss a range of issues.

30. **Mr. David Shaw:** To ask the Secretary of State for Scotland if he will make a statement about the prospects for the Scottish economy. [15815]

Mr. Kynoch: The prospects for the Scottish economy remain excellent. The latest CBI survey reports that Scottish manufacturers are more optimistic about business conditions, on average, than elsewhere in the UK. Recent independent forecasts of the Scottish economy predict high levels of GDP growth both this year and next. This is very encouraging.

City of Glasgow Council

18. **Mr. Maxton:** To ask the Secretary of State for Scotland when he will meet the new City of Glasgow council to discuss its budget. [15802]

31. **Mr. Michael J. Martin:** To ask the Secretary of State for Scotland what plans he has to meet the City of Glasgow council to discuss the city's finances. [15816]

35. **Mr. McAvoy:** To ask the Secretary of State for Scotland when he next expects to meet the leaders of the City of Glasgow and South Lanarkshire unitary councils to discuss the financial positions of those councils. [15820]

Mr. Kynoch: I refer the hon. Member to the answer I gave earlier today to the hon. Members for Glasgow, Maryhill (Mrs. Fyfe), for Glasgow, Central (Mr. Watson) and for Aberdeen, North (Mr. Hughes).

Tourism

19. **Mr. Fabricant:** To ask the Secretary of State for Scotland if he will make a statement concerning tourism in Scotland. [15803]

Mr. Kynoch: I believe that 1995 will prove to have been a very successful year for Scottish tourism, which is a major contributor to the Scottish economy.

Policing

20. **Mr. Norman Hogg:** To ask the Secretary of State for Scotland when he next expects to meet Scotland's chief constables; and what aspects of policing he expects to discuss. [15804]

Lord James Douglas-Hamilton: My right hon. Friend met chief constables on 20 January and also attended the Prime Minister's reception at No. 10 in honour of the police on 7 February.

Teachers' Pay Settlement

22. **Mr. Nigel Griffiths:** To ask the Secretary of State for Scotland what assessment he has made of the impact of the teachers' pay settlement and projected increases in retail prices index on the provision of education services by *(a)* Edinburgh city and *(b)* Scottish councils in 1996–97. [15806]

Mr. Raymond S. Robertson: The teachers pay settlement in Scotland is a matter for the Scottish Joint Negotiating Committee and negotiations have not yet started.

Afforestation

23. **Mr. Barry Field:** To ask the Secretary of State for Scotland if he will make a statement on the Forestry Commission's plans for afforestation in the next year. [15807]

Mr. Kynoch: As detailed in the Government's expenditure plans published last year, the Forestry Commission has provision to grant aid and carry out 22,250 hectares of new planting and 16,000 hectares of restocking in 1996–97.

Health Boards

24. **Mr. Donohoe:** To ask the Secretary of State for Scotland when he next expects to meet the chairmen of Scottish health boards to discuss finance. [15808]

Lord James Douglas-Hamilton: I shall next be meeting health board chairmen on 1 March, when I expect to discuss a range of NHS issues.

Drugs

26. **Mr. Rathbone:** To ask the Secretary of State for Scotland what recent consultations he has had with ministerial colleagues about implementation of "Drugs in Scotland: Meeting the Challenge"; and if he will make a statement. [15811]

Lord James Douglas-Hamilton: My right hon. Friend and I have regular contacts with ministerial colleagues about various aspects of drug misuse in Scotland, including the implementation of the valuable recommendations in that report where we have made very significant progress. Our new all-party drugs campaign in Scotland will build on, and complement, the success we have already achieved in the implementation of the report.

Smoking

27. **Mr. Wray:** To ask the Secretary of State for Scotland what plans he has to make legal aid available to those allegedly suffering from smoking-related illnesses who are taking legal action against tobacco companies. [15812]

Lord James Douglas-Hamilton: The granting of civil legal aid is a matter for the Scottish Legal Aid Board.

Single-tier Authorities

28. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland what representations he has received on the method of calculation of the financial settlement to the new single-tier authorities. [15813]

Mr. Kynoch: We have received a number of representations regarding the distribution of the 1996–97 settlement. The distribution is on the basis agreed by the Convention of Scottish Local Authorities.

Scottish Parliament

32. **Mr. Bill Walker:** To ask the Secretary of State for Scotland what representations he has received about the effect of a Scottish Parliament on economic growth and job creation. [15817]

Mr. Michael Forsyth: It is widely accepted by the business community throughout Scotland that a Scottish Parliament with tax-raising powers would have a detrimental effect on economic growth and job creation.

Council of Ministers

33. **Mr. Lidington:** To ask the Secretary of State for Scotland what plans he has to ensure that Scottish Office Ministers regularly attend meetings of the EC Council of Ministers. [15818]

Mr. Michael Forsyth: Scottish Office Ministers attend Council meetings as part of the UK delegation as and when matters relevant to my responsibilities are discussed. I also attend Cabinet Committee meetings to discuss UK policy on European Union issues. This enables me to ensure that any specific Scottish points are considered within the context of overall UK policy and to decide which Council meetings require ministerial attendance.

Electoral Roll

34. **Mr. David Evans:** To ask the Secretary of State for Scotland what is the average number on the electoral roll of each Scottish parliamentary constituency. [15819]

Lord James Douglas-Hamilton: Based on the 1995 electoral register, the number is 55,022.

University of the Highlands and Islands

36. **Mrs. Ewing:** To ask the Secretary of State for Scotland, pursuant to his statement at the Scottish Grand Committee of 5 February in Inverness, *Official Report, Scottish Grand Committee*, column 28, what further discussions he has held into the possibility of the establishment of a university of the highlands and islands; and if he will make a statement. [15821]

Mr. Raymond S. Robertson: My right hon. Friend plans to meet the chairman of Highlands and Islands Enterprise and Sir Graham Hill, an academic adviser to the university of highlands and islands project, to discuss this and other matters. Officials have met with the director of the university of the highlands and islands project and representatives of colleges in the highlands and islands for a preliminary discussion.

Crime

37. **Mr. Galbraith:** To ask the Secretary of State for Scotland how many crimes were committed *(a)* in 1979 and *(b)* in the last year for which figures are available. [15822]

Lord James Douglas-Hamilton: The number of crimes recorded by the police in Scotland was 346,680 in 1979 and 527,064 in 1994.

Failing Schools

38. **Mr. Clifton-Brown:** To ask the Secretary of State for Scotland what policies he is pursuing in respect of failing schools in Scotland. [15823]

Mr. Raymond S. Robertson: Examples of the policies we are following to raise standards and improve quality include:

inspection by HM inspectors of schools with appropriate and systematic follow-up;

the requirement on all schools to draw up school development plans; and

the publication of extensive information for parents on schools' performance.

Higher Education

Mr. Harry Greenway: To ask the Secretary of State for Scotland how many students are currently in higher education and at what cost; what was the number in 1979 and at what cost in 1995–96 prices; and if he will make a statement. [15797]

Mr. Raymond S. Robertson: There are nearly twice as many students in higher education since we took office and funding provided by the Government has gone up by £160 million to £400 million.

Prisons

Mr. McFall: To ask the Secretary of State for Scotland what consideration is being given to allowing prison staff to bid for the management contract to run any future private finance initiative prison. [15805]

Lord James Douglas-Hamilton: It is an option which my right hon. Friend has not ruled out.

Glenochil Prison Riot Trial

Mr. McFall: To ask the Secretary of State for Scotland what action he intends to take in response to statements made by the advocate depute at the Glenochil prison riot trial in respect of the quality of evidence given by prison officers. [15722]

Lord James Douglas-Hamilton: The subject of the question relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive, Mr. E. W. Frizzell, to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. John McFall, dated 28 February 1996:

Lord James Douglas-Hamilton has asked me to reply to your Question about the comments made by the Advocate Depute at the Glenochil Prison riot trial.

We are considering jointly with the Crown Office what lessons might be learned from this particular trial. Within the SPS, we are also reviewing the guidance given to prison staff on recording details of incidents and on preparing to be a witness in court.

Grants

Mr. Galbraith: To ask the Secretary of State for Scotland what tests are applied to business plans submitted to him or his agencies by private companies or others requesting grants or other public money to establish whether such support represents value for money. [16271]

Mr. Kynoch: The appraisal process for any application for grant or other public funds will depend on the particular programme or scheme under which such an application is made. The tests applied will vary according to the purpose of the programme or scheme concerned, but value for money will normally be a key criterion.

Prison Transfers

Mr. Mallon: To ask the Secretary of State for Scotland (1) what is the policy of the Prison Service in relation to applications for prison transfers to prisons in the country of origin of the applicant; [16234]

(2) if he will approve outstanding prison transfer applications for Irish prisoners wishing to return to prisons in *(a)* Northern Ireland and *(b)* the Republic of Ireland; [16235]

(3) how many applications for prison transfers from prisons in Scotland to *(a)* Northern Ireland, *(b)* the Republic of Ireland and *(c)* elsewhere, are currently under consideration; and in each category how many applications have been (i) approved and (ii) denied in each of the past 10 years. [16236]

Lord James Douglas-Hamilton *[holding answer 21 February 1996]:* The subject of the question relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive, Mr. E. W. Frizzell, to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Seamus Mallon, dated 28 February 1996:

Lord James Douglas-Hamilton has asked me to reply to your 3 questions about the transfer of prisoners.

There is statutory provision for the transfer of prisoners from one United Kingdom jurisdiction to another in certain circumstances, should the individual prisoner request it. The factors taken into account include the prisoner's domestic circumstances, place of domicile prior to conviction and length of sentence left to serve. Both jurisdictions must agree to the transfer. Revised criteria for inter-United Kingdom transfers were announced in the Official Report dated 23 November 1992, Columns 476–477. For prisoners seeking repatriation, applications are considered under the provisions of the Council of Europe Convention on the Transfer of Sentenced Prisoners.

The information on the number of prisoners who applied for transfer to Northern Ireland and elsewhere in the past 10 years is as follows:

	Northern Ireland		*Elsewhere*	
	Agreed	*Refused*	*Agreed*	*Refused*
1985	2	2	not available	not available
1986	1	—	not available	not available
1987	1	3	not available	not available
1988	2	1	51	not available
1989	—	1	56	not available
1990	2	2	44	not available
1991	1	1	27	not available
1992	3	2	62	50
1993	5	—	51	73
1994	—	1	47	22
1995	2	1	31	16

At 23 February there were 2 outstanding applications for Northern Ireland, none for the Republic of Ireland and 29 for elsewhere. They will be determined on their individual merits.

Lockerbie

Mr. Dalyell: To ask the Secretary of State for Scotland if the Lord Advocate will meet Libyan lawyers concerned with the destruction of Pan American flight 103 over Lockerbie. [16061]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate has no plans to do so.

Water Authorities

Mr. Donohoe: To ask the Secretary of State for Scotland what have been the remuneration levels which can be claimed by the members of the boards of each of the East, West and North of Scotland water authorities; and how much time the members of the boards of these organisations are expected to spend on water authority duties in respect of these levels of remuneration. [17576]

Mr. Kynoch: The chairmen of the North and West of Scotland water authorities are paid £40,000 per annum and expected to devote approximately two and a half days per week; the chairman of the East of Scotland water authority is paid £24,000 per annum and expected to devote approximately one and a half days per week. The members of each of the three water authorities are paid £6,000 per annum for a minimum of two to three days per month, and the chief executives £80,000 per annum for full-time employment.

Additionally, the chief executives are eligible to receive a performance-related bonus which is limited to a maximum of 10 per cent. of salary in the first year rising to a maximum of 20 per cent. in subsequent years.

Monofilament Nets

Mr. Morley: To ask the Secretary of State for Scotland what increase in fishing efforts he estimates will take place after the lifting of the ban on the use of large mesh monofilament nets by Scottish boats. [17606]

Mr. Raymond S. Robertson: No substantial increase in effort is anticipated.

Mr. Morley: To ask the Secretary of State for Scotland for which target species he expects Scottish boats to set large mesh monofilament nets when their use becomes legal; and in what ways this will be monitored. [17608]

Mr. Robertson: Fishermen are expected to target large flat fish, such as brill, turbot and various rays, as well as anglerfish, if Parliament approves the use of these nets in Scottish waters. Catches will be monitored in the same way as catches made with other static net gear.

Mr. Morley: To ask the Secretary of State for Scotland what monitoring will take place in respect of the impact of large mesh monofilament nets on marine birds species when the ban on their use by Scottish boats is lifted. [17610]

Mr. Robertson: The nets, which fishermen are expected to use as bottom set tangle nets, are unlikely to pose a threat to these species. Their operation will be kept under review nonetheless.

Mr. Morley: To ask the Secretary of State for Scotland (1) in what circumstances he will close areas to monofilament nets; [17612]

(2) if he will bring forward measures to restrict the use of large mesh monofilament nets by Scottish boats, in areas where they could cause problems of entanglement of wildlife before lifting the ban on their use. [17607]

Mr. Robertson: Once approved by Parliament, fishermen are expected to operate these nets as bottom set tangle nets which pose no additional threat to wildlife. The selective use of such nets by area is not proposed. Their operation will be kept under review nonetheless.

Mr. Morley: To ask the Secretary of State for Scotland (1) what efforts he will be making to ensure that bycatch of marine wildlife in fishing gear is *(a)* prevented or *(b)* minimised; [17605]

(2) if he will introduce a monitoring scheme to assess the impact upon marine wildlife when the ban on the use of large mesh monofilament nets by Scottish boats is lifted. [17611]

Mr. Robertson: The Government apply arrangements under the agreement on conservation of small cetaceans of the Baltic and North seas and have no plans to introduce additional measures.

Mr. Morley: To ask the Secretary of State for Scotland what assessment he has made of the adequacy of the voluntary reporting scheme of marine mammal bycatch to assess the impact of large mesh monofilament nets. [17609]

Mr. Robertson: The Government are satisfied that large mesh monofilament nets, if approved by Parliament for use in Scottish waters, pose no greater threat than similar sized nets made from other synthetic materials. The effectiveness of the scheme is kept under review and additional scientific research has been commissioned to aid that process.

Mr. Morley: To ask the Secretary of State for Scotland what assessment he has made of the adequacy of the consultation he has conducted regarding the use of large mesh monofilament nets. [17613]

Mr. Robertson: I am satisfied that all those with a direct interest in this matter were consulted fully.

Student Awards Agency

Mr. Gallie: To ask the Secretary of State for Scotland if he will publish the annual report and accounts of the Student Awards Agency for Scotland for 1994–95 and the agency's key targets for 1995–96. [18325]

Mr. Michael Forsyth: I have today arranged for copies of the agency's annual report and accounts to be placed in the Libraries of both Houses.

I have set the following key performance targets for the Student Awards Agency for Scotland for 1995–96:

Service

To process 75 per cent. of applications within 28 days of receipt.

To respond to 95 per cent. of general correspondence within 15 working days of receipt.

To respond to all Chief Executive and Ministerial correspondence within 15 working days of receipt.

To answer all complaints within 14 calendar days of receipt.

Agency Management

Average unit cost to process each successful application—(based on current costs) target £35.

Efficiency gains—3.79 per cent.

The chief executive will be directly responsible to me for ensuring that these targets are achieved and full details will be published in the agency's annual report and accounts.

Beaufort's Dyke

Mr. Gallie: To ask the Secretary of State for Scotland when he will announce details of further survey work at Beaufort's dyke. [18326]

Mr. Raymond S. Robertson: The Government have arranged for the marine laboratory, Aberdeen to undertake further surveys of Beaufort's dyke and the surrounding area. The principal objective of this work, which will be undertaken in May and July, will be to map the densities and distribution of any dumped munitions, particularly those located outwith the Beaufort's dyke explosives disposal site.

The survey work will encompass:

an area to the north, including the territory to be covered by the proposed electricity interconnector;

the area to the east between the deep trench and the Scottish coastline;

and an area to the south and east up to and including the natural gas pipeline between Scotland and the Republic of Ireland.

The final limits of the investigation will be determined by the distribution and densities of dumped munitions. A map of the areas to be covered by the survey has been placed in the House Library.

The MLA investigations will utilise its research vessel's hull-mounted transducer interfaced to RoxAnn©, high resolution side-scan sonar, towed sledge, ROV-mounted and drop frame—suspended from the survey vessel—underwater television systems, and a magnetometer, or pulse induction or resistivity system. A boomer system may also be used to investigate sub-surface sea bed sediments.

Sea bed sediment and fish and shellfish samples will again be collected, particularly from those areas which were not sampled earlier, to confirm whether dumped munitions have had an effect on the quality of the marine environment or commercially exploited species.

Assisted Places Scheme

Mr. Gallie: To ask the Secretary of State for Scotland what are his plans for the proposed expansion of the assisted places scheme in Scotland; and if he will make a statement. [18327]

Mr. Raymond S. Robertson: The assisted places scheme has been an important element in the Government's policies to extend choice in Scottish education, and to raise quality and standards. It provides the opportunity for parents to choose the education which they think best suits the needs of their children, regardless of their financial circumstances. Since the scheme was introduced in 1981, it has helped over 11,000 children to attend independent schools in Scotland who would not otherwise have had the opportunity.

My right hon. Friend's announcement on 13 October 1995 of plans for a phased doubling of the present annual target of 3,000 assisted places in Scotland has received a very positive response from parents and schools. This clearly confirms the success of the scheme and the benefits to be derived from it. In line with our expansion plans, my right hon. Friend is making provision to increase the number of pupils who benefit in 1996–97 to around 3,500 and this will include for the first time pupils of primary school age. Fifty-three schools across Scotland

will participate in the scheme. It is possible that one or more additional schools may become eligible to participate later in 1996–97. Some £12.48 million will be available for fee remission in the 1996–97 school session, almost 17 per cent. more than was made available for the 1995–96 session.

The increased resources being made available for the 1996–97 school session mark the first phase of expansion of the scheme, and will ensure its growing contribution to excellence and diversity in Scottish education. My right hon. Friend will also be drawing up proposals in consultation with the Scottish Council of Independent Schools and others for the future development and expansion of the scheme.

My right hon. Friend announced in December 1995 that assistance will now be extended to pupils undertaking primary education at participating secondary schools with integrated primary departments. The minimum age for assistance, previously 10 years of age, will therefore be lowered to five years of age from the start of the 1996–97 session.

My right hon. Friend proposes in due course to lay regulations before the House providing for progressive parental contributions for the 1996–97 school session for one pupil assisted under the assisted places scheme. As in previous years, we shall be seeking to ensure that about half of all pupils receiving an assisted place should receive full remission of their fees. Accordingly, parents earning less than £9,873 a year will not have to pay anything towards fees. The regulations will provide for the following contributions in relation to family income:

Part of relevant income to which the specified percentage applies	*Parental contribution (percentage)*
That part (if any) which exceeds £9,707 but does not exceed £10,555	9
That part (if any) which exceeds £10,555 but does not exceed £11,417	12
That part (if any) which exceeds £11,417 but does not exceed £13,127	15
That part (if any) which exceeds £13,127 but does not exceed £15,760	21
That part (if any) which exceeds £15,760 but does not exceed £19,194	24
That part (if any) which exceeds £19,194	33

The relevant income scale is open-ended, but the remission can, of course, be given only where the parental contribution is less than the school tuition fee.

SOCIAL SECURITY

Child Support Agency (DNA Testing)

Ms Lynne: To ask the Secretary of State for Social Security how many of the DNA tests performed for the Child Support Agency have been *(a)* positive *(b)* negative. [14958]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Ms Liz Lynne, dated 27 February 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about DNA testing under Child Support Agency arrangements.

The discounted DNA scheme was introduced in July 1995. This provided alleged absent parents with a means of resolving a paternity dispute without the need to go to court.

In the period July 1995 to 25 January 1996 the paternity of 500 children has been the subject of completed DNA tests. Positive results were obtained for 433 of the children (86.6%). The alleged absent parent tested was excluded from being the father in 67 instances. (13.4%).

I hope this is helpful.

Mr. Wicks: To ask the Secretary of State for Social Security what is the cost of DNA tests available via the CSA: and in how many cases DNA testing has been used before a paternity case has been referred to court. [12807]

Mr. Mitchell *[pursuant to his reply, 1 February 1996, c. 987–91]:* I am advised that Ann Chant, the chief executive of the Child Support Agency, is writing again to clarify her reply of 1 February. I am arranging for a copy of the letter to be placed in the Library with the additional information.

Letter from Miss Ann Chant to Mr. Malcolm Wicks, dated 27 February 1996:

I am writing to you pursuant to my letter of 1 February 1996. This was in response to your Parliamentary Question to the Secretary of State for Social Security about DNA tests. I believe there is a need to clearly set out the make up of the 904 DNA tests I referred to.

Up to the end of November 1995 some 352 cases had been referred for *discounted* DNA testing. In addition 552 cases were subject to a DNA test as a result of Court direction.

A *discounted* DNA test comes about as a result of an alleged absent parent availing himself of the option to go for a DNA test either as a result of responding to a suggestion from the Agency or requesting a test himself. As before, I am not aware that any of these cases have been referred for Court action.

The only other means of a DNA test arising is as a result of Court direction. This would be after an initial Court hearing.

I hope this information is helpful.

Contributions Agency (Wales)

Mr. Morgan: To ask the Secretary of State for Social Security what consultations he has had with the Welsh Consumer Council and other voluntary bodies concerning the proposed reorganisation of the Contributions Agency's field operations in Wales and the closure of the dedicated caller area at Cardiff; and if he will make a statement. [17822]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Rhodri Morgan, dated 28 February 1996:

As Chief Executive of the Contributions Agency, I have responsibility for answering questions about operational matters relating to the Agency.

I have been asked to reply to your enquiry regarding consultations on the proposed re-organisation of the Contributions Agency field operations in Wales and the closure of the caller area in Cardiff.

The Contributions Agency has embarked upon a process of consultation with all external customers. The Regional Manager for Wales and Severnside Region has written to all local businesses and

organisations, providing information on the proposed changes and seeking comment. I understand that the Welsh Consumer Council were omitted from the initial consultation, however I am assured that this is being immediately rectified. Please accept my apologies for this oversight.

The proposed closure of the caller facility at Gabalfa, Cardiff is a feature of that consultation process, and a final decision will not be taken until the consultation process is completed.

I hope you find this response helpful, if you require anything further please let me know.

Reduced Earnings Allowance

Mr. Bradley: To ask the Secretary of State for Social Security what estimate he has made of the money to be saved in a full year by moving *(a)* in total and *(b)* in each region reduced earnings allowance recipients on to retirement allowance. [10119]

Mr. Roger Evans *[holding answer 19 January 1996]:* The table gives the estimate of the savings from transferring most over pensionable age reduced earnings allowance recipients to retirement allowance in 1996–97 in line with the proposed change announced by my right hon. Friend the Secretary of State in November 1995. Recipients of REA who had retired before 10 April 1989 would not be affected by the proposed change.

Region	*Estimates of net savings £ million*
ENGLAND	
Northern	4
Yorkshire and Humberside	2
East Midlands	1
East Anglia	—
South East	3
South Western	1
West Midlands	2
North Western	3
SCOTLAND	2
WALES	2
OVERSEAS	—
Total (Great Britain and overseas)	20

1. Estimates are for the 1996–97 financial year and are at cash prices.
2. "—" denotes a saving of less than £0.5 million.
3. Estimates are rounded to the nearest £1 million, except the total savings which are rounded to the nearest £5 million. Estimates are not accurate to this degree.
4. Any additional income related benefit expenditure has been offset against the savings.
5. Regional breakdown based on former Social Security administrative regions.

Access Committee

Mr. Battle: To ask the Secretary of State for Social Security (1) if he will publish the results of the report of the working party that is reviewing the Access Committee's future; [13902]

(2) what are his plans for the continued funding of the Access Committee; [13903]

(3) if he will make a statement about the future of the Access Committee for England. [13901]

Mr. Burt: My colleagues and I in the Departments of Health and of the Environment are considering the working party's report which has only recently been completed. The members of the working party were drawn from this Department and the Departments of Health and of the Environment. We shall announce our decisions on the committee's future in due course. The report is an internal document and will not be published.

Agencies (Disciplinary Action)

Ms Lynne: To ask the Secretary of State for Social Security how many employees of *(a)* the Benefits Agency and *(b)* the Contributions Agency have faced dismissal or other disciplinary action for the improper use of confidential information since 1993; and what steps these agencies are taking to minimise the misuse of confidential information. [15755]

Mr. Burt: Two employees of the Benefits Agency and one from the Contributions Agency have been dismissed for the improper use of confidential information since 1993. Disciplinary action has been taken against a further five employees of the Benefits Agency. These figures do not include possible incidents of staff being disciplined, including dismissal, for the improper use of confidential information arising out of unauthorised access to the agencies' computer systems. The statistics for unauthorised access to computer systems do not include information about whether the unauthorised access resulted in the improper use of confidential information.

Access to computer systems is limited to the minimum possible to enable staff to carry out their duties and security check and audit trail functionality systems are in place to investigate suspected unauthorised access. In addition, information to staff through personnel codes, letters from the agencies' chief executives and a recent leaflet and poster campaign underline the importance of security of information and the seriousness with which unauthorised access to computer systems is viewed.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Social Security if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16886]

Mr. Burt: Under the rules set out in the civil service management code, staff must report any interest, whether business, financial, paid or unpaid, which might conflict with their work in the Department. They must also seek permission before undertaking any outside activity which may result in a conflict of interest. When a member of staff reports an interest or seeks permission to undertake and outside activity, a local record is kept. Any such details are treated as confidential. No central records are held and we have no plans to introduce a central register.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Social Security, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17317]

Mr. Lilley *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by right hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

Attendance Allowance

Mr. Morgan: To ask the Secretary of State for Social Security how many pensioners in Wales are in receipt of attendance allowance; and if he will list the figures for each *(a)* local authority and *(b)* health authority area. [17580]

Mr. Andrew Mitchell: The information is not available in the format requested. Such information as is available is in the table.

Estimate of number of pensioners receiving attendance allowance in Wales at 30 November 1995

Health authority area	*Number*
Clwyd	12,100
Gwent	11,200
Gwynedd	5,300
Mid Glamorgan	16,500
Powys	3,200
South Glamorgan	9,500
West Glamorgan	14,700
Dyfed	10,000
Total	82,400

Notes:
1. Figures are provisional and subject to change.
2. Figures do not sum due to roundings.

Source:
DSS (Analytical Services Division) 5 per cent. data sample.

Invalid Care Allowance

Mr. Morgan: To ask the Secretary of State for Social Security how many pensioners are in receipt of invalid care allowance in Wales at the latest available date as a result of their responsibility for caring for *(a)* spouses, *(b)* parents, *(c)* adult children with mental or physical handicap and *(d)* any combination of *(a)* *(b)* and *(c)*. [17582]

Mr. Burt: The information could be obtained only at disproportionate cost.

War Pensions

Mr. Morgan: To ask the Secretary of State for Social Security what estimate he has of the numbers in receipt of *(a)* war widow's pension and *(b)* war pension in Wales at the latest available date. [17583]

Mr. Heald: It is estimated that as at 31 March 1995, the latest date for which information is readily available, there were 2,756 war widows and 16,271 war disablement pensioners receiving payment in Wales.

ENVIRONMENT

EU Funding, Merseyside

Mr. Alton: To ask the Secretary of State for the Environment how much European regional development fund funding has been allocated to Merseyside since it acquired objective 1 status; what percentage has so far been spent; and if he will make a statement. [15545]

Sir Paul Beresford: The Merseyside objective 1 programme has an allocation of £380 million, at current exchange rates, to be committed over the period 1994 to 1999; £51 million—14 per cent. of total ERDF funding—has so far been offered to 147 approved projects. Many of the approved projects are large-scale capital schemes that have expenditure profiles spread over the life of the programme. The projects have so far received £14.5 million in grant payments, broadly in line with their expected rate of spend. This represents 28 per cent. of funding committed. A further £158 million—42 per cent. of total ERDF funding—of ERDF grant towards 142 projects with similar spend profiles is under active consideration by the secretariat. New applications for funding will be invited over the first half of this year on a rolling basis.

Household Waste Recycling, Greater Manchester

Mr. Callaghan: To ask the Secretary of State for the Environment what steps he is taking to encourage recycling of household waste in the Greater Manchester area. [17056]

Mr. Clappison: The Government's overall policy aim for achieving more sustainable waste management is to increase the proportion of waste managed by the options towards the top of the waste hierarchy, including waste minimisation and recycling. Specific measures to encourage recycling of household waste are set out in the White Paper "Making Waste Work: A strategy for sustainable waste management in England and Wales" which was published in December.

Provision of local recycling facilities is a matter for local authorities and the private and voluntary sectors. As an aid to this process, we have recently invited bids from local authorities for a further £10 million of supplementary credit approval resources for capital investment during 1996–97 in recycling projects. More generally, our initiative on producer responsibility for packaging waste will play a key role in developing local infrastructure and encouraging higher rates of recycling, together with other factors, such as the rising costs of waste disposal, including the proposed landfill tax, and improved markets for secondary raw materials.

Water Leakage Reduction Targets

Mr. Hanson: To ask the Secretary of State for the Environment what discussions he has undertaken with Ofwat on the establishment of published leakage reduction targets for water companies. [17044]

Mr. Clappison: Ofwat, the National Rivers Authority and my Department are continuing discussions with the water industry about plans to reduce leakage as part of the review of water resource arrangements announced by my right hon. Friend on 1 September.

Planning Appeals

Mr. Vaz: To ask the Secretary of State for the Environment what is the current waiting time for planning appeals for each local authority. [17065]

Sir Paul Beresford: The information requested for each local authority is not available. The current average waiting time for all planning appeals in England is: (i) written representations—16 weeks; (ii) hearings—35 weeks; (iii) inquiries—40 weeks.

Out-of-town Retail Developments

Mr. Vaz: To ask the Secretary of State for the Environment how many times in each year since 1979 he has called in out-of-town retail developments. [17068]

Sir Paul Beresford: There is no information available for out-of-town retail development, or for retailing generally, back to 1979, but for the past six years the number of retail applications called in were:

1990: One

1991: 21 of which 10 were covered by one inquiry and eight others were covered by three inquiries

1992: 9

1993: 10

1994: 34 of which nine were covered by two inquiries

1995: 44 of which 21 are covered by three inquiries.

These figures include "twin-track" applications—multiple applications for different proposals for the same site, and applications for overlapping sites. Most of these were for out-of-centre locations.

Local Government Finance

Mr. Callaghan: To ask the Secretary of State for the Environment what plans he has to remove capping from local authorities in the Greater Manchester area. [17090]

Sir Paul Beresford: My right hon. Friend the Secretary of State for the Environment restated his provisional capping intentions on 31 January. The criteria and capping limit are necessarily provisional and he will announce his decisions on capping once authorities have set their budgets.

Housing Starts

Mr. Cox: To ask the Secretary of State for the Environment what was the total number of *(a)* council and *(b)* private housing starts in England in 1995. [16719]

Mr. Clappison: Provisional estimates for 1995 show that around 137,000 new dwellings were started in England during 1995: of these, private enterprise builders started 110,900, housing associations about 25,600 and local authorities some 600.

While these figures cover newly built accommodation, housing associations and local authorities have also provided additional social lettings by the rehabilitation of existing properties and through various home incentive schemes.

Cemfuel Burning

Mr. Gordon Prentice: To ask the Secretary of State for the Environment if Her Majesty's inspectorate of pollution's variation notice concerning the burning of cemfuel by Castle Cement at Clitheroe cancels previous authorisations and variations. [16721]

Mr. Clappison: The variation notice issued by Her Majesty's inspectorate of pollution to Castle Cement at Clitheroe on 23 January 1996 replaced all the conditions in the original authorisation and previous variations.

Mr. Prentice: To ask the Secretary of State for the Environment when Her Majesty's inspectorate of pollution authorisation allowing the burning of cemfuel by Castle Cement at Clitheroe is due for automatic review. [16722]

Mr. Clappison: Authorisations issued by Her Majesty's inspectorate of pollution under part I of the Environmental Protection Act 1990 are reviewed not less frequently than once in every four years. The authorization issued to Castle Cement at Clitheroe was reviewed prior to the issue of a variation notice on 23 January 1996. The next review is thus due by January 2000.

Mr. Prentice: To ask the Secretary of State for the Environment for what reasons the variation in the authorisation by Her Majesty's inspectorate of pollution allowing the burning of cemfuel by Castle Cement has not been classified as a substantial variation. [16723]

Mr. Clappison: The authorisation issued to Castle Cement in 1993 allowed the burning of cemfuel. The recent variation to this authorisation was issued to set additional controls on the use of cemfuel and limits on the releases to air. Although this did not constitute a substantial change, public and statutory consultations were carried out as required for a substantial change.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment when the inclusion of pesticides in cemfuel was authorised. [16724]

Mr. Clappison: Pesticides are not permitted to be included in cemfuel. The varied authorisation includes a requirement to carry on the process in the manner described in the application and the application contains a specific exclusion for pesticides.

Mr. Prentice: To ask the Secretary of State for the Environment what constituent parts of cemfuel are now allowed which were prohibited under the authorisation which applied prior to 23 January. [16725]

Mr. Clappison: There are no constituent parts of cemfuel now allowed which were prohibited prior to 23 January.

Mr. Prentice: To ask the Secretary of State for the Environment what limits on particulates and other residues deriving from the burnings of cemfuel apply to Castle Cement at Clitheroe; what limits apply at other similar sites; and what factors underlie disparities between these figures. [16759]

Mr. Clappison: Limits set by an authorisation are always site specific, being governed by the fundamental legislative requirement for an operator to use BATNEEC—best available techniques not entailing excessive cost. Differences between sites are therefore to be expected.

Castle Cement, Clitheroe—particulate limit = 90mg/m³.

This represents a tightening of the previous limit of 100mg/m³ and is considered to be achievable based on experience to date. The company is also required to submit proposals for reducing the level of particulates released to air to that expected of a new plant.

Castle Cement, Ketton—particulate limits of 90 mg/m³ (kiln 7) and 50mg/m³ (kiln 8).

With effect from July 1996, kiln 7 will be required to achieve a limit of 50mg/m³. Kiln 8 is a very modern kiln which experience has shown to be able to meet the new plant standard. Kiln 7 is under going a major upgrade to increase its capacity. It is therefor being required to meet the new plant standard as required by chief inspector's guidance note IPR3/1. These limits are completely independent of the use of cemfuel and would have been required whatever the fuel.

Rugby Cement, Barrington—particulate limit = 120mg/m³

This limit will be reviewed following upgrading of the electrostatic precipitators and a limit of 45mg/m³ is effective from 1 April 1998.

According to chief inspector's guidance note IPR3/1, 1 April 1998 is the date when operators are expected to be able to achieve new plant standards.

The limits required of a new incinerator have been applied at all three sites in respect of dioxins and furans, cadmium and thallium, mercury and group III metals.

Lanehead Quarry

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what assessment has been made of the environmental impact of the depth of the Lanehead Quarry. [16726]

Sir Paul Beresford: I understand that the local minerals planning authority, Lancaster county council, is currently in negotiation with the operators of this quarry in relation to updating its operational and restoration conditions. Any assessment of the environmental impact of the depth of the quarry is, therefore, a matter for the county council.

Planing Inquiries

Mr. Vaz: To ask the Secretary of State for the Environment how many planning inquiries are awaiting determination by *(a)* inspectors and *(b)* local authorities. [17091]

Sir Paul Beresford: Following local inquiries, 73 planning appeals in England are currently awaiting decision by inspectors, and 41 planning appeals and 42 called in planning applications are awaiting decision by my right hon. Friend following receipt of the inspector's report.

Sainsbury, Islington

Mr. Vaz: To ask the Secretary of State for the Environment for what reasons he called in the application by Sainsbury plc for a retail outlet on Holloway road, Islington. [17069]

Sir Paul Beresford: My right hon. Friend the Secretary of State for the Environment called in the application so that he could consider the issues it raises. Among the matters appearing likely to be relevant to his consideration are the effects of the development on the vitality and viability of the nearby Nags Head centre, the effects of the development on the character and amenities of the area, the likely effects of the development on the traffic movements on the nearby road network and the loss of land for industrial development.

Planning Applications

Mr. Vaz: To ask the Secretary of State for the Environment if he will list for each year since 1979 the number of times he has exercised his planning call-in powers; and on how many occasions he has overturned the inspector's decision. [17067]

Sir Paul Beresford: The number of planning applications in England called in since the financial year 1986–87 is as follows:

Year	*Number*
1986–87	152
1987–88	113
1988–89	117
1989–90	103
1990–91	132
1991–92	140
1992–93	101
1993–94	99
1994–95	[1]167

[1] 30 of these cases relate to a single site in Devonport and a further 15 arose in Cornwall. Where the local authorities went against national planning guidance.

Since 1 April 1994, the Secretary of State has determined called-in applications against the inspector's recommendation on 11 occasions.

Information for earlier years could be obtained only at disproportionate cost.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Secretary of State for the Environment what was the total expenditure and loan sanction by his Department on the Isle of Wight in 1994–95 broken down by category. [16771]

Sir Paul Beresford: The table sets out (i) expenditure by my Department on grants to local authorities; and (ii) credit approvals and borrowing approvals issued to local authorities and local councils on the Isle of Wight in 1994–95.

£ million

	Isle of Wight County Council	*Medina*	*South Wight*
(i) Grants[1]			
Revenue Support Grant (RSG)	36.160	3.398	2.648
Council Tax Transitional Reduction Grant[2]	—	0.096	0.102
Housing Specified Capital Grant (SCG)	—	0.541	04.03
Bellwin scheme	—	—	0.042
Totals	36.160	4.035	3.195

£ million

	Isle of Wight County Council	Medina	South Wight
(ii) Credit Approvals and borrowing approvals			
Basic Credit Approvals (BCA)	4.528	0.583	0.322
Supplementary Credit Approval (SCA)	1.517	[3]0.541	[3]0.403
Reorganisation (SCA)	1.744	0.277	0.166
Parish borrowing approval[4]	—	—	0.025
Totals	7.789	1.401	0.916
Overall total	43.949	5.436	4.111

[1] Does not include business rate income.
[2] Paid in 1994–95, adjusted downwards to reflect actual spend in 1995–96.
[3] Supplementary Credit Approval (SCA) cover for Specified Capital Grant (SCG)
[4] Borrowing approval issued to Shanklin and Sandown town councils, whose areas were within that of South Wight borough council.

Green Environment, Greater Manchester

Mr. Callaghan: To ask the Secretary of State for the Environment if he will make a statement on the work of his Department in relation to promoting a green environment in the Greater Manchester area. [17058]

Mr. Clappison: My Department helps to promote a green environment, both nationally and locally, through its various policies and initiatives. In Greater Manchester, the Government office for the north-west, and organisations supported by my Department, such as the Mersey Basin Campaign, Groundwork and the Red Rose forest initiative are all carrying out work to enhance the environment.

Single Regeneration Budget

Mr. Vaz: To ask the Secretary of State for the Environment if he will list each local authority in receipt of grant aid under the single regeneration budget and its predecessors together with the sums they received as a cumulative total and for each year since 1979. [17071]

Sir Paul Beresford: The total amounts received by local authorities in grant aid each year since 1989–90, under the programmes which now form the single regeneration budget, are as follows.

	£
1989–90	309,032,000
1990–91	325,942,000
1991–92	326,896,000
1992–93	387,985,000
1993–94	511,880,000
1994–95	405,312,000
1995–96[1]	734,085,000

[1] Forecast.

The 1995–96 forecast total includes grant payments from the single regeneration budget challenge fund to local partnerships, where a local authority is the nominated accountable body for the partnership. Local authorities may also be receiving grant indirectly where they are members of such partnerships, but are not the accountable bodies.

A breakdown of the totals by each recipient local authority, with information for earlier years than 1989–90, could be obtained only at disproportionate cost.

Cemfuel Burning

Mr. Prentice: To ask the Secretary of State for the Environment to what extent Her Majesty's inspectorate of pollution authorisation for the burning of cemfuel in cement kilns complies with the application of the proposed EU directive on hazardous waste. [16908]

Mr. Clappison: Maximum thermal substitution has been restricted to 40 per cent. as per article 3(3) and the cemfuel has been specified as per article 3(4) of the directive. Emission limits have been set as required by the Environmental Protection Act 1990 and the chief inspector's guidance notes. As long as cemfuel remains defined as waste, all relevant provisions of the directive will apply from the date defined in the directive.

Mr. Prentice: To ask the Secretary of State for the Environment what research he has evaluated alleging that burning *(a)* tyres, *(b)* sewage sludge and *(c)* polychlorinated biphenyls in cement kilns is safe. [16727]

Mr. Clappison: The criteria used by Her Majesty's inspectorate of pollution in determining the safe use of a waste fuel in cement kilns is to require the operator to undertake trials and to prove that such burning will not result in adverse environmental effects. One plant has carried out such trials with burning of tyre chips and proved that there was no adverse effect on the environment. There have been no trials on the burning of sewage sludge or PCBs.

Housing, Greater Manchester

Mr. Callaghan: To ask the Secretary of State for the Environment what proposals he has to develop a housing strategy for the Greater Manchester area. [17039]

Mr. Clappison: None. It is for individual local authorities to draw up housing strategies for their areas in consultation with all interested parties.

Mr. Callaghan: To ask the Secretary of State for the Environment what further measures he plans to control houses in multiple occupation in the Greater Manchester area. [17057]

Mr. Clappison: Further measures to control houses in multiple occupation are contained in the Housing Bill, which is currently being considered in Committee. The measures in the Bill will, when enacted, apply to Greater Manchester as elsewhere in England and Wales.

Mr. Callaghan: To ask the Secretary of State for the Environment if he will provide a breakdown of the number of people who were accepted as homeless in the Greater Manchester area over the last 10 years by *(a)* sex and *(b)* age group; and if he will make a statement. [17038]

Mr. Clappison: The information requested is not available.

Mr. Vaz: To ask the Secretary of State for the Environment if he will list the successful bids under round one of the single regeneration budget by region and value of grant. [17070]

Sir Paul Beresford: The information requested was placed in the Library of the House and circulated to hon. Members on 6 December 1994. I have sent further copies to the hon. Member.

Mobile Homes

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what estimates he has made of the number of people living in mobile homes that are connected to mains electricity. [16760]

Mr. Clappison: This information is given in paragraph 197 of the report "Mobile Homes Survey", DOE 1992, copies of which were placed in the House of Commons Library at the time of publication.

Local Plans

Mr. Vaz: To ask the Secretary of State for the Environment how many and which local authorities have not adopted local plans. [17064]

Sir Paul Beresford: The Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, requires all non-metropolitan district councils in England to prepare a local plan for the whole of their area. These area-wide plans will replace any local plans that may have previously been prepared for part or parts of an authority's area. On 30 September 1995, 214 out of the 295 non-metropolitan authorities had not yet adopted their district-wide local plan. The authorities are as follows. Those marked [2] were fully covered by part-area local plans; those marked [1] were partly covered by local plans.

Adur
Allerdale[1]
Alnwick[2]
Ashfield[2]
Ashford[1]
Aylesbury Vale[2]
Basildon[2]
Basingstoke and Deane[2]
Bassetlaw
Berwick-upon-Tweed[2]
Beverley[2]
Blaby[2]
Blackburn[2]
Blackpool[2]
Blyth Valley[2]
Bolsover[2]
Boothferry[2]
Boston[2]
Bournemouth[1]
Bracknell Forest[2]
Breckland
Brighton[1]
Bristol[2]
Broadland[2]
Bromsgrove[2]
Cambridge[2]
Cannock Chase[2]
Canterbury[2]
Caradon[2]
Carlisle[1]
Carrick[2]
Castle Morpeth[2]
Castle Point
Charnwood[2]
Chelmsford[2]
Cherwell[1]
Chester[1]
Chester-Le-Street[2]
Chesterfield[1]
Chiltern[1]
Chorley[2]
Christchurch[2]
Cleethorpes[2]
Colchester[1]
Congleton[2]
Copeland[2]
Corby
Cotswold[2]
Craven
Crewe and Nantwich[2]
Darlington[2]
Daventry
Derby[2]
Derbyshire Dales[2]
Derwentside[2]
Dover[2]
East Cambridgeshire[1]
East Devon[2]
East Dorset (Wimborne)[2]
East Northamptonshire
East Staffordshire
East Yorkshire[2]
Eastbourne[2]
Eastleigh[2]
Eden
Ellesmere Port and Neston[1]
Epping Forest[1]
Epsom and Ewell[1]
Fareham[1]
Forest Heath
Forest of Dean[2]
Glanford[2]
Gloucester[2]
Great Grimsby[2]
Great Yarmouth[2]
Halton
Hambleton[1]
Harborough[2]
Harrogate[2]
Hastings[1]
Havant[1]

High Peak[2]
Hinckley and Bosworth[2]
Holderness
Horsham[2]
Hove[1]
Huntingdonshire[2]
Hyndburn[2]
Ipswich[2]
Kennet[2]
Kerrier[2]
Kings Lynn and West Norfolk
Kingston upon Hull
Lancaster[2]
Langbaurgh-on-Tees
Leominster[2]
Lewes[2]
Lichfield[2]
Lincoln[2]
Luton[1]
Macclesfield[1]
Maidstone[1]
Malvern Hills[2]
Mansfield[2]
Melton[2]
Mendip[1]
Mid Devon[2]
Mid Suffolk[2]
Mid Sussex[2]
Middlesbrough
Mole Valley[1]
New Forest[2]
Newark and Sherwood[2]
North Cornwall
North Devon[2]
North Dorset[2]
North East Derbyshire[2]
North Kesteven
North Norfolk
North West Leicestershire[2]
Northampton
Northavon[1]
Norwich
Nottingham[1]
Oadby and Wigston[1]
Oswestry[2]
Oxford[2]
Pendle
Penwith[2]
Peterborough
Poole[2]
Portsmouth[2]
Preston[1]
Purbeck[2]
Reading[2]
Redditch[2]
Restormel[2]
Ribble Valley[2]
Richmondshire
Rother[2]
Rushcliffe[1]
Rutland[2]
Ryedale[2]
Salisbury[2]
Scarborough[1]
Scunthorpe[2]
Sedgefield[2]
Sedgemoor[1]
Selby[2]
Sevenoaks[1]
Shepway[2]
Shrewsbury and Atcham[1]
South Bedfordshire[2]
South Derbyshire
South Hams[1]
South Herefordshire[2]
South Holland[2]
South Lakeland[1]
South Norfolk[2]
South Northamptonshire
South Oxfordshire[2]
South Ribble[2]
South Somerset (Yeovil)[1]
South Staffordshire[2]
Southampton
St. Edmundsbury
Stafford[2]
Staffordshire Moorlands[2]
Stockton-on-Tees
Stratford-on-Avon[2]
Stroud
Swale[2]
Tandridge[1]
Taunton Deane[2]
Teesdale[2]
Teignbridge[2]
Tendring
Test Valley[2]
Tewkesbury[2]
Thamesdown[2]
Thanet[2]
The Wrekin[1]
Thurrock[2]
Tonbridge and Malling[1]
Torbay[1]
Tunbridge Wells[2]
Tynedale[2]
Vale of White Horse[2]
Wansdyke[2]
Warrington[2]
Waveney[2]
Wealden[2]
Wear Valley[2]
Wellingborough[2]
West Devon[2]
West Dorset[2]
West Lancashire[2]

West Lindsey[2]
West Oxfordshire[2]
West Somerset[2]
West Wiltshire[2]
Weymouth and Portland[2]
Winchester[1]
Windsor and Maidenhead[2]
Wokingham[1]
Woodspring[1]
Worcester[2]
Wychavon[2]
Wyre[1]
Wyre Forest[2]
York

Derelict Land

Mr. Callaghan: To ask the Secretary of State for the Environment what moneys are available from his Department for the restoration of land which is the subject of industrial dereliction in the Greater Manchester area. [17059]

Sir Paul Beresford: In 1994–95, English Partnerships contributed finance under its investment fund of £12.369 million to local authority land reclamation schemes in the Greater Manchester area. In addition, it contributed £8.173 million of finance to regeneration projects carried out in partnership with private sector companies.

The Department's challenge fund and city challenger programme also contribute to schemes that include the reclamation of derelict land in Greater Manchester.

Local Government Finance

Mr. Callaghan: To ask the Secretary of State for the Environment if he will make a statement on local government spending in the Greater Manchester area. [17040]

Sir Paul Beresford: No. Decisions on local government spending are a matter for the authorities concerned.

Local Authority Guidance

Dame Jill Knight: To ask the Secretary of State for the Environment what guidance has been issued to local authorities on the implementation of sections 28 and 29 of the Local Government Act 1988; and what revisions have been made to that guidance. [16753]

Sir Paul Beresford: We have issued no guidance to local authorities on these provisions of the Local Government Act 1988.

Industrial Asthma

Mrs. Wise: To ask the Secretary of State for the Environment how many cases of industrial asthma have been recorded in the past 10 years; and how many cases of industrial asthma where the sensitiser was flour have been recorded since the milling and handling of flour became recognised as a cause of industrial asthma. [16897]

Sir Paul Beresford: The table shows the number of new cases of assessed disablement from occupational asthma from prescribed agents under the industrial injuries scheme in Great Britain. The first complete year of record is 1983.

Year	*Total new cases*	*Cases due to flour and grain dust*
1983	183	54
1984	137	32
1985	166	54
1986	166	46
1987	220	50
1988	222	40
1989	220	43
1990	216	55
1991	293	64
1992	553	60
1993	510	66
1994	506	59

No provisional estimates for 1995 is yet available as the data are still being collated and checked by the Department of Social Security.

Inland Waterways

Mr. Spearing: To ask the Secretary of State for the Environment what exemptions for measurement of speed and distance in kilometres are included in United Kingdom regulations concerned with inland waterways; and what indications of such exemptions were included in information circulars used in related consultative procedures. [16730]

Mr. Robert B. Jones: The regulations apply to all waterways except those used for sea transport, where units of measurement are laid down in international conventions or agreements.

My Department has advised inland navigation authorities accordingly.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for the Environment if he will list those contracts his Department currently holds with EDS Ltd. indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17445]

Sir Paul Beresford: My Department currently holds the following contracts with Electronic Data Systems:

Date of Inception	*Value £ thousand*	*Duration*
October 1992	358	3.5 years
March 1995	30	1 year
December 1995	6	8 months

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for the Environment, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17308]

Mr. Gummer *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade, on 26 February, *Official Report*, columns 589–604.

High-voltage Power Cables

Mr. William O'Brien: To ask the Secretary of State for the Environment what reports he has received about the effect of proximity to high-voltage power cables on the value of houses. [17130]

Mr. Clappison: None.

Mesothelioma and Lung Cancer

Mr. Ian McCartney: To ask the Secretary of State for the Environment what is the estimated annual cost to employers of employees developing mesothelioma or lung cancer. [17224]

Sir Paul Beresford: The information requested is not available.

Odden's Pump

Mr. Dalyell: To ask the Secretary of State for the Environment what studies he has *(a)* commissioned and *(b)* evaluated as to changes in the operation of Odden's Pump off the coast of Greenland. [17183]

Mr. Clappison *[holding answer 26 February 1996]:* The European Commission has initiated a research study into changes in the Odden feature. A report on the first phase is expected in April.

Groundwater Levels, London

Mr. Austin-Walker: To ask the Secretary of State for the Environment what action he has taken following the report of the Construction Industry Research and Information Association in 1989 on the problems of groundwater levels in London. [17507]

Sir Paul Beresford: Following its report in 1989 CIRIA, undertook a two-year study of groundwater levels in the Whitehall area. Property Holdings then funded this research for another four years until 1995. The study concluded that there was a seasonal change in water levels but no evidence of any long-term rise in groundwater levels.

All Government buildings are inspected every three months. This enables problems of water penetration to be detected and cured at an early stage. No Government building is in imminent danger from rising groundwater as far as we are aware.

Habitats

Mr. Hinchliffe: To ask the Secretary of State for the Environment what measures he plans to introduce immediately in response to the Biodiversity United Kingdom steering group report relating to the management of environmentally important United Kingdom habitats. [16807]

Mr. Clappison: The Biodiversity steering group chaired by my Department, with members drawn from all sectors, was set up to advise the Government on individual costed action plans for selected species and habitats, a forward programme for improving biological recording and monitoring in the UK and a programme for improving public awareness and involvement in conserving biodiversity.

The group published its findings on 13 December 1995. "Biodiversity: The UK Steering Group Report" contains a number of proposals including costed action plans for 14 key habitats. It also recommends that costed action plans for a further 24 key habitats be produced within three years. Each of the habitat action plans contains proposals for the management of the habitat.

The Government are currently considering the advice and recommendations in the report and expect to publish their response in the spring of 1996.

Marine Nature Reserves

Mr. Hinchliffe: To ask the Secretary of State for the Environment what plans he has to increase the number of marine nature reserves. [16808]

Mr. Clappison: None in England. My right hon. Friend the Secretary of State for Wales is currently considering a proposal to designate the Menai straits as a marine nature reserve. Some 36 marine areas containing rare or endangered habitats and species have been identified as possible special areas of conservation under the habitats directive.

Mr. Hinchliffe: To ask the Secretary of State for the Environment what action will be taken to protect sensitive and nationally important United Kingdom habitats from the effects of air pollution. [16809]

Mr. Clappison: The Government are taking a range of measures to improve air quality throughout the United Kingdom and planning to publish a consultation document on a national air quality strategy later this year which will build on existing national and EC legislation in this area.

The UK is also committed as a signatory to various protocols under the United Nations Economic Commission for Europe convention on long-range transboundary air pollution to reducing emissions of a range of air pollutants which have harmful effects on health and the environment.

Water Leakages

Mr. Burden: To ask the Secretary of State for the Environment (1) what progress has been made in the establishment of voluntary targets by water companies in controlling leakage; [17432]

(2) if he will list those water companies which have established, but not published, targets for the control of water leakage; [17434]

(3) if he will list those water companies which have not established targets for the control of water leakage; [17478]

(4) if he will list those water companies which have published targets for the control of water leakage, together with the targets involved and the time scale over which they are to be achieved. [17433]

Mr. Clappison: My answer to the hon. Member for Sheffield, Hillsborough (Mrs. Jackson) on 10 January, *Official Report*, column *210*, indicated that all water

companies supplied projections of water balances to the Director General of Water Services as part of his quinquennial review.

More recently, eight of the water service companies—Anglian Water, North West Water, Severn Trent Water, Southern Water, South West Water, Thames Water, Wessex Water and Yorkshire Water—have made announcements concerning their plans for tackling leakage. The director general is continuing discussions with the water companies on their current intentions.

Water Meters

Mr. Burden: To ask the Secretary of State for the Environment what was the expenditure by water authorities and companies on the installation of water meters in domestic properties in *(a)* 1985, *(b)* 1990 and *(c)* 1995. [17387]

Mr. Clappison: This information is not kept centrally.

Mr. Burden: To ask the Secretary of State for the Environment if he will list those water companies which offer a choice to customers living in newly built homes about whether or not they pay for water and sewerage services by meter; and if he will list the choice offered in each case. [17411]

Mr. Clappison: Customers living in new domestic properties served by the following companies are charged for water and sewerage services on a flat fee basis:

Dwr Cymru

Northumbrian Water

Hartlepool Water

Portsmouth Water

Sutton Water

York Waterworks.

Customers of these companies may request to be charged on a measured basis if they are willing to pay for the installation of the meter.

All other water companies charge customers living in new built homes on a metered basis.

Sites of Special Scientific Interest

Mr. Burden: To ask the Secretary of State for the Environment (1) what is his assessment of the number of sites of special scientific interest which could be damaged by water abstraction in 1996–97; [17357]

(2) what is his assessment of the number of sites of special scientific interest that were damaged by water abstraction in 1995–96. [17358]

Mr. Clappison: English Nature is at present assessing, in consultation with the National Rivers Authority, 148 sites of special scientific interest in England which may be affected by water abstraction. A report is expected next month.

Mr. Burden: To ask the Secretary of State for the Environment what representations he has received from English Nature on the impact of water abstraction on sites of special scientific interest and what response he has made. [17359]

Mr. Clappison: In October 1992, English Nature submitted a response to the Department's consultation document "Using Water Wisely". In January this year, it made representations about Yorkshire Water's proposals for a drought order to take additional water from the River Derwent near York. The company requested postponement of a hearing on this order to enable further discussion to take place.

Air Pollution

Mr. Fabricant: To ask the Secretary of State for the Environment if he will make a statement on the 1996–97 charging scheme for local authority air pollution control under part I of the Environmental Protection Act 1990. [18261]

Mr. Clappison: Charges to cover the costs of local enforcing authorities in regulating processes which are subject to part I of the Environmental Protection Act 1990 were introduced in April 1991.

With the approval of the Treasury, and following consultation with local authority associations and industry, my right hon. Friends the Secretaries of State for the Environment and for Wales have made a revised scheme specifying the scale of fees and charges to take effect from 1 April 1996. My right hon. Friend the Secretary of State for Scotland is revising the parallel scheme for Scotland on the same basis, and will be making a separate announcement.

The main changes are that the standard application fee is increased by £25 to £1,015, the application fee for a former Alkali Act works is increased by £15 to £610, the substantial change fee is increased by £15 to £650, and the annual subsistence charge is increased by £20 to £625.

The scheme will be laid before both Houses and a copy placed in the Libraries.

Written Answers to Questions

Thursday 29 February 1996

HOME DEPARTMENT

Immigration

Mr. Gerrard: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Blackpool, South (Mr. Hawkins) on 13 February, *Official Report*, column *514*, if he will define the term parliamentary interest. [16146]

Mr. Kirkhope: In my answer of 13 February, *Official report*, column *514*, the term parliamentary interest refers to cases in which a Member of Parliament or a noble Lord has made representations about the proposed removal of somebody from the United Kingdom.

Mr. Madden: To ask the Secretary of State for the Home Department what guidance has been issued to Home Office presenting officers and adjudicators regarding the period of time in which couples are expected to become self-supporting in the United Kingdom where one spouse has been granted entry clearance; when such guidance was issued; and if he will make a statement. [18206]

Mr. Kirkhope: No such guidance has been issued to presenting officers. The period of time in which couples are expected to become self-supporting will depend on the facts of the particular case. Guidance to adjudicators is a matter for my right hon. Friend the Lord Chancellor.

Dartmoor Prison (Death)

Mr. Cohen: To ask the Secretary of State for the Home Department (1) when he expects the medical report into the death of Mr. Dennis Stevens in Dartmoor prison to be completed; and if he will make a statement on the causes of Mr. Stevens' death; [17336]

(2) for how long Mr. Dennis Stevens was kept in a body belt in Dartmoor prison prior to his death on 18 October 1995; [17338]

(3) what representations he has received alleging *(a)* improper procedures and *(b)* inadequacy in existing procedures in matters relating to the death of Mr. Dennis Stevens in Dartmoor prison; what response he has made; when he expects all the information on this case to be disclosed; and if he will make a statement. [17337]

Miss Widdecombe: Responsibility for these matters has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Harry Cohen, dated 29 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about the death of Mr. Dennis Stevens in Dartmoor prison.

Mr. Stevens was in a body belt for 24 hours prior to being discovered dead in his cell on the morning of 18 October 1995.

There have been two post-mortems, the second attended by a pathologist representing Mr. Stevens' family. At the second post-mortem, it was agreed that further specialist forensic analysis was required. The coroner will open the inquest once the result of that analysis, which is being carried out in the United States, is available.

A number of Members, prisoners' rights groups and others have written to express concern about the circumstances surrounding Mr. Stevens' death. They have been advised that a senior prison governor has conducted an enquiry into the circumstances surrounding Mr. Stevens' death and a separate enquiry into the control and restraint methods used has been commissioned. These enquiries will be in addition to the formal policy enquiry, which is underway.

The results of the enquiries into this tragic incident cannot be made available until the inquest. However, I can assure you and Mr. Stevens' family that the service will respond promptly and positively to any recommendations made by the coroner.

Construction Skills Certification Scheme

Mr. Spellar: To ask the Secretary of State for the Home Department what action his Department is taking to ensure that personnel on its prison construction sites have construction skills certification scheme accreditation. [17437]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. John Spellar, dated 29 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your Question about construction skills certification scheme accreditation on prison construction sites.

It is the duty of the main contractor with whom the Home Office enters into a contract, to ensure that personnel on construction sites have the necessary skills.

The Home Office is considering the introduction of clauses in construction contracts to bring to bear on the main contractor an obligation to ensure that personnel on prison construction sites have construction skills certification scheme accreditation.

Metropolitan Police

Mr. Cohen: To ask the Secretary of State for the Home Department what factors, other than population, determine Metropolitan police officer numbers per division. [17429]

Mr. Maclean: The deployment of manpower within the Metropolitan police district is a matter for the commissioner. I understand, however, that the allocation of officers to divisions takes account of, among other things, the number of crimes reported, calls for assistance, arrests, traffic accidents and incidents of disorder. In addition, officers in charge of divisional operational command units have some flexibility within their overall budget to decide on the mix of police officers, civil staff and other resources which will best meet local policing needs.

Mr. Booth: To ask the Secretary of State for the Home Department if he will make a statement on the recent reports by Her Majesty's Chief Inspector of Constabulary on Metropolitan police areas 3 and 4. [18765]

Mr. Howard: Yes. I have today placed in the Library a note of the recommendations from these reports, together with the commissioner's responses and my responses, which take into account the advice I have received from the Metropolitan Police Committee.

Electro-shock Equipment

Mrs. Clwyd: To ask the Secretary of State for the Home Department how many British companies have been granted licences under section 5 of the Firearms Act 1982 to *(a)* handle, *(b)* store, *(c)* distribute and *(d)* manufacture electric shock devices in the last two years. [17363]

Mr. Maclean: Section 5(1)(b) of the Firearms Act 1968 prohibits the possession, purchase, acquisition, manufacture, sale and transfer of electric shock weapons without the authority of the Secretary of State. No company has been granted authority under this section specifically in respect of electric shock weapons in the last two years.

Reoffenders

Mr. David Nicholson: To ask the Secretary of State for the Home Department what guidance he has issued to magistrates courts about sentencing in respect of repeated offences of theft and shoplifting goods of significant value. [17508]

Mr. Maclean: The Government do not issue guidance on sentencing. The Magistrates Association issues sentencing guidelines for its members, which are available in the Library, and guidance is provided by Court of Appeal judgments in individual cases.

Asylum Seekers

Mr. Stephen: To ask the Secretary of State for the Home Department (1) how many of the asylum appeals passed by the tribunal to the adjudicator in 1994 were allowed by the adjudicator; and how many of these were appeals by port-of-entry applicants; [17540]

(2) how many of the asylum appellants referred by the adjudicator to the Secretary of State in 1994 were granted leave to remain in the United Kingdom; and how many of these were port-of-entry applicants; [17542]

(3) how many of *(a)* the asylum appeals allowed by the adjudicator and *(b)* those allowed by the tribunal in 1994 were made by port-of-entry applicants. [17541]

Mr. Kirkhope: The information requested is not available.

Docklands Bombing (Fire Appliances)

Ms Ruddock: To ask the Secretary of State for the Home Department, pursuant to his answer of 15 February, *Official Report,* column *706,* in respect of 9 February only, how many appliances attended the scene, what time the last appliance left and from which stations the appliances were drawn. [17518]

Mr. Sackville: The deployment of appliances is an operational matter for the London fire and civil defence authority. The hon. Member may therefore wish to invite the chief officer to provide the details which she has sought.

Older Prisoners

Sir Andrew Bowden: To ask the Secretary of State for the Home Department what action his Department has taken to meet the special needs of older people in prison. [17519]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Sir Andrew Bowden, dated 29 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about what action is being taken to meet the special needs of older people in prison.

The Prison Service has recognised the needs of the older prisoner. A special unit is at present being commissioned at HMP Kingston. An existing accommodation block is being refurbished and will include specialist facilities for older prisoners with disabilities. The unit is for 25 prisoners and hopes to receive its first prisoners in May 1996.

The Directorate of Health Care is currently compiling a health strategy for prisoners and staff and has particularly identified the needs of older prisoners amongst its topics. The health strategy will be presented to the Prisons Board in May 1996.

Sir Andrew Bowden: To ask the Secretary of State for the Home Department how many women aged over 60 and men over 65 years are being held in prison on *(a)* remand and *(b)* after sentence. [17594]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Sir Andrew Bowden, dated 29 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking, how many women aged over 60 and men over 65 years are being held in prison on *(a)* remand and *(b)* after sentence.

On 31 January 1996 there were 16 women aged 60 or over (3 on remand and 13 sentenced) and 300 males (25 remand and 275 sentenced) aged 65 and over in Prison Service establishments in England and Wales.

Racial Attacks

Mr. Cox: To ask the Secretary of State for the Home Department how many reported racial attacks there were in each London borough in 1995. [17657]

Mr. Maclean: Figures are not available by London borough. Racial incidents reported to the police in each Metropolitan police division for 1995 are shown in the table. A racial incident is defined as any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident in which an allegation of racial motivation is made by any person.

Classified racial incidents in the Metropolitan Police District Annual 1995

Division	*Number*
Belgravia	13
Notting Hill	11
Brompton	23

Classified racial incidents in the Metropolitan Police District Annual 1995

Division	*Number*
West End Central	2
Charing Cross	10
Marylebone	25
Paddington	21
Fulham	33
Hammersmith	29
1 Area total	167
Hampstead	40
Kentish Town	325
Holborn	78
Holloway	54
Islington	193
Harrow	108
Wembley	56
Kilburn	54
Barnet and Hertsmere	39
Golders Green	61
West Hendon	75
Ealing	45
Southall	108
Hornsey	34
Tottenham	45
2 Area total	1,315
Hackney and Shoreditch	114
Stoke Newington	83
Limehouse	389
Whitechapel	154
Barkingside	44
Chingford	55
Ilford	22
Leyton	55
Havering	45
Forest Gate	63
Dagenham	63
Plaistow	293
Edmonton	65
Enfield	104
3 Area total	1,549
Southwark	199
Peckham	87
Walworth	73
Catford	156
Lewisham	105
Bromley and Orpington	67
Plumstead	422
Greenwich	204
Bexleyheath	125
Croydon	46
South Norwood	82
Epson and Sutton	82
4 Area total	1,648
Heathrow	2
Brixton	45
Streatham	55
Vauxhall	26
Chiswick	42
Hounslow	149
Spelthorne	14
Richmond	49
Kingston	40
Battersea	26
Wandsworth	86

Classified racial incidents in the Metropolitan Police District Annual 1995

Division	*Number*
Hillingdon	157
Merton	129
5 Area total	821

Bosnian Refugees

Mr. Macdonald: To ask the Secretary of State for the Home Department what plans he has to prepare a register of refugees and displaced persons from Bosnia-Herzegovina living in Britain and listed according to their religious or national background, their place of origin, gender and family connections; and if the Government have received a request from the United Nations High Commissioner for Refugees to provide such a register. [17710]

Mr. Kirkhope: No formal request has been received from the United Nations High Commissioner for Refugees but when the UNHCR co-ordinator for former Yugoslavia briefed missions in Geneva recently, he said that accurate information was needed from countries of asylum on how many refugees and displaced persons they had; where they were from, where they wanted to return to, and when. This information is not available centrally and could be obtained only by contacting each person individually. We are considering the request.

Secure Prisons

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners are currently held in secure prison establishments in Wales; and if he will make a statement. [17551]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Sir Andrew Bowden, dated 19 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about how many prisoners are currently held in secure prison establishments in Wales.

On 26 February 1996, there were 805 prisoners held in the following establishments.

	Number
Cardiff	436
Swansea	212
Usk	157
Total	805

Carl Bridgewater

Ms Corston: To ask the Secretary of State for the Home Department (1) if he will list those individuals who helped the police with their inquiries in connection with the murder of Carl Bridgewater indicating the periods they were kept at each police station; [17205]

(2) if he will list the names of those individuals arrested in connection with the murder of Carl Bridgewater indicating the periods of detention at each police station; [17206]

(3) if he will list the individuals to whom the police made payments for information in respect of the Carl Bridgewater trial; [17204]

(4) if he will make a statement on all meetings between Joseph Hickey and Sergeant Ernest Robinson in *(a)* 1978 and *(b)* 1979. [17214]

Mr. Kirkhope: No. These are all operational matters and the responsibility of the chief constable of Staffordshire constabulary.

Fire Services

Mr. Barry Jones: To ask the Secretary of State for the Home Department (1) if he will review his allocation of funds to the fire services of Wales consequent upon the formation of the new local government unitary authorities; and if he will make a statement; [17330]

(2) if he will sanction new funds to enable the new North Wales fire service authority to meet its commitments in Clwyd and Gwynedd counties. [17328]

Mr. Sackville: Supplementary credit approvals of up to £2.7 million have been provisionally set aside for 1996–97 to meet the transitional costs of fire service reorganisation in Wales. The allocation between the three new brigades will be reviewed during the course of the year.

Body Belts

Mr. Cohen: To ask the Secretary of State for the Home Department what is the policy of the Prison Service in respect of the use of the body belt of the type involved in the death of Joy Gardner; when that policy was last reviewed; what plans the Prison Service has to co-ordinate its policy in respect of the belt with the police; and if he will make a statement. [17339]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Harry Cohen, dated 29 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about Prison Service policy on the use of body belts of the type involved in the death of Joy Gardner; when that policy was last reviewed and what plans the Prison Service has to co-ordinate its policy in respect of the belt with the Police.

The type of body belt used by the Police is an operational matter for Chief Police Officers.

The body belt used by the Prison Service is of a design approved by Prison Service headquarters. The authority for its use is covered in Prison Standing Order 3E, a copy of which is in the Library of the House.

The design of the belts used by the Prison Service was reviewed some eighteen months ago. It was decided that the needs of the Service required the current design but we continue to see if more modern materials can be used to serve the same purpose, on the rare occasions body belts are used.

Crime (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what percentage of convictions in *(a)* Coventry and *(b)* the west midlands involved 16 to 24-year-olds in each of the last five years; and if he will indicate the year-on-year percentage change in this figure. [17120]

Mr. Maclean: Information which is readily available centrally is restricted to indictable offences and is given in the table. For summary offences, information on the actual age of adults is not available. The information is the latest available; 1995 data will be available in the autumn.

Convictions for indictable offences of persons aged 16 to 24 and of all persons in Coventry Petty Sessional Division (PSD) and West Midlands Police Force Area, for the period 1990 to 1994.

Number of persons

	Aged 16 to 24	*All ages*	*Percentage aged 16 to 24*
Coventry Petty Sessional Division[1]			
1990	*1,709*	*3,058*	*56*
1991	*1,546*	*2,825*	*55*
1992	*1,511*	*2,685*	*56*
1993	*1,203*	*2,357*	*51*
1994	*1,182*	*2,333*	*51*
West Midlands Police Force Area			
1990	11,839	22,323	53
1991	10,934	20,688	53
1992	9,984	19,582	51
1993	8,205	16,784	49
1994	7,541	16,105	47

[1] Includes persons convicted at the Crown Court, who were committed for trial/sentence by Coventry PSD.

Euro '96

Mr. Pendry: To ask the Secretary of State for the Home Department what estimate he has made of the cost of the police operation for the Euro '96 championships; and how many officers will be involved. [17848]

Mr. Maclean: The Association of Chief Police Officers has estimated that the cost of policing for the European football championships 1996 could be around £5.5 million. Decisions about the number of officers involved, and their deployment, are for chief officers of the forces concerned.

Merseyside Fire and Civil Defence Authority

Mr. Wareing: To ask the Secretary of State for the Home Department how many representations he has received in respect of the financing of the Merseyside fire and civil defence authority; how many of these alleged the funding was inadequate; and what was his response. [16292]

Mr. Sackville: My right hon. and learned Friend has received a number of such representations. Where the question of finance has been raised, the replies have made it clear that it was up to the authority to set a budget which would enable it to comply with its statutory duties.

Football Pools Industry

Mr. Wareing: To ask the Secretary of State for the Home Department what is his most recent assessment of

the impact of the national lottery on the football pools industry; what plans he has to assist the pools industry; and if he will make a statement. [16296]

Mr. Kirkhope: In October 1995, the Pool Promoters Association estimated that the pools industry had lost 30 per cent. of its business since the introduction of the national lottery in November 1994.

The pools industry has benefited substantially from the Government deregulation initiative. In November 1994, the age limit for participation in the football pools was reduced from 18 to 16; the collection of football pools coupons in shops and other premises was legalised; and rollover of prize money was allowed. In March 1995, the prohibition on advertising the football pools on television and radio was lifted. In the Gaming Machines and Betting Office Facilities Order, which was put to the Deregulation Committee of the House in December 1995, we are proposing to allow the payment of football pools winnings in betting offices.

The pools industry has also benefited from reductions in pool betting duty. In May 1995, the duty was reduced from 37.5 per cent. to 32.5 per cent. In his Budget last November, my right hon. and learned Friend the Chancellor of the Exchequer announced a further reduction to 26.5 per cent.

We are currently considering a number of proposals for further relaxation of the restrictions on the pools which have been put forward by the industry. On one of these proposals, to revoke the regulation which prevents pools collectors from selling lottery tickets door to door, we have issued a consultation letter to interested parties.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department if prisoners from Buckley Hall prison are eligible for unaccompanied visits to Rochdale as a reward for good behaviour; and if he will make a statement. [18117]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Liz Lynne, dated 29 February 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the eligibility of prisoners at Buckley Hall prison to have unaccompanied visits to Rochdale as a reward for good behaviour.

The Prison Service introduced a national framework of incentives and earned privileges for prisoners in July 1995, with most prisons commencing their own local scheme before the end of December. This policy reflects Ministers' and the Prison Service's commitment to a system of structured incentives based on prisoners' behaviour and willingness to cooperate. It seeks to ensure prisoners earn privileges by responsible behaviour and participation in hard work and other constructive activity.

Buckley Hall plan to extend their three-tier incentives and earned privilege scheme by introducing, by the end of March, the key earnable privilege of unaccompanied community visits. Those eligible to apply will be prisoners in security category D who have been retained for outside work parties. Each applicant will be subjected to a full risk assessment before any decision is taken on the granting of temporary release.

Fire Service College

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department when he expects to publish the accounts for the national Fire Service College for the year 1994–95; and what was the overall financial result. [16731]

Mr. Sackville *[pursuant to his reply, 26 February 1996, c. 411]:* The Fire Service College annual report and accounts were laid before the House of 28 February.

ENVIRONMENT

City Disesel Fuel

Mr. Chris Davies: To ask the Secretary of State for the Environment what research he has *(a)* commissioned and *(b)* evaluated into the level of pollutants emitted by city diesel fuel. [17666]

Mr. Clappison: A programme of field trials of alternative fuels, including city diesel, was set up by the Department of Transport, the Department of the Environment, the Department of Trade and Industry and the Ministry of Agriculture, Fisheries and Food in March 1994. The trials are assessing the emissions performance, energy consumption and economics of vans and buses using a number of alternative fuels. All vehicles in the trials are to be monitored in-service and up to 22 vans and 26 buses are to be emissions tested using driving cycles which best represent the real world in-service operating conditions for these vehicles. A final report of the project is expected in early 1997.

Pollution Information

Mrs. Anne Campbell: To ask the Secretary of State for the Environment what plans he has to publish pollution information on the Internet. [17911]

Mr. Clappison: I refer to hon. Member to the answer given by the Under-Secretary, my hon. Friend the Member for Croydon, Central (Sir P. Beresford), on 16 January 1996, *Official Report*, column *491*.

Regional Development Funding (Merseyside)

Mr. Wareing: To ask the Secretary of State for the Environment what assessment he has made of the use of objective 1 funds in Merseyside; what plans he has to increase Government financial assistance towards European funding; and if he will make a statement. [16295]

Sir Paul Beresford: All claims for payment for projects approved under the programme are accompanied by a report from project sponsors outlining their progress towards delivery of required outputs. Claims received to date indicate that most of the targets are likely to be met or exceeded. In accordance with the regulations governing the structural funds, an interim evaluation of the progress made by the programme so far will shortly be undertaken. The results will be available later in the year.

The structural funds contribute only a part of a project's costs. There are many sources of matching funds, from both the public and the private sectors, for the remaining costs and it is the responsibility of the applicant to explore fully the possibilities before making an application. This is not the responsibility of the Government.

Construction Industry

Mr. Meacher: To ask the Secretary of State for the Environment what was *(a)* the number of prosecutions by the Health and Safety Executive, *(b)* the number of convictions and *(c)* the average fine per conviction against employers in the construction industry in each of the last five years. [17835]

Sir Paul Beresford: The Health and Safety Executive's primary aim is to prevent accidents and ill health. In appropriate cases, prosecution may be taken. Details of prosecutions taken by the HSE's field operations division inspectorates, information laid, the number of convictions and the average penalty per conviction in all industrial sectors in each of the last five years was set out in table 24 of the Health and Safety Commissions's statistics 1994–95. The following table provides extracts from this table concerning proceedings in the construction industry.

Prosecutions taken by the HSE's field operations division by result in the construction industry 1990–91 to 1994–95.

	1990–91	*1991–92*	*1992–93*	*1993–94*	*[1]1994–95*
Information laid	746	746	701	526	629
The number of convictions	600	604	572	412	497
Average fine per conviction (£)	857	1,035	1,279	3,403	2,675

[1] Provisional.

Mr. Meacher: To ask the Secretary of State for the Environment what was the number of *(a)* fatalities of workers in the construction industry and *(b)* members of the public killed by construction accidents in each of the last five years. [17765]

Sir Paul Beresford: The number of fatalities of workers in the construction industry and of members of the public killed by construction accidents in each of the last five years was set out in table 2 of the Health and Safety Commission's statistics 1994–95. The table provides details of fatalities reported to the enforcing authorities in Great Britain.

Fatal injuries reported to enforcement authorities in the construction industry 1990–91 to 1994–95[1]

	[2]Workers	*Members of the public*
1990–91	124	9
1991–92	99	6
1992–93	95	5
1993–94	88	6
1994–95	74	5

[1] Provisional.
[2] Workers includes employees and self-employed.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for the Environment what steps his Department is taking to collect statistics broken down by gender where relevant. [17680]

Sir Paul Beresford: All relevant statistical information about employees of my Department is collected by reference to gender.

In addition, a gender breakdown of the employees of local authorities is collected quarterly by the Central Statistical Office in its "Work Force in Employment" series.

A recent survey sponsored by my Department also collected gender information about occupations in the construction industry.

Planning Inspectorate

Mr. Vaz: To ask the Secretary of State for the Environment how many inspectors are currently employed by the Planning Inspectorate. [17066]

Sir Paul Beresford: The Planning Inspectorate currently employs 209 salaried planning inspectors, 10 of whom work part time.

A further 209 fee-paid inspectors are engaged either on short-term contracts or on a case-by-case basis, to undertake appeals and similar work.

Mine Gas

Mrs. Helen Jackson: To ask the Secretary of State for the Environment when he commissioned consultants Wardell Armstrong to undertake an inquiry into the dangers of mine or stythe gas in the Gateshead area; and what were the circumstances which led him to commission the study. [17974]

Sir Paul Beresford: Wardell Armstrong was commissioned to undertake a study of methane and other gases from disused coal mines in the autumn of 1993. The research has included consideration of Gateshead as a demonstration area and of stythe, among other gases. The main aims were, however, to examine the extent to which such emissions should be taken into account in planning of land use and the appropriate means of doing so. The focus, therefore, has been national rather than local.

My Department had previously commissioned a series of general reviews of land instability and related geological issues in order to determine whether there was a need to take more account of these in planning. One of these, a review of naturally occurring contaminants, was undertaken by the British Geological Survey. The report indicated that gas problems associated with old mines were sufficiently widespread to merit more detailed consideration. This led directly to the commissioning of the work being undertaken by Wardell Armstrong.

Mrs. Jackson: To ask the Secretary of State for the Environment when the Wardell Armstrong report on the dangers of mine gas was received by his Department; and if he will publish it. [17975]

Sir Paul Beresford: The final draft of a report by Wardell Armstrong entitled "Methane and other gas emissions from disused coal mines—the planning response" is currently awaited by my Department. It is expected that the report will be published in the summer of 1996.

Proposed Supermarket, Barton-upon-Humber

Mr. Michael Brown: To ask the Secretary of State for the Environment if he will announce his decision in respect of calling in the application to build a supermarket in Barton-upon-Humber. [18480]

Sir Paul Beresford: The application to which my hon. Friend refers was called in on Tuesday 27 February for determination by the Secretary of State. The application and objections to it will now be examined at a local public inquiry by an independent inspector, who will submit his report to the Secretary of State.

Housing Allocation Schemes

Mr. Sumberg: To ask the Secretary of State for the Environment how Ministers propose to use the powers contained in clause 128 of the Housing Bill to prescribe the criteria to be used in housing allocation schemes; and if he will make a statement. [18764]

Mr. Curry: Our proposals on the allocation criteria to be used are set out in the consultation paper "Allocation of Housing Accommodation by Local Authorities", published earlier this year. Once the consultation has ended and the Government have considered their response, we intend to bring forward, on Report, amendments to set the main allocation criteria in primary legislation. There would be provision to alter them subsequently only by an order subject to affirmative resolution procedure.

TRANSPORT

A46–A47 Link Road

Mr. Vaz: To ask the Secretary of State for Transport how many meetings his officials have held with Mr. Tommy Morrison of Leicestershire county council to discuss the A46–A47 link road; and what were the dates of those meetings. [17050]

Mr. Norris: I assume that the hon. Member is referring to Mr. Tommy Thompson, CS of LCC. During the year my officials have held regular meetings with officers of Leicestershire county council to discuss progress of all road and rail schemes within the county's transport policies and programme. There have been no meetings held solely to discuss the A46-47 link road.

Central Railway

Mr. Pawsey: To ask the Secretary of State for Transport what consultations have taken place between Central Railway and the railway inspectorate. [18057]

Mr. Watts: I understand that Her Majesty's railway inspectorate met Central Railway plc last year and has commented on the company's outline design specification.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for Transport if he will list those contracts his Department currently holds with EDS, indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17455]

Mr. Norris: My Department has five contracts with EDS:

(a) Date of Inception	*(c) Duration to*
17 December 1993	31 March 1999
17 December 1993	30 June 1999
17 December 1993	31 December 1998
17 December 1993	30 June 1998
14 March 1994	13 March 1996

(b) The value of the contracts is classified commercial in confidence information.

London, Tilbury and Southend Line

Dr. Spink: To ask the Secretary of State for Transport what progress has been made on the inquiry into ticketing irregularities on the London, Tilbury and Southend line; when and how he intends to publish the inquiry results; and if he will make a statement. [18222]

Mr. Watts: The inquiry into ticketing irregularities on LTS Rail is being undertaken by the independent Rail Regulator, using his powers under section 58 of the Railways Act 1993. It is for him to decide whether and how the results of the inquiry might be made public. The Rail Regulator has said that he will make a statement once the investigation has been completed.

Eurostar Services

Mr. Redmond: To ask the Secretary of State for Transport if he will take steps to ensure that the European passenger service from Doncaster to Waterloo is adequately publicised and connects promptly with Eurostar services. [17952]

Mr. Watts: The marketing and timetabling of these services are a matter for the operators, European Passenger Services. I understand that the main marketing thrust will come when the direct Eurostar services from the regions north of London to Paris and Brussels are introduced later this year.

Ministerial Pedestrian Journeys

Mr. Allen: To ask the Secretary of State for Transport if he will list all the journeys he made on foot in an official capacity in the week beginning 19 February. [18182]

Sir George Young: I often walk between my Department, meetings in Whitehall and the House.

Sea Empress

Mr. Ainger: To ask the Secretary of State for Transport (1) on what date and time the salvage tug contracted to the Coastguard agency in Stornoway was offered to the salvors of the Sea Empress; what was their response; and when it was made; [18121]

(2) what part of the marine pollution control unit played in the decision to introduce compressed air into the cargo holds of the Sea Empress prior to its refloating on Wednesday 21 February; [18119]

(3) what estimate he had made of the cargo on board the Sea Empress *(a)* prior to the grounding on Thursday 15 February, *(b)* prior to the grounding on the evening of Monday 19 February, *(c)* at 0900 Tuesday 20 February, *(d)* at 0900 Wednesday 21 February and *(e)* immediately prior to the refloating on the night of Wednesday 21 February; [18118]

(4) what offers were made by French sources to assist in the Sea Empress incident; when they were made; and of what nature they were. [18120]

Mr. Norris: These matters will be covered by the inquiry being carried out by the marine accident investigation branch, which includes the planning and execution of the salvage operation. I do not wish to prejudge the inquiry's findings.

Mr. Ainger: To ask the Secretary of State for Transport (1) if he will list the names and positions of officials from his Department, the Coastguard agency and the marine pollution control Unit who were present in the operation control room of the Milford Haven coastguard marine rescue centre between 1600 and 1730 hours on Saturday 17 February; [18125]

(2) what are the names and positions of the officials in *(a)* his Department, *(b)* the marine pollution control unit and *(c)* the Coastguard Agency who were present in the operation control room at the Milford Haven coastguard marine rescue centre on the morning of Friday 16 February; [18123]

(3) what was the name of the marine pollution control unit official on the bridge of the Sea Empress between 1600 and 1730 on Saturday 17 February; and what was his position within the MPCU. [18122]

(4) if he will list the individuals from his Department, the Coastguard agency and the marine pollution control unit who travelled to Milford Haven as a result of the Sea Empress incident. [18124]

Mr. Norris: It is the Government's policy not to publish the names of officials engaged in particular tasks unless there are exceptional reasons for doing so. The MAIB investigation will examine all the issues of the salvage operation.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Transport what steps his Department is taking to collect statistics broken down by gender where relevant. [17684]

Mr. Norris: Statistics concerning staff employed in my Department are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender. Similarly, all travel statistics collected by the Department include gender, where relevant.

Catford Loop Line

Ms Ruddock: To ask the Secretary of State for Transport how many passenger trains run along the Catford loop line in both directions, in any 24-hour period between Monday and Friday, and Saturday and Sunday; and at what times these trains are travelling along the Catford loop line. [18197]

Mr. Norris: The number of passenger trains scheduled to travel over the Catford loop line is as follows:

London direction:

Mondays to Fridays–42

Saturdays–34

Sundays–17.

Bromley South direction:

Mondays to Fridays–41

Saturdays–36

Sundays–16.

In addition, the line may be used by empty passenger trains and also those diverted because of engineering works or operating difficulties. The time of all the scheduled services are to be found in the "Great Britain Passenger Railway Timetable".

Ms Ruddock: To ask the Secretary of State for Transport how many freight trains run along the Catford loop line in both directions, in any 24-hour period between Monday and Friday, and Saturday and Sunday; and at what times these trains are travelling along the Catford loop line. [18196]

Mr. Norris: The number of freight trains that run along the Catford loop in either direction is as follows:

Monday to Friday

Up to 29 trains per day moving towards London distributed throughout the 24 hours.

Up to 32 trains per day moving away from London distributed throughout the 24 hours.

Saturday

Up to 16 trains per day moving towards London distributed throughout the 24 hours.

Up to 22 trains per day moving away from London distributed throughout the 24 hours.

Sunday

Up to 16 trains per day moving towards London distributed throughout the 24 hours.

Up to 2 trains per day moving away from London distributed throughout the 24 hours.

There may be additional or replacement services to run as a result of the need for track maintenance or for diversions.

Waste (Illegal Discharges)

Dr. Godman: To ask the Secretary of State for Transport how many convictions have been secured at the sheriff court for the illegal discharge of oil or waste at sea in each of the past seven years; what were the fines imposed; what was the number and proportion of United Kingdom registered vessels involved in such cases; and if he will make a statement. [17481]

Mr. Norris: I refer the hon. Member to the replies I gave the hon. Member for Nottingham, North (Mr. Allen) on 24 January, *Official Report*, column *270*, and on 31 January, *Official Report*, columns *807–808*.

FOREIGN AND COMMONWEALTH AFFAIRS

Chechnya

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Russian Government on the present conflict on Chechnya; and what was their response. [17217]

Sir Nicholas Bonsor: My right hon. and learned Friend the Foreign Secretary last discussed Chechnya with the former Russian Foreign Minister Kozyrev in Moscow on 5 September. At that time the Russian Government were experiencing problems over the implementation of the military agreement negotiated in July 1995 with Chechen rebels but were hoping for a political solution within the Russian constitution.

Since then we have been maintaining a dialogue through diplomatic channels, and supporting, with our EU partners, the efforts of the Organisation for Security and Co-operation in Europe to promote a negotiated settlement.

War Crimes Tribunal

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries from which investigators are drawn by the UN war crimes tribunal on the former Yugoslavia. [16289]

Sir Nicholas Bonsor: The employment policy of the international criminal tribunal for the former Yugoslavia is identical to that operated throughout the UN. Article 101 of the UN charter states that

"paramount consideration in the employment of staff... shall be... the highest standards of efficiency, competence and integrity".

The UN also aims to recruit staff from a wide geographical base. The tribunal will not divulge details of its investigators, including nationalities.

Mr. Wareing: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of the Croats indicted for war crimes by the war crimes tribunal have been indicted for crimes committed in *(a)* Bosnia and *(b)* the Krajina. [16290]

Sir Nicholas Bonsor: The international criminal court for the former Yugoslavia has announced indictments against seven Croats to date. All of these were indicted for crimes allegedly committed in the territory of Bosnia-Herzegovina.

Mr. Wareing: To ask the Secretary of State for the Foreign and Commonwealth Affairs what representations he has made to the Bosnian Government in respect of the discovery by the implementation forces of concealed weapons in the Sarajevo area; and if the discovery is being referred to the war crimes tribunal. [16293]

Sir Nicholas Bonsor: We continue to urge all parties in the former Yugoslavia to meet their obligations under the Dayton peace agreement. The United Kingdom was presented at the Rome summit on 17 to 18 February where the parties reaffirmed their commitment to that agreement and took positive steps towards resolving outstanding incidences of non-compliance. My right hon. and learned Friend the Foreign Secretary discussed a range of compliance issues with Bosnian President Izetbegovic, the commander of the implementation force, and the High Representative when he visited Sarajevo on 20 February. Concealment of weapons does not constitute a war crime. It does not therefore fall within the mandate of the international criminal tribunal for the former Yugoslavia.

Military Trade

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will prohibit British military trade with undemocratic regimes; and if he will make a statement. [18218]

Mr. David Davis: It is our policy to support the sale of British defence equipment overseas where this is compatible with our political, strategic and security interests. We defend ourselves and should not deny others the right to do the same without good reason. We observe strict responsibility in our defence exports. We consider applications for licences to export defence equipment on a case-by-case basis in the light of established criteria including the international guidelines and obligations to which we are committed. These criteria include consideration of the recipient country's human rights record. We do not export defence equipment likely to be used for internal repression.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to collect statistics broken down by gender where relevant. [17681]

Sir Nicholas Bonsor: Statistics concerning staff employed in this Department are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender.

British Aerospace

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions *(a)* he and *(b)* his Ministers have had over the last five years concerning the sale by British Aerospace to India of Hawk 100 aircraft; and if he will make a statement. [18199]

Sir Nicholas Bonsor: During the last five years there have been a number of occasions when Foreign Office Ministers have commended Hawk to the Indian authorities.

India and Pakistan

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs by what mechanisms he informs the Home Secretary when he reaches a decision on whether *(a)* India and *(b)* Pakistan is a candidate for designation as a country where there is in general no serious risk of persecution; and if he will make a statement. [18132]

Sir Nicholas Bonsor: My right hon. and learned Friend the Foreign Secretary has already informed his right hon. and learned Friend Friend the Home Secretary of his agreement to the proposed list of designated countries, which includes India and Pakistan. No actual designation will be possible until clause 1 of the Asylum and Immigration Bill comes into force, and an order has been made under it.

Yemen (British Council Office)

Mr. Morgan: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations he has had in relation to the closure of the British Council office in Yemen. [18129]

Sir Nicholas Bonsor: None. The British Council is still considering how best to make the necessary adjustments to its programmes and activities following the latest public expenditure round.

Scott Inquiry

Mrs. Golding: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16567]

Sir Nicholas Bonsor *[holding answer 22 February 1996]:* Where officials criticised in the Scott report had acted conscientiously, in good faith and in accordance with Government policy, it would not normally be appropriate to take disciplinary action against them. If there are cases where disciplinary action is considered appropriate, this would be carried out under normal departmental disciplinary procedure.

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to paragraph K8.1 of the Scott report relating to the ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17309]

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what review has been undertaken by his Department of its role in overseeing export licence applications for technologies with the capability of assisting in the manufacture of nuclear weapons since the publication of the Scott report. [17578]

Sir Nicholas Bonsor *[holding answer 26 February 1996]:* I refer the hon. Members to the statement made by my right hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

Kenya

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions Her Majesty's Government intend to take to improve the relationship between the United Kingdom and Kenya. [17101]

Mr. Hanley: The United Kingdom has long-standing and deep-rooted links with Kenya, one of our most significant partners in Africa. The bilateral relationship spans wide-ranging areas of activity, many of them outside the framework of Government contacts. We maintain a close dialogue with the Kenyan authorities, one objective of which is to strengthen bilateral relations.

NORTHERN IRELAND

Fair Employment

Mr. Trimble: To ask the Secretary of State for Northern Ireland if he will list all cases brought under fair employment legislation against *(a)* a Government Department and *(b)* a public body, indicating in each case the costs incurred in defending such action. [15150]

Sir John Wheeler: The number of cases registered with the fair employment tribunal under the Fair Employment Act (Northern Ireland) 1989 against *(a)* Government Departments and *(b)* public bodies is as follows:

(a) NIO/NI Departments
11 completed
31 withdrawn
33 on-going.

(b) Public bodies[1]
46 completed
49 withdrawn
50 on-going.

[1]This excludes public bodies for which the Department of Health and Social Services is responsible.

Information on the costs incurred in defending these cases is not held centrally and could be provided only at disproportionate cost.

Criminals (Damages)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland (1) what power he has, when convicted criminals initiate actions for damages against the Government or their agencies, to commence a counterclaim for *(a)* the costs to the state of the criminal's activities, *(b)* any moneys incurred by the state to aid or recompense their victims and *(c)* the costs of their trial and any legal aid; and if he will make a statement; [16743]

(2) how many claims for recompense his Department has commenced against convicted criminals in the last five years; and if there is a standing instruction to pursue this option in suitable circumstances. [16744]

Sir John Wheeler: My right hon. and learned Friend has no power to counterclaim against a convicted criminal who has initiated an action for damages against the Government or their agencies, except in the exceptional case where the Northern Ireland Office itself would be entitled to claim—for instance, where a criminal's activities had damaged Northern Ireland Office property.

However, regardless of whether a convicted criminal is claiming damages against the Government or their agencies, the Secretary of State may apply to the county court for an order directing the offender to reimburse an amount equal to the whole or part of any compensation, paid or payable under the criminal compensation legislation, which is directly attributable to the offence of which the offender was convicted.

The total value of such recoveries under the criminal damage and criminal injuries schemes, over the last five years, is as follows:

1990–91: £65,000

1991–92: £182,000

1992–93: £232,000

1993–94: £246,000

1994–95: £376,000.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Northern Ireland what steps his Department is taking to collect statistics broken down by gender where relevant. [17687]

Sir John Wheeler: A wide range of statistics are collected by the Northern Ireland Departments to inform decision making. Data on major statistical series are broken down by gender where relevant.

Independent Commissioner for Holding Centres

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland when he intends to publish Sir Louis Blom-Cooper's third annual report as Independent Commissioner for Holding Centres. [18766]

Sir Patrick Mayhew: I have today arranged for the copies of Sir Louis Blom-Cooper's annual report for 1995 to be placed in the Library.

I am grateful to the commissioner for his report and for the assurance that it provides that he has found absolutely nothing that might give anyone the slightest cause for concern about the care and treatment of detainees held in the custody of uniformed officers of the Royal Ulster Constabulary.

I shall be studying the recommendations which Sir Louis has made carefully in the light of the changed circumstances since the ending of Provisional IRA's cessation of military operations.

EDUCATION AND EMPLOYMENT

Nursery Voucher Scheme

Mr. Spearing: To ask the Secretary of State for Education and Employment by what means and on what criteria she intends to apportion vouchers distributed to parents for early-age education, where in any of the areas designated for phases 1 of the scheme the places offered by providers are fewer than the number of pupils whose parents have applied for vouchers. [17876]

Mr. Robin Squire: No such apportioning of vouchers will take place. All parents of all eligible four-year-olds in the phase 1 authorities will receive vouchers.

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Education and Employment if she will list for each training and enterprise council *(a)* how much was spent on administration in 1994–95 and *(b)* the number of staff employed in (i) 1992–93, (ii) 1993–94 and (iii) 1994–95 (A) for each TEC and (B) by all TECs. [18098]

Mr. Paice: I refer the hon. Member to the answer I gave him on 27 February, *Official Report,* columns *483–84.* This shows the amounts spent on administration in 1994–95 for each training and enterprise council and by all TECs. As TECs are private limited companies, they do not provide information to the DFEE on the number of staff they employ.

Mr. Byers: To ask the Secretary of State for Education and Employment what estimate she has made of the savings to be made as a result of full implementation of the efficiency scrutiny report into the training and enterprise management fee and administrative costs. [18097]

Mr. Paice: I expect to publish shortly details of the action that the Department plans to take in response to the recent efficiency scrutiny into the training and enterprise council contract and management fee. We believe that implementation of the Department's plans will reduce costs significantly. However, estimates of total savings will need to await detailed discussions with TECs over the coming month.

Asylum Seekers

Mr. Madden: To ask the Secretary of State for Education and Employment (1) if asylum seekers who are currently enrolled on Government-funded training courses remain eligible to receive the full training allowance *(a)* if they are in-country asylum seekers, *(b)* if their application for asylum is refused and *(c)* while awaiting the outcome of an appeal; and if she will make a statement; [18128]

(2) if *(a)* future in-country asylum applicants and *(b)* asylum seekers whose application has been refused will remain eligible for training for work after obtaining permission to work; in what circumstances they will be entitled to receive a training allowance; and how the training allowance will be calculated. [18131]

Mr. Paice: Eligibility for Government-funded training programmes, and for training allowances, is a matter for the Department for Education and Employment.

Asylum seekers remain eligible for Government-funded training programmes while they retain the Home Office's permission to work in the United Kingdom. They must fulfil the other eligibility criteria for those programmes which apply to all UK residents. Asylum seekers receive training allowances on the same basis as other trainees.

Social Fund Training Programmes

Mr. Bradley: To ask the Secretary of State for Education and Employment if he will estimate the average number of unemployed claimants in 1996–97 who participate in European social fund training programmes. [18113]

Mr. Forth: It is not possible to estimate the number of unemployed claimants participating in ESF training programmes. Although the majority of participants are unemployed, they do not have to be claimant unemployed to be eligible for ESF support and this information is not therefore recorded.

Jobmatch Scheme

Mr. Martlew: To ask the Secretary of State for Education and Employment if she will estimate the effect on public revenues in 1996–97 and 1997–98 of making the jobmatch pilot a nationwide scheme. [18101]

Mr. Forth: At this stage of the jobmatch pilots, there is insufficient evaluation information available to be able to estimate accurately the effects on public revenues.

Assisted Places

Mrs. Lait: To ask the Secretary of State for Education and Employment if she will announce the allocation of extra assisted places among schools in England for 1996–97. [18726]

Mrs. Gillian Shephard: There has been an excellent response to my announcement of 29 November inviting bids for the first instalment of the expansion of the assisted places scheme from September 1996. Over 400 schools applied for more than 7,400 new entry places this year. Bids were also received for over 5,200 additional places in 1997.

I have allocated over 4,000 new entry places at around 280 schools in England for the academic year 1996–97. This is a significant contribution to expansion. As successive years' entries move up through the schools, the total number of places will eventually double the 34,000 currently available in England. Over half the new places will be for secondary pupils entering at ages 11 to 13 as in the existing scheme, and about a quarter for direct sixth form entry. Subject to parliamentary approval, I also intend to make places available for children to enter the scheme below the age of 11 at schools which have an integral junior department.

I am placing in the Library of the House a list of the 226 schools currently participating in the scheme which will be increasing the number of assisted places. These amount to around 2,800 new entry places.

A further 60 schools will be new to the scheme and have not previously had assisted places. I am completing negotiations with these on the provision of about 1,100 new entry places, and will place a list in the Library shortly.

I will also announce shortly the allocation of some 100 additional aided places under the parallel at specialist schools for talented pupils of music and dance.

Every region of England will benefit from these allocations. Nearly two fifths of the new places will be in girls' schools, and the remainder in coeducational and boys schools. This new tranche of assisted places secures an equitable distribution across the scheme as a whole.

Many of the independent schools in the scheme serve major urban areas. I am asking those schools where appropriate to encourage applications for places for pupils from inner-city areas and the ethnic minority communities.

All the schools receiving allocations for 1996 achieve outstanding GCSE and A-level results and maintain strong sixth forms. Many of the other schools bidding for places also have excellent records, and I regret that it was not possible to accommodate them within the provision available for the first instalment. I am keen to offer further allocations of new entry places for 1997, and to extend places to separate preparatory schools for pupils aged below 11 and to encourage schools to develop distinctive facilities for pupils within particular needs.

The extension of the assisted places scheme improves the opportunities for able children from less well-off families to benefit from the excellent education offered by all the schools participating in it.

TREASURY

Taxation

Mr. Barry Field: To ask the Chancellor of the Exchequer what was the total yield from higher and lower rate taxpayers in 1994–95 for each English county or tax area. [16769]

Mr. Jack: The table provides estimates based on the survey of personal incomes for 1993–94, the latest available year for which information can be provided below the United Kingdom level.

Lower and higher rate taxpayers, 1993–94

£ million

	Taxpayers liable at lower rate but not basic rate *Total tax*	*Taxpayers liable at higher rate* *Total tax*
Cleveland	11	108
Cumbria	13	138
Durham	13	102
Northumberland	7	98
Tyne and Wear	27	166
Humberside	20	193
North Yorkshire	16	300
South Yorkshire	25	221
West Yorkshire	49	749
Cheshire	21	427
Greater Manchester	62	559
Lancashire	30	340
Merseyside	28	242
Derbyshire	19	235
Leicestershire	20	209
Lincolnshire	16	162
Northamptonshire	10	226
Nottinghamshire	27	288
Hereford and Worcester	16	313
Shropshire	7	170
Staffordshire	16	249
Warwickshire	12	249
West Midlands	48	452
Cambridgeshire	11	288
Norfolk	14	186
Suffolk	12	275
Bedfordshire	9	218
Berkshire	17	596
Buckinghamshire	12	637
East Sussex	19	278
Essex	34	857
Greater London	124	6,070
Hampshire	44	739
Hertfordshire	21	693
Kent	32	677
Oxfordshire	16	412
Surrey	29	1,300
West Sussex	15	422
Isle of Wight	5	21
Avon	22	327

Lower and higher rate taxpayers, 1993–94

£ million

	Taxpayers liable at lower rate but not basic rate *Total tax*	*Taxpayers liable at higher rate* *Total tax*
Cornwall	16	70
Devon	29	256
Dorset	18	195
Gloucestershire	12	264
Somerset	10	113
Wiltshire	13	285

VAT (Leisure Complexes)

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will list those member counties of the European Union which allow reduced VAT rates for leisure complexes; and in each case what is the ordinary rate and the reduced rate and the date on which the concession was made. [17790]

Mr. Heathcoat-Amory: There is no common definition of leisure complexes. However, under the terms of the relevant EC agreements on VAT, member states have the option to apply reduced rates to certain specified goods and services, which include admission to sporting events and the use of sporting facilities. On the basis that those two categories most closely equate to leisure complexes, the table lists the member states that apply reduced rates. Detailed information on the date of introduction of the reduced rates is not readily available although, in general, reduced rates tend to date from the time when VAT was first introduced in the member state concerned.

Percentage

EC member state	*Standard rate of VAT*	*Reduced rate of VAT applied admissions to sporting events*	*Reduced rate of VAT applied to use of sporting facilities*
Belgium	21	3	3
Greece	18	8	8
Ireland	21	exempt	12.5
Italy	19	10	—
Luxembourg	15	3	3
Portugal	17	5	5
Spain	16	7 (amateur events only)	—

Source:
European Commission Report on the operation of the VAT rates provisions in the Single Market (COM(94)584).

Government Deficits

Mr. Cousins: To ask the Chancellor of the Exchequer what was the outturn against the Treasury Red Book forecast of Government deficits as a percentage of gross domestic product in the last four years including 1995 using the public sector borrowing requirement and Maastricht convergence, GGFD—general Government financial deficit—methods of measurement of Government deficit. [17663]

Mr. Waldegrave: The table sets out the information requested. Calendar year forecasts are not made. Outturns for 1995–96 are not as yet known.

Percentage of GDP

Year	*PSBR*		*GGFD*	
	Budget forecast	*Outturn*	*Budget forecast*	*Outturn*
1992–93	[1]4.5	6.00	[1]5.00	7.50
1993–94	[1]8.00	7.00	[1]8.75	7.25
1994–95	[2]5.50	5.25	[2]6.25	6.25
1995–96	[2]3.00	n/a	[2]3.75	n/a

[1] March 1992 and March 1993 Budgets respectively.
[2] November 1993 and November 1994 Budgets respectively.

Nuclear Industry

Mr. Battle: To ask the Chancellor of the Exchequer what has been the net subsidy to the nuclear generation industry from the Exchequer in 1995 prices in each year since 1996 to the proposed privatisation date of British Energy. [12474]

Mr. Jack: A public corporation's external finance requirement consists broadly of net flows of funds from the Government to the company, plus any net borrowing by the company. The external financing requirements of Nuclear Electric and Scottish Nuclear have been as follows since 1990–91, in 1994–95 prices (million):

	Nuclear Electric	*Scottish Nuclear*
1990–91	1,384	–2
1991–92	1,287	27
1992–93	1,039	15
1993–94	740	–29
1994–95	483	–48

Note:
1. Negative numbers indicate positive net cash generation by the industry. These funds will have been used for both revenue and capital expenditure. In the years concerned, Nuclear Electric and Scottish Nuclear's expenditure on fixed assets was as follows, in 1994–95 prices (million £):

Source:
"Public Expenditure", Cm 2821, HM Treasury 1995. Financial year GDP deflator.

	Nuclear Electric	*Scottish Nuclear*
1990–91	709	42
1991–92	770	49
1992–93	512	58
1993–94	410	50
1994–95	239	35

Source:
Industry figures. Financial year GDP deflator.

Prior to 1990, the Central Electricity Generating Board and the South of Scotland Electricity Board were responsible for most nuclear generation in the UK. The accounts of those companies did not separately identify detailed financial information on nuclear generation.

Inland Revenue

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if the next steps review of the Inland Revenue is now complete; and if he will make a statement [18654]

Mr. Jack: The review of the Inland Revenue's next steps arrangements was announced in December 1994, and has been carried out in accordance with the normal

arrangements for periodic reviews of next steps bodies. Two of the three elements of the review have now been completed.

The first element of the review required consideration of what are known as the prior options—abolition, privatisation, contractorisation or market testing of all or part of the Department's functions and reconsideration of its organisational structure. The review concluded that there is a continuing need for all the Department's core functions and that the wholesale privatisation of the work of assessing and collecting tax would not be appropriate, but the review also noted that the private sector has played and will continue to play a significant role in the delivery of the Department's business.

Approaching 25 per cent. of the Department's annual running costs have already been contracted out, market tested or benchmarked against other market tests, and the Department's outsourcing contract for information technology services represents one of the largest such public sector arrangements in the world. The review reaffirmed the Inland Revenue's commitment to continue to search for further ways of involving the private sector either directly or indirectly in its work.

The prior options review also concluded that the existing organisational structure based on a number of operational and service executive offices remains sound, and is right for the Inland Revenue.

The second element of the review required evaluation of the effectiveness of the existing arrangements and scope for further improvements. That element took stock of the performance of the executive offices against their objectives and key targets, analysed their relationship with the centre of the Department and considered how existing arrangements might be improved. The results have been very encouraging, showing a marked improvement in performance since the establishment of the executive offices in April 1992, but areas for further development and improvement were identified and will be pursued.

In the light of the findings of the review, the framework documents, which set out the policy and resources framework within which each of the Department's executive offices operates, and the authority, responsibilities and accountability of the controllers, are being revised.

Ministerial Accountability

Mrs. Clwyd: To ask the Chancellor of the Exchequer, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers." [17320]

Mr. Kenneth Clarke *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade on 26 February, *Official Report,* columns 589–604.

Mortgage Endowment Policies

Mr. Frank Field: To ask the Chancellor of the Exchequer what was the loss in revenue for each year since 1979 accruing from the granting of mortgage endowment policies. [17474]

Mr. Jack *[holding answer 27 February 1996]:* The estimated cost of life assurance premium relief on mortgage endowment policy premiums was about £90 million in 1993–94 and £80 million in 1994–95. Information for earlier years could be provided only at disproportionate cost.

These approximate estimates are based on information from the family expenditure survey.

PRIME MINISTER

Export Controls

Mrs. Clwyd: To ask the Prime Minister what plans he has to commission an independent review on the power to impose controls on exports from the United Kingdom. [17235]

The Deputy Prime Minister: I have been asked to reply.

I refer the hon. Member to the speech made by my right hon. Friend, the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

Engagements

Mr. Llew Smith: To ask the Prime Minister if he will list his official engagements for 26 February, indicating the purpose of each meeting. [18170]

The Deputy Prime Minister: I have been asked to reply.

My right hon. Friend had meetings with ministerial colleagues and others.

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 29 February. [16238]

Mr. Harry Greenway: To ask the Prime Minister if he will list his engagements for Thursday 29 February. [16239]

The Deputy Prime Minister: I have been asked to reply.

My right hon. Friend the Prime Minister is carrying out official engagements in the far east.

Downing Street Meetings

Mr. Mackinlay: To ask the Prime Minister (1) on how many occasions during the past 12 months he has had meetings at 10 Downing street with *(a)* Sir Gerrard Neale and *(b)* Lord Younger; [18208]

(2) what facilities have been extended to Sir Gerrard Neale to have access to 10 Downing street in the past 12 months; and what access he has had to office and telephone facilities. [18207]

The Deputy Prime Minister: I have been asked to reply.

As far as my right hon. Friend is aware, none.

British Aerospace

Mr. Madden: To ask the Prime Minister on what occasions British Aerospace was represented *(a)* directly

and *(b)* indirectly in groups led by (i) him and (ii) other Ministers to India in each of the last five years; if he will give the dates of such visits; and if he will make a statement. [18127]

The Deputy Prime Minister: I have been asked to reply.

Representatives from British Aerospace have accompanied British Ministers to India on two occasions during the last five years in connection with our trade promotion programme for India.

Mr. Madden: To ask the Prime Minister what discussions he has had relating to the sale by British Aerospace to India of Hawk 100 aircraft; and if he will make a statement. [18133]

The Deputy Prime Minister: I have been asked to reply.

The Indian air force has a requirement for a number of advanced jet trainer aircraft. British Aerospace has offered a variant of the Hawk aircraft to meet that requirement. My right hon. Friend the Prime Minister has commended the Hawk to the Indian Prime Minister on more than one occasion.

Lord-Lieutenants

Mr. Garnier: To ask the Prime Minister which lord-lieutenants will be affected by the changes in local government organisation that come into operation on 1 April. [18655]

The Prime Minister: On 1 April 1996 the following arrangements will come into effect.

In the former county of Avon

Mr. Jay Tidmarsh will become the new Lord-Lieutenant of the new county of Bristol.

Sir John Wills, Lord-Lieutenant of Somerset, will cover the unitary authorities of Bath and North East Somerset and North Somerset as part of the new ceremonial county of Somerset.

Mr. Henry Elwes, Lord-Lieutenant of Gloucestershire, will cover the unitary authority of South Gloucestershire as part of the new ceremonial county of Gloucestershire.

In the former County of Cleveland

The Lord Gisborough, at present Lord-Lieutenant of Cleveland, will become Lieutenant of North Yorkshire, when the unitary authorities of Middlesbrough, Redcar and Cleveland and Stockton on Tees (south of the River Tees), previously in Cleveland, become part of the new ceremonial county of North Yorkshire.

Sir Marcus Worsley will continue as Lord-Lieutenant of the whole of the county of North Yorkshire, including the new unitary authority of York.

Mr. David Grant, as Lord-Lieutenant of Durham, will cover the unitary authorities of Hartlepool and Stockton on Tees (north of the River Tees) within the new ceremonial county of Durham.

In the former county of Humberside

Mr. Richard Marriott will become the Lord-Lieutenant of the new county of the East Riding of Yorkshire, covering the unitary authorities of Kingston upon Hull and the East Riding of Yorkshire.

Mrs. Bridget Cracroft-Eley, as Lord-Lieutenant of Lincolnshire, will cover the unitary authorities of North and North East Lincolnshire, as part of the new ceremonial county of Lincolnshire.

Information Technology Developments

Mr. Tredinnick: To ask the Prime Minister how he intends to ensure that the United Kingdom derives maximum benefit from opportunities in developments in multi-media and information technology; and if he will make a statement. [18656]

The Prime Minister: The Government see the development of multi-media and information technology as an exciting area of opportunity for the United Kingdom in which much is already being achieved. These technological innovations are having an important impact on all aspects of our way of life. In the future there will be further opportunities for business to develop new products, services and ways of working; for individuals to adapt their work patterns; for consumers to improve their quality of life with new electronic products and services; and for the providers of services such as health care, education and training to strengthen their quality and delivery.

The Government have been committed to the comprehensive development of these technologies since the early 1980s. By freeing up the market for our telecommunications and broadcasting industries through privatisation and deregulation and promoting the use of computers in schools we have made sure that the UK is in the vanguard of technological change. We are now undertaking a further range of initiatives, most recently through the information society initiative launched last month.

A strong lead is rightly being given by the private sector's enterprise and initiative. That will continue to be supported by a focused and complementary partnership with Government. In order to reinforce that focus and driving force across Government, I have asked my right hon. Friend the First Secretary of State and Deputy Prime Minister to convene a ministerial group with the following terms of reference:

"To identify and take forward significant cross-departmental initiatives to ensure that developments in information technology are exploited to the full in the national interest".

In addition to the chairman, members of the group will be as follows:

President of the Board of Trade

Chief Secretary, Treasury

Secretary of State for National Heritage

Secretary of State for Education and Employment

Chancellor of the Duchy of Lancaster

Minister of State, Foreign and Commonwealth Office (Mr. David Davis)

Parliamentary Under-Secretary of State for Science and Technology, Department of Trade and Industry (Mr. Ian Taylor).

Other Ministers will be invited to attend for items on which they have a departmental interest. My efficiency adviser and the chief scientific adviser will also attend.

The work of the group will build on the information society initiative and the separate activities of the central information technology unit recently set up in the Office of Public Service to plan the Government's own use of technology. By these means the Government will ensure

that there is strengthened stimulus and co-ordination within and beyond Government to enable the UK to derive maximum benefit from the new technology.

TRADE AND INDUSTRY

Export Controls

Mrs. Clwyd: To ask the President of the Board of Trade what review he has undertaken of export controls over dual-use goods. [17222]

Mr. Lang: Her Majesty's Government keep under constant review export controls on dual-use goods. These are mainly based on agreements reached with other member states of the European Union and partners in international export control forums. In addition, some controls are maintained by Her Majesty's Government on a unilateral basis to reflect United Kingdom national security considerations and foreign policy requirements.

Scott Inquiry

Mr. Llew Smith: To ask the President of the Board of Trade, pursuant to his oral statement on the Scott report of 26 February, *Official Report*, columns 589–604, if he will list the specific responses made by Her Majesty's Government to each of the recommendations relating to policy contained in the report. [18176]

Mr. Lang: Specific responses to the recommendations relating to policy in Sir Richard Scott's report were set out in my speech on 26 February. I have promised to keep the House informed of progress on those that require further consideration prior to implementation. Changes to export control policies and procedures will be the subject of a consultation paper in due course, and I shall also keep the House informed of progress on this matter.

Mrs. Golding: To ask the President of the Board of Trade if he will make changes in the personnel of his Department following criticisms contained in the report of the Scott inquiry. [16563]

Mr. Lang *[holding answer 22 February 1996]:* Where officials criticised in the Scott report had acted conscientiously, in good faith and in accordance with Government policy, it would not normally be appropriate to take disciplinary action against them. If there are cases where disciplinary action is considered appropriate, this would be carried out under normal departmental disciplinary procedure.

Mr. Winnick: To ask the President of the Board of Trade when he first consulted with other Cabinet Ministers about the contents of the report of the Scott inquiry; and where and when such discussions took place and with whom. [16518]

Mr. Lang *[holding answer 22 February 1996]:* It is not the practice to give details of ministerial meetings.

Magnox Reactors

Mrs. Beckett: To ask the President of the Board of Trade, pursuant to his answer of 13 February to the hon. Member for Leeds, West (Mr. Battle), *Official Report*, column *539*, if he will place in the Library the evidence on the economics of continuing to generate electricity from the Magnox stations. [17832]

Mr. Lang: The economic case for continued operation of the Magnox stations was considered in detail as part of the Government's coal review. The conclusions were set out in paragraphs 7.71 to 7.80 of the White Paper "The Prospects for Coal", Cm 2235.

Fossil Fuel Levy

Mrs. Beckett: To ask the President of the Board of Trade, pursuant to his answer of 29 January, *Official Report*, column *511*, if he will provide details of the outstanding moneys that the fossil fuel levy will recover after privatisation of Nuclear Electric; and how they will be paid to British Energy. [17834]

Mr. Lang: Any outstanding moneys will be paid to Magnox Electric, rather than British Energy. The amount will depend on a number of factors that are still uncertain, such as the level of electricty consumption this year.

British Aerospace

Mr. Madden: To ask the President of the Board of Trade what discussions *(a)* he and *(b)* his Ministers have had over the last five years concerning the sale by British Aerospace to India of Hawk 100 aircraft; and if he will make a statement. [18198]

Mr. Eggar: A number of DTI Ministers have been involved in discussions and visits with British Aerospace over the last five years which would have included the prospects for Hawk in India.

Regional Enterprise and Technology Schemes

Mr. Jamieson: To ask the President of the Board of Trade if he will list what financial assistance has been given since 1980 by his Department to *(a)* Monderntask Ltd., Redruth, *(b)* Digitize Ltd., Truro, *(c)* Thimbles Ltd., Redruth, *(d)* South West Leisure Products Ltd., Redruth, *(e)* Van Pieters plc, Pewsey, *(f)* Pan Atlantic (UK) plc, Birmingham, *(g)* CSL Group by (i) type of grant and (ii) date. [15775]

Mr. Oppenheim *[holding answer 20 February 1996]:* Six of the companies have received assistance under the Department's principal regional, enterprise and technology schemes since 1980:

Company	*Scheme*	*Payment £*	*Date*
Moderntask Ltd.	Regional Development Grant (RDG)	78,228	1991
Thimbles Ltd.	Regional Selective Assistance (RSA)	22,000	1993–94
SW Leisure Products Ltd.	RSA	23,068	1985
	RDG	66,900	1989
Van Pieters plc	Enterprise Initiative (EI)	3,173	1992
Pan Atlantia (UK) Ltd.	RSA	22,000	1993
CSL Group	EI	3,014	1993

Workers' Rights

Mr. Cohen: To ask the President of the Board of Trade what action the European Union is taking to promote international rules (i) against *(a)* forced and *(b)* child labour and (ii) to guarantee workers' rights to organise and to bargain collectively; if the United Kingdom Government support this action; and if he will make a statement. [16903]

Mr. Forth: I have been asked to reply.

The European Commission has recently published a communication which suggested that the World Trade Organisation conference at Singapore

"could take the lead in the discussion and set up a working party to look into the question of the links between international trade and working conditions".

The Government do not accept that there is any link between trade and labour standards and are opposed to any form of coercive trade action designed to impose particular social standards on developing countries. International labour standards are a matter for the International Labour Organisation, not for the WTO.

Cement Industry

Mr. Gordon Prentice: To ask the President of the Board of Trade what representations he has received from the cement industry and other interested parties about the alleged unfair advantages of the Greek cement industry over others in the EU. [17698]

Mr. Clappison: I have been asked to reply.

No representations have been received from the cement industry or from other interested parties on this matter. However, I am aware that the relevant trade association—Cembureau—has been successful in an application to the European Court of Justice against the European Commission for failing to take appropriate action.

British Library (Documents)

Mr. Campbell-Savours: To ask the President of the Board of Trade if he will press for the depositing of *(a)* the document numbered BL SRIS and *(b)* "British telecommunications engineering" of January 1996 in the British library. [17155]

Mr. Sproat: I have been asked to reply.

Without further information it is not possible to identify the first of these two documents: the letters "BL SRIS" refer to the British library's science reference and information service which acquires a large volume of documents for its library collection. I understand that the journal entitled "British telecommunications engineering: the journal of the Institution of British Telecommunications Engineers" is published quarterly. One copy of each issue is deposited with the British library by the publishers, as required under the statutory legal deposit arrangements, and a further copy of each issue is donated to the British library.

The most recent issue of this journal to be received under legal deposit was volume 14, part 3, dated October 1995, which was deposited on 6 December 1995. On the basis of the publishing pattern of this journal, the library would expect to receive copies of the January 1996 issue during March.

LORD CHANCELLOR'S DEPARTMENT

Statistics (Gender Breakdown)

Ms Jowell: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps his Department is taking to collect statistics broken down by gender where relevant. [17686]

Mr. Jonathan Evans: This answer refers to the Lord Chancellor's Department, Court Service and Public Trust Office. Statistics collected by the Department and the two agencies referred to are aimed at improving decision making, stimulating research and informing debate within government and the wider community. Where statistics broken down by gender are relevant to this purpose, the Department will consider them when deciding or reviewing what to collect. Currently, the Department collects statistics broken down by gender on, for example, public and judicial appointments made by the Lord Chancellor or on his recommendation.

Legal Aid (Franchised Firms)

Mr. Bermingham: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the number of franchised firms in each legal aid area at *(a)* 1 August 1994, *(b)* at 1 June 1995 and *(c)* 1 December 1995. [18209]

Mr. Jonathan Evans: Franchises are awarded to suppliers' offices rather than firms. The number of franchised offices in each legal aid area as at the dates requested was as follows:

Legal aid area	*1 August 1994*	*1 June 1995*	*1 December 1996*
London	108	117	126
Brighton	53	92	94
Reading	115	141	148
Bristol	93	122	128
Cardiff	46	41	44
Birmingham	27	32	32
Manchester	70	73	91
Newcastle	36	45	44
Leeds	66	70	79
Nottingham	87	102	115
Cambridge	108	124	132
Chester	37	42	49
Liverpool	40	44	58

Mr. Bermingham: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the number of sole practitioner firms holding a franchise at 1 November 1995 in each of the legal aid areas. [18210]

Mr. Evans: Information on the number of sole practitioner firms holding a franchise is not readily available and could be obtained only at disproportionate cost.

Isle of Wight (Expenditure)

Mr. Barry Field: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total expenditure by his Department on *(a)* staff, *(b)* services, *(c)* offices and *(d)* other categories on the Isle of Wight in 1994–95. [16768]

Mr. Jonathan Evans: The Lord Chancellor's Department spent the following amounts on the Isle of Wight in 1994–95:

(a) staff £238,241

(b) services £169,764

(c) offices £47,633

(d) other categories.

Some £191,556 of legal aid payments were made through the Crown court on the Isle of Wight. Expenditure from the legal aid fund cannot be identified separately. The Legal Aid Board administers applications and bills regionally and payments to Isle of Wight practitioners could be identified only by scrutinising each bill at the regional office.

In addition, local authority expenditure on magistrates courts on the Isle of Wight was £747,361. The Lord Chancellor's Department pays grants to local authorities at a rate of 80 per cent. of approved expenditure of magistrates courts.

Departmental Officials (Interests)

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16892]

Mr. Jonathan Evans: Civil servants faced with a conflict of interest must declare their interest to senior management so that senior management can determine how best to proceed. This requirement is set out in the Department's personnel management manual. Records of such declarations are kept in written form on the individual's personal file. Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer. I do not intend to establish a central register of officials' interests.

DEFENCE

Equipment Sales (Iraq)

Mr. Cousins: To ask the Secretary of State for Defence on what date the Iraq desk within the defence sales sector of his Department was closed. [16314]

Mr. Arbuthnot: No assistance has been provided by my Department to British industry to promote sales of defence equipment to Iraq since August 1990. Before that date, any assistance provided would have been consistent with the guidelines in respect of exports to Iran and Iraq.

Training Services (Foreign Governments)

Mr. Cousins: To ask the Secretary of State for Defence what factors underlay his Department's decisions to write off expenditure in respect of training services for foreign Governments; and if he will indicate when and how the policies which informed these decisions have been reported to Parliament. [17784]

Mr. Soames: Assistance with military training takes place mainly in support of wider foreign policy aims, but can also serve defence objectives by promoting stability and military effectiveness in countries where we retain valuable facilities, including for transit or training, or where we have an obligation to assist in the event of a security threat. Assistance of this nature forms part of military task 3.11, as described in paragraph 522 of the 1993 "Statement on the Defence Estimates" and significant activities under this task have been reported in subsequent statements on the defence estimates. On occasion, the MOD agrees to waive the costs of training provided in the furtherance of these objectives. Training costs can also be reduced or waived in the furtherance of some defence sales, but only when it is considered essential for the sale and when matching cost contributions are provided by the commercial firm involved. The total value of receipts forgone in respect of training is reported each year in the appropriation account. In addition, Ministers have from time to time provided information on the value of such waivers in response to questions. I refer the hon. Member to my answer to the hon. Member for Wallsend (Mr. Byers) of 3 April 1995, *Official Report*, columns *968–69*.

Mr. Cousins: To ask the Secretary of State for Defence if he will list the sums of money *(a)* written off each year in respect of training services for foreign Governments and *(b)* waived in respect of training services for foreign military students; if he will distinguish the costs incurred for policy reasons; and if he will list any expenditure written off or waived in respect of the Government of Iraq. [17783]

Mr. Soames: The primary responsibility for funding military assistance lies with the Foreign and Commonwealth Office. On occasion, however, where there is a benefit to defence interests, the MOD agrees to waive the costs of training provided to foreign Governments. According to available records, the total of these waivers in the last five years is as follows:

£ million

Year	*Total waiver*	*Waiver for policy reasons*
1990–91	4.6	4.1
1991–92	4.6	4.3
1992–93	5.9	4.9
1993–94	5.5	4.3
1994–95	5.2	4.9

Beyond the above costs, there have been no write-offs in respect of training services for foreign Governments.

Details of the assistance provided are confidential between Governments.

There are no records of any expenditure written off or waived during this period in respect of training services to the Government of Iraq.

Seconded Staff

Mr. Cousins: To ask the Secretary of State for Defence (1) what guidelines *(a)* in force now and *(b)* issued since 1981 prevent company staff seconded

to his Department working on memoranda of advice to Ministers on matters affecting the company from which they were seconded; [17797]

(2) what guidelines have been issued since 13 May 1985 preventing access by company staff seconded to Defence Export Sales Organisation to correspondence, memoranda, and other contracts between the Ministry of Defence and their company; and what guidelines exist at the present time. [17795]

Mr. Arbuthnot: Rules governing access to, and possible disclosure of, information apply to all secondees to this Department, not just to those seconded to the Defence Export Sales Organisation. Guidance was issued by the Cabinet Office management and personnel office in 1987 which addressed, inter alia, the conduct of secondees to Government Departments. Secondees were reminded that they were subject to the Official Secrets Acts and were

"to avoid situations that may lead to conflicts of interest."

Attention was drawn to the need to avoid embarrassment either to the parent organisation or to the host Department. These rules remain in force.

The Department's secondment agreement, which applies to all our secondees, requires them to conform to the normal civil service and departmental rules on conduct. These state:

"no officer may engage in any occupation or undertaking which might in any way conflict with the interests of the Ministry of Defence or be inconsistent with his/her position as a public servant".

Where a conflict of interest could arise, the secondee would be expected to declare this possibility to his/her line manager.

On the question of possible disclosure, MOD rules state that material

"which is of a security classified or confidential nature, to which the Secondee has access as a result of his/her work on secondment, (subject to the rights of third parties) may only be copied, disclosed and used solely for the purpose of performing that work. Such information or material may not be disclosed to or copied or used for the benefit of the Company or any of its employees or any other third party, without the prior written consent of the Secretary of State."

Future Large Aircraft

Mr. Spellar: To ask the Secretary of State for Defence what is the current position regarding Britain's membership of the future large aircraft project. [17435]

Mr. Arbuthnot: The United Kingdom has taken an active part in discussions on the future large aircraft project since the announcement by my right hon. and learned Friend the Foreign Secretary when Secretary of State for Defence in December 1994 and will be considering with the FLA partner nations the implications of recent French statements on FLA funding.

Bosnia

Mr. Wareing: To ask the Secretary of State for Defence if he will make a statement on the discovery by implementation forces of weapons in the neighbourhood of Sarajevo; what evidence has been found of complicity between the Bosnian Government and Iranians detained at the site of the discovery; and if the matter is being referred to the war crimes tribunal. [16294]

Mr. Soames: On 15 February, IFOR raided a building near Fojnica in central Bosnia and seized weapons, ammunition, explosives and bomb-making equipment. Eleven people were arrested at the scene, including three Iranians. IFOR is continuing its investigation into the discovery, which is believed to constitute a violation of the peace agreement that prohibits the presence of foreign forces in Bosnia. The matter does not fall within the mandate of the international criminal tribunal for the former Yugoslavia.

Army Careers Information Offices

Dr. Godman: To ask the Secretary of State for Defence if he will list the locations of Army careers information offices in Scotland; which of these are to remain open and for how long; and if he will make a statement. [17480]

Mr. Soames: There are currently 18 Army careers information offices—ACIOs—in Scotland. Five of these are to become armed forces careers offices—AFCOs—during the next calendar year. These AFCOs will be manned and operated on a tri-service basis. A further nine ACIOs will become permanent Army satellite offices and provide support for the AFCOs. Additionally, four offices due for closure will remain open until April 1997. These four offices form part of the Army's recent review of its requirement for ACIOs as referred to in the *Official Report*, 20 February 1996, column *96*. Locations of all the careers offices are shown in the table.

Armed forces careers offices
Aberdeen
Dundee
Edinburgh
Glasgow
Inverness.
Army satellite offices
Bathgate
Dumfries
Dunfermline
Galashiels
Glenrothes
Hamilton
Irvine
Perth
Stirling.
Short-term retained offices
Dumbarton
Elgin
Greenock
Wick.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Defence what steps his Department is taking to collect statistics broken down by gender where relevant. [17679]

Mr. Arbuthnot: The Ministry of Defence does not collect statistics from the general public, local authorities and business. Personnel information to assist the Ministry

in running its business is compiled from the Ministry's administrative systems and from surveys of the armed forces and civilian personnel. All the data are available by gender, although not always published as such.

Hawk 100 Aircraft

Mr. Madden: To ask the Secretary of State for Defence what discussions *(a)* he and *(b)* his Ministers have had over the last five years concerning the sale by British Aerospace to India of Hawk 100 aircraft; and if he will make a statement. [18200]

Mr. Arbuthnot: The Indian air force has a requirement for a number of advanced jet trainer aircraft. British Aerospace has offered a variant of the Hawk aircraft to meet that requirement. I discussed this with the Indian authorities during my recent visit. During the last five years, there have been a number of instances when Defence Ministers have had occasion to commend Hawk to the Indians.

Defence Dental Agency

Mr. Sumberg: To ask the Secretary of State for Defence if he will make a statement on the creation of the Defence Dental Agency. [18763]

Mr. Soames: The Defence Dental Agency—DDA—will form up on 1 March 1996, when primary dental care currently provided on a single-service basis will be included within a tri-service agency under the control of a chief executive. The headquarters of the DDA will initially be based in London and its training functions will be undertaken at Aldershot and Halton. However, the majority of the agency's personnel will continue to be employed in dental clinics throughout the United Kingdom and overseas. The staff of the agency comprise 864 military and 179 civilian personnel.

Each service will continue to recruit to its own dental branch and to be responsible for issuing appointments and posting orders for personnel of their particular service into, within, and out of the agency after agreement with the chief executive, and for an agreed duration. It is expected that uniformed dental personnel will spend the major part of their career working within the agency.

The aim of the agency is to contribute to the operational effectiveness of the armed forces by achieving and maintaining, in the most cost-effective way, their dental fitness in war, operational situations other than war, and peace.

The chief executive will be afforded the responsibility and flexibility to build upon the professional ability and reputation for excellence of all three service dental branches. This will ensure that the MOD retains the capacity to deploy trained dental staff on military operations, retain close supervision of the dental fitness standards of service personnel, and maximise value for money in the delivery of dental treatment for service personnel in order to maintain their operational readiness during peacetime.

The chief executive has been set the following key targets for the first year of operation:

1. To achieve the number of professional militarily trained personnel required for deployment at the specified readiness to meet medical support plans for the national contingency force based on defence planning assumptions 96.
2. To define and implement tri-service dental fitness for deployment standards, and introduce a system of coding and quantifying outstanding treatment needs by 31 March 1996; and to achieve the agreed dental fitness for deployment performance targets by 31 March 1997.
3. To identify a suitable clinical management information system and implement it at all DDA main locations.
4. To operate an interim accounting system and a revised feeder system in order to produce full-cost accrual-based accounts for the financial year 1996–97 for preliminary audit by the National Audit Office.
5. To achieve the agreed level of dental fitness for the forecast military population and provide treatment for dependants and entitled civilians overseas within budget; and to identify efficiency measures in the course of the financial year 1996–97 to meet a specific efficiency target for the financial year 1997–98.

I have arranged for copies of the agency's framework document to be placed in the Library of both Houses.

Medical Supplies Agency

Lady Olga Maitland: To ask the Secretary of State for Defence if he will make a statement on the creation of the Medical Supplies Agency. [18762]

Mr. Soames: The defence medical supply organisation will become a defence agency of the Ministry of Defence, to be known as the Medical Supplies Agency—MSA—on 1 March 1996. The MSA will include the Army blood supply depot at Aldershot, the defence medical equipment depot at Ludgershall and 16 medical provisioning points located throughout the UK and overseas.

The MSA will remain part of the MOD, but the chief executive will have delegated executive powers to discharge his responsibilities. The agency will employ 65 military and 260 civilian staff. The location of the headquarters of the agency has yet to be confirmed, but will initially be at Ludgershall.

The aim of the agency is to ensure the most cost-effective and timely provision of medical, dental and veterinary material, blood and blood products, technical and logistic support and trained personnel to the UK armed forces in war, operations other than war, and peace.

The chief executive has been set the following key targets for the first year of operation:

1. To build, hold and maintain the agreed number of kits, outfits and associated items of equipment, as defined in endorsed equipment tables.
2. To meet 100 per cent. of operational deployment requirements to time.
3. To achieve efficiency savings of £4 million in the cash budget of the agency whilst maintaining a constant level of output.
4. By April 1997, to have a fully integrated tri-service structure in place.
5. To identify the minimum stock levels necessary for the agency and publish quantifiable stock reduction targets for the financial year 1997–98.
6. To design and implement the initial customer survey so as to establish a quantifiable baseline for measuring customer satisfaction.

7. To implement an accounting system to produce full-cost accruals based accounts for the financial year 1996–97 for preliminary audit by the National Audit Office.

8. Successful implementation of the medical material management information system and production of a statement of requirement for the procurement of systems to meet the agency's MIS needs.

I have arranged for copies of the agency's framework document to be placed in the Library of both Houses.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Defence, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17306]

Mr. Arbuthnot *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

Astra Holdings

Mr. Cousins: To ask the Secretary of State for Defence (1) what were *(a)* the first and *(b)* the final dates of the removal of documents from Astra Holdings by Ministry of Defence police in 1990; [17845]

(2) what were *(a)* the first and *(b)* the final dates of the lists of documents removed from Astra Holdings by Ministry of Defence police as required by the Police and Criminal Evidence Act 1984. [17800]

Mr. Soames: The first and final dates of the schedules of documents removed by the Ministry of Defence police from Astra Holdings were 13 March 1990 and 22 July 1992 respectively. The first and final dates of the removal of documents from Astra Holdings by Ministry of Defence police in 1990 were 13 March and 7 August 1990 respectively.

Royal Navy Personnel

Mr. Redmond: To ask the Secretary of state for Defence how many *(a)* males and *(b)* females are employed as (i) commissioned officers, by rank, (ii) non-commissioned officers, by rank and (iii) seamen in the Royal Navy. [17947]

Mr. Soames: Details of the rank and gender breakdown of personnel of the naval service is included in a tri-service publication, TSP9, copies of which are placed in the Library of the House.

Army Personnel

Mr. Redmond: To ask the Secretary of State for Defence how many *(a)* males and *(b)* females are employed as (i) commissioned officers, by rank, (ii) non-commissioned officers, by rank and (iii) privates in the Army. [17949]

Mr. Soames: The information requested is contained in a tri-service publication TSP9, page 3, a copy of which is in the Library of the House.

RAF Personnel

Mr. Redmond: To ask the Secretary of State for Defence how many *(a)* males and *(b)* females are employed as (i) commissioned officers, by rank, (ii) non-commissioned officers, by rank and (iii) airmen in the RAF. [17948]

Mr. Soames: Details of the breakdown of RAF personnel by rank and gender as at 1 January 1996 are included in the latest edition of the tri-service personnel statistics—TSP9—a copy of which has been placed in the Library of the House.

Scott Inquiry

Mr. Winnick: To ask the Secretary to State for Defence what actions he *(a)* has taken and *(b)* plans to take as a result of the recommendations of the Scott report. [16960]

Mr. Arbuthnot: I refer the hon. Member to the statement made by my right hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

HOUSE OF COMMONS

Scottish Grand Committee

Mr. Malcolm Bruce: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what is the total cost of each of the sittings of the Scottish Grand Committee held in Scotland during this Parliament; and what is the estimated cost of the future sittings in Scotland planned in this parliamentary Session for *(a)* room hire, *(b)* accommodation for parliamentary staff, *(c)* travel for parliamentary staff, *(d)* equipment transport costs and *(e)* other costs. [17770]

Mr. Beith: The costs to date of the six meetings of the Scottish Grand Committee held this Session are given in the table. These figures have been produced by a manual clerical check since costings have hitherto not been analysed to individual meetings. It is also the case that these figures are not the final costs as there are still some invoices and claims outstanding. Excluded from these figures are staff overtime, hire of telephone lines and Members' travel. Estimates are not produced in detail for each visit but the forecast for each meeting was expected to be approximately £8,500. The estimate for the seven future meetings planned up until the 8 July is £59,500.

Location	*Meeting date*	*Room hire* £	*Travel and accommodation for staff*[1] £	*Equipment provision and transport*[2] £	*Other costs*[3] £	*Total* £
Edinburgh	11 December 1995	713	4,210	1,571	699	7,192
Glasgow	18 December 1995	—	4,166	411	—	4,578

Location	Meeting date	Room hire £	Travel and accommodation for staff[1] £	Equipment provision and transport[2] £	Other costs[3] £	Total £
Edinburgh	15 January 1996	—	6,941	411	2,188	9,540
Stirling	29 January 1996	—	1,970	1,569	350	3,888
Inverness	5 February 1996	—	3,298	—	—	3,298
Aberdeen	19 February 1996	—	1,650	—	—	1,650

[1] Staff travel and accommodation costs are not separately analysed in the accounting system.
[2] The cost of providing recording equipment, transport is included.
[3] Includes security and refreshments.

Mr. Foulkes: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what has been the cost of each meeting of the Scottish Grand Committee in the current Session to date; and what is the estimated cost of each of those planned for the remainder of the Session. [12960]

Mr. Beith *[pursuant to his reply, 26 February 1996, c. 337–38]:* I am now able to give the hon. Member, in the table, the following information about the six meetings of the Scottish Grand Committee held so far this Session. These figures have been produced by a manual–clerical check as costings have not hitherto been analysed to individual meetings. It is also the case that these figures are not the final costs as there are still some invoices and claims outstanding. Excluded from these figures are staff overtime, hire of telephone lines and Members' travel. Estimates are not produced in detail for each visit but the forecast for each meeting was expected to be approximately £8,500. The estimate for the seven future meetings planned up until the 8 July is £59,500.

Location	Meeting date	Room hire £	Travel and accommodation for staff[1] £	Equipment provision and transport[2] £	Other costs[3] £	Total £
Edinburgh	11 December 1995	713	4,210	1,571	699	7,192
Glasgow	18 December 1995	—	4,166	411	—	4,578
Edinburgh	15 January 1996	—	6,941	411	2,188	9,540
Stirling	29 January 1996	—	1,970	1,569	350	3,888
Inverness	5 February 1996	—	3,298	—	—	3,298
Aberdeen	19 February 1996	—	1,650	—	—	1,650

[1] Staff travel and accommodation costs are not separately analysed in the accounting system.
[2] The cost of providing recording equipment, transport is included.
[3] Includes security and refreshments.

HEALTH

Medium Secure Units

Dr. Lynne Jones: To ask the Secretary of State for Health what is the average length of stay in medium secure units; and if length of stay is limited. [16787]

Mr. Bowis: The length of time patients spend in medium secure units is determined by their clinical needs. We do not have information centrally about an average for the length of stay.

Psychiatric Hospital Beds

Dr. Lynne Jones: To ask the Secretary of State for Health if he will provide a breakdown of the numbers of psychiatric hospital beds available for *(a)* short-stay and *(b)* long-stay patients between 1987 and 1995, together with a definition of short and long-stay patients. [16782]

Mr. Bowis: The number of available beds in hospital and residential units for mentally ill people is shown in the table.

Available beds and staffed residential places for mentally ill people

England

Year	Staffed residential places			Beds		Total beds and places
	Local authority	Voluntary sector	Private sector	Private hospitals nursing homes and clinics	NHS mental illness	
1987–88	5,673	2,581	6,902	4,507	67,127	86,790
1988–89	5,922	2,576	7,649	5,862	62,999	85,008
1989–90	5,734	3,008	8,949	7,693	59,290	84,674
1990–91	5,741	3,454	9,590	10,772	55,239	84,796
1991–92	5,555	4,245	10,245	12,653	50,278	82,976
1992–93	5,360	4,935	10,840	16,946	47,308	85,389
1993–94	5,080	5,004	11,567	21,082	43,532	86,265
1994–95	4,747	5,192	12,245	24,190	41,827	88,201

In addition, there are about 1,600 places in the three special hospitals at Ashworth, Broadmoor and Rampton.

Notes:
Nursing care places in residential care homes which are registered for both residential and nursing care are included in the column containing nursing homes.

Source: Department of Health RAC5, RA13A, KO36 and KH03 returns.

The breakdown requested is available only in respect of NHS mental illness beds and is shown in the table.

Average daily number of available beds/wards open 24 hours—NHS hospitals

England: mental illness

	Short stay	*Long stay*
1987–88	21,563	38,984
1988–89	22,505	39,687
1989–90	22,754	35,667
1990–91	22,427	31,942
1991–92	22,159	27,237
1992–93	21,652	24,724
1993–94	21,447	21,056
1994–95	22,101	18,644

Notes:
1. Definitions:
Short Stay (Psychiatric). An element of the component of the ward classification intensity of care (psychiatric). Facilities for the mentally ill who are intended to stay less than one year.
Long Stay (Psychiatric). An element of the component of the ward classification intensity of care (psychiatric). Facilities for the mentally ill who are intended to stay a year or more.
2. The table excludes places in special hospitals and NHS secure wards, which are not defined in these terms.
3. *Bed availability for England*, a copy of which is in the Library, contains information by individual NHS providers, ie Trusts, Directly managed Units and the Special Health Authorities, with summary tables for England. Data are collected by broad ward classification rather than by clinical specialty and returns are made on a financial year basis. The latest year for which data are available is 1994–95.
Source:
Department of Health KH03 returns.

Accident and Emergency Units, Durham

Mr. Steinberg: To ask the Secretary of State for Health (1) what was the cost of upgrading the accident and emergency department in Dryburn hospital, Durham; and how many extra full-time staff will be employed there; [17215]

(2) how much will be saved as a result of the closure of the accident and emergency department at Shotley Bridge hospital, Durham. [17216]

Mr. Horam: This is a matter for North Durham acute hospitals national health service trust. The hon. Member may wish to contact the trust chairman, Mr. C. P. Douglas, for details.

Infant Mortality

Mr. Cohen: To ask the Secretary of State for Health (1) if he will list the infant mortality rates in *(a)* East London/City, *(b)* Redbridge and Waltham Forest and *(c)* Kingston and Richmond; and what factors underlie the disparities between these figures; [17428]

(2) what assessment he has made of the factors underlying significant variations in infant mortality rates in *(a)* the United Kingdom and *(b)* London. [17427]

Mr. Horam: The infant mortality rates requested are as shown in the table:

Infant mortality rates per 1,000 live births 1994

Location	*Rate per 1,000 live births*
East London and The City Health Authority	8.8
Redbridge and Waltham Forest Health Authority	6.7
Kingston and Richmond Health Authority	3.1

The infant mortality rate for England and Wales as a whole has halved over the last 15 years and is now at the lowest level ever achieved. All parts of the country have benefited from this reduction, but variations in infant mortality, which have been apparent since the 1950s, have persisted. Last October, we asked health authorities to act on the recommendation of a report commissioned by the Chief Medical Officer, "Variations in Health: What can the Department of Health and the National Health Service do?", copies of which are available in the Library. We have also allocated £2.4 million in 1996 for research into the causes of variations in health and the needs of particularly vulnerable groups of the population.

Lung Cancer

Mr. Ian McCartney: To ask the Secretary of State for Health (1) what is the average annual cost to the NHS for treating all people suffering from *(a)* lung cancer and *(b)* mesothelioma over the last five years; [17221]

(2) what is the current average cost to the NHS for treating each person suffering from *(a)* lung cancer and *(b)* mesothelioma over the course of their illness. [17220]

Mr. Horam: This information is not available centrally.

Construction Skills Certification Scheme

Mr. Spellar: To ask the Secretary of State for Health what action his Department is taking to ensure that personnel on its construction sites have construction skills certification scheme accreditation. [17438]

Mr. Horam: There are no current plans to issue guidance about the construction skills certification scheme, which is a voluntary register operated by the construction industry training board.

Aging Study

Mr. Llwyd: To ask the Secretary of State for Health what was his Department's input into the Medical Research Council's cognitive function and aging study; and if he will make a statement. [17512]

Mr. Malone: The cognitive function and aging study is a large, multi-centre study of the prevalence, incidence and natural history of declining cognitive function and dementia in old age. The Department has contributed £100,000 per year over seven years. In addition to the financial support, the Department has a presence on the project's steering group.

NHS Patients (Compensation)

Mr. Harvey: To ask the Secretary of State for Health what sums were paid out by the national health service to patients or their relatives as compensation, in each of the last five years for which information is available. [17714]

Mr. Horam: The information requested is not separately identifiable from central returns.

Dental Services

Mr. Cox: To ask the Secretary of State for Health how many letters he received from the general public during 1995 on difficulties in obtaining treatment from NHS dentists. [17656]

Mr. Malone: During 1995 the Department of Health received some 243 letters from members of the public which were concerned with difficulties in gaining access to national health service dentists.

Paediatric Cardiac Operators, Bristol

Mr. Harvey: To ask the Secretary of State for Health what factors underlay his Department's decision to advise the United Bristol Healthcare NHS trust that an arterial switch operation scheduled to be performed at the Bristol royal infirmary on 12 January 1995 should not take place as planned. [17716]

Mr. Horam: My Department did not advise that the operation should not take place. It would not be appropriate for my Department to become involved in matters of clinical judgment. Concern was expressed to my Department about the advisability of operating in view of concerns expressed previously by some members of staff of the Bristol royal infirmary about the performance of complex paediatric open heart operations including the "switch". The United Bristol Healthcare NHS trust was informed about the expressions of concern and asked to ensure that the concerns were taken into account when deciding whether the operation should proceed.

Mr. Harvey: To ask the Secretary of State for Health what representations his Department has received from Professor G. Angelini since 1990 about the performance of neo-natal arterial switch operations at Bristol royal infirmary. [17715]

Mr. Horam: Professor Angelini expressed concern in the summer of 1994 about the results of an audit of performance of complex paediatric cardiac procedures including the neo-natal switch operation. These concerns were communicated to the United Bristol Healthcare NHS trust by my Department.

Mr. Harvey: To ask the Secretary of State for Health what representations his Department has received during the last five years from the supra-regional services advisory group about the performance of paediatric cardiac operations at Bristol royal infirmary. [17713]

Mr. Horam: None.

Smokers

Mr. Llwyd: To ask the Secretary of State for Health what percentage of *(a)* men and *(b)* women in the United Kingdom aged 15 to 20 years smoke; and if he will make a statement. [17522]

Mr. Horam: Information is not readily available in the form requested, but it is estimated that, among persons aged 16 to 20 in the United Kingdom, 31 per cent. of men and 27 per cent. of women smoke cigarettes.

Carers (Recognition and Services) Act 1995

Mr. Wicks: To ask the Secretary of State for Health what plans he has to issue guidance to social services departments regarding the Carers (Recognition and Services) Act 1995; and what assessment he has made of the adequacy of this notice relative to the date of the Act coming into force. [17547]

Mr. Bowis: Policy and practice guidance to accompany the Act was distributed to local health authorities on 28 February 1996, copies of which will be placed in the Library. Draft versions were issued on 10 October 1995—some six months before the Act comes into force.

Carers

Mr. Wicks: To ask the Secretary of State for Health what is his estimate of the number of carers in the United Kingdom; and how many are providing care for 20 hours or more each week. [17567]

Mr. Bowis: It is estimated that the number of carers in the United Kingdom in 1990 was 6.8 million, of whom 1.5 million provide care for more than 20 hours each week.

Postgraduate Deans

Ms Harman: To ask the Secretary of State for Health, pursuant to his answer of 14 February, *Official Report*, column *601*, how many withdrawals of approval for post have been made by postgraduate deans in each of the last five years. [17941]

Mr. Malone: This information is not available centrally.

Waiting List Initiative

Ms Harman: To ask the Secretary of State for Health what reports he has received and what evidence he has assessed that the waiting list initiative has led to longer waits for urgent cases. [18061]

Mr. Horam: We have no evidence that the waiting list initiative has led to longer waits for urgent cases. Half of all admissions to hospital are immediate. Of those patients who go on to a waiting list, those who need urgent treatment are given priority. Decisions on when to admit patients are for doctors and must be based on their assessment of patients' clinical need.

Hospital Closures, Wandsworth

Mr. Cox: To ask the Secretary of State for Health how many hospitals have closed since 1978 in the London borough of Wandsworth. [16062]

Mr. Horam: This information is not available centrally. The hon. Member may wish to contact Mr. Harry Cowd, chairman of Merton, Sutton and Wandsworth health authority, for details of hospital closures in the area.

Accident and Emergency Provisions, Liverpool and Sefton

Mr. Wareing: To ask the Secretary of State for Health what assessment he has made of accident and emergency provision in the Liverpool and South Sefton health authority areas; and what plans he has to provide additional resources for the provision of more intensive care beds. [16291]

Mr. Horam: These are matters for the Liverpool and Sefton health authorities. The hon. Member may wish to contact Mr. D. H. Tod and Mr. F. R. Ludlow, chairmen of Liverpool and Sefton health authorities respectively, for details.

Adoption

Mr. Alex Carlile: To ask the Secretary of State for Health if he will make a statement on the impact of adoption on inheritance rights. [17388]

Mr. Bowis: Under the Adoption Act 1976, an adopted child's links with his birth family are severed and he is treated as the legitimate child of the adopter. He is therefore entitled to inherit only from the adoptive parent and adoptive family. An adopted person does not have legal entitlement to inherit from a birth parent unless his interest has been vested before the adoption order is made. Where interest is only contingent, that interest will be lost on adoption. The proposed Adoption Bill will include a provision to give the court discretion to allow an adopted child to retain a contingent interest—or part of it—in his birth family's property after adoption.

Mr. Carlile: To ask the Secretary of State for Health if he will make a statement on the findings of the Government's White Paper published in 1992 recommending changes to the existing adoption law. [17390]

Mr. Bowis: Following publication of the White Paper "Adoption: The Future" in November 1993, a draft Bill is being prepared for consultation and will be available shortly.

Meningitis

Mr. Frank Cook: To ask the Secretary of State for Health how many cases of meningitis have been confirmed over the past six months; how many patients have died; and what were the figures for the same period in 1994–95 in *(a)* the Tees health authority area and *(b)* England and Wales. [17590]

Mr. Horam: Provisional data on notified cases of meningitis and meningococcal disease in Cleveland—and its component authorities—for the last six-month period of 1995 and the corresponding period in 1994 are shown in the tables. Notifications can be made on clinical suspicion alone and it is likely that some notified cases will not have been laboratory confirmed.

The incidence of meningococcal infection usually increases during the winter. In 1995, the rise in cases appears to have come earlier than usual, in December. Though this partly explains the higher 1995 figures for the July to December period, we did see more cases than in 1994 and also an increase in the proportion of the less common group C strain. Nevertheless, the total number of cases and types of meningitis seen in 1995 is not out of line with that experienced in the recent past.

All Meningitis

	July–December 1994		*July–December 1995*	
	Notifications	*Deaths*	*Notifications*	*Deaths*
England and Wales	792	88	1,136	120
Hartlepool	0	0	2	0
Langbaurgh on Tees	0	1	6	0
Middlesbrough	1	0	1	1
Stockton on Tees	2	2	3	0
Cleveland total	3	3	12	1

Meningococcal meningitis

	July–December 1994		*July–December 1995*	
	Notifications	*Deaths*	*Notifications*	*Deaths*
England and Wales	378	7	537	17
Hartlepool	0	0	0	0
Langbaurgh on Tees	0	0	0	0
Middlesbrough	1	0	0	1
Stockton on Tees	0	0	2	0
Cleveland total	1	0	5	1

Meningococcal septicaemia—without meningitis

	July–December 1994		*July–December 1995*	
	Notifications	*Deaths*	*Notifications*	*Deaths*
England and Wales	199	57	327	78
Hartlepool	0	0	3	0
Langbaurgh on Tees	0	0	2	0
Middlesbrough	0	0	0	0
Stockton on Tees	0	0	5	0
Cleveland total	0	0	10	0

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Health what steps his Department is taking to collect statistics broken down by gender where relevant. [17682]

Mr. Horam: Gender specific statistical information is already collected by the Department where justified by the purposes the data will serve and where the collation of the data does not place an undue burden on data providers. The coverage and level of detail of all centrally held statistics, including gender-related information, is subject to regular review in consultation with the providers and users of the data.

Cancer Services, Bristol

Ms Harman: To ask the Secretary of State for Health if he will make a statement about cancer services at the Bristol oncology centre. [17897]

Mr. Horam: This is a matter for Avon health commission and the United Bristol healthcare NHS trust. I refer the hon. Member to the response I gave the hon. Member for Bristol, South (Ms Primarolo) on 28 February, *Official Report*, at columns *849–57*.

Disabled People (Care Services)

Mr. Alfred Morris: To ask the Secretary of State for Health if he has now considered the implications for local authorities of the High Court's decision in relation to Gloucestershire county council's refusal to restore care services to over 1,000 disabled people in the county; and if he plans to issue further guidance to local authorities on the effect of section 2 of the Chronically Sick and Disabled Persons Act 1970 following the High Court's decision. [17917]

Mr. Bowis: I have no current plans to issue further guidance on this matter.

Prescription Charges

Mr. Jon Owen Jones: To ask the Secretary of State for Social Security (1) what estimate his Department has made of the amount of money which will be reclaimed under the new rules for prescription charges in respect of men aged between 60 and 65; [16945]

(2) how many pensioners have claimed refunds of prescription charges under the new rules affecting men aged between 60 and 65 years. [16944]

Mrs. Ewing: To ask the Secretary of State for Health (1) what total repayments have been made by the prescription claims processing unit to men aged 60 to 64 years since 20 October 1995; [17252]

(2) what percentage of applications received by the prescription claims processing unit have been processed to the latest available date; [17254]

(3) how many applications for refunds of NHS prescriptions charges have been lodged by men aged 60 to 64 years since 20 July 1995; and what percentage of those eligible this represents. [17253]

Mr. Malone: We do not hold figures on the number of men aged 60 to 65 who have paid prescription charges prior to the European Court of Justice ruling. Following our invitation to register a claim we have issued over 187,000 claim forms to men in the United Kingdom. At the close of business on 23 February 132,000—70 per cent.—had been returned.

To date the prescription claims processing unit has authorised payments totalling £2.6 million to 83,000 —63 per cent.—men. At this stage it is not possible to forecast accurately the total cost of likely refunds but they are not expected to exceed £6 million. This does not include the cost of prepayment certificates refunded locally by family health services authorities. Administration costs will be additional.

NATIONAL HERITAGE

Sporting Events (Broadcasting)

Mr. Hanson: To ask the Secretary of State for National Heritage if she was informed of the Sky TV pay-as-you-view proposal for selected future sporting events prior to its announcement. [17745]

Mr. Sproat: This is a commercial matter between BSKyB and the right holder involved. My Department was not consulted.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for National Heritage if she will list those contracts her Department currently holds with EDS Ltd. indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17441]

Mr. Sproat: My Department has no contracts with EDS.

National Lottery

Ms Eagle: To ask the Secretary of State for National Heritage what have been the *(a)* administration and *(b)* wages costs for each national lottery funding distribution body in each month since its establishment. [15063]

Mr. Sproat: The tables show the lottery administration costs and wages met for 13 months from 1 January 1995. The majority of distributors were given approval to draw funds from the national lottery distribution fund from this date.

£ thousand

Administration costs (exclusive of wages)	*National Heritage Memorial Fund*	*National Lottery Charities Board*	*Millennium Commission*	*Arts Council of England*	*Scottish Arts Council*	*Arts Council of Wales*	*Arts Council of Northern Ireland*[1]	*Sports Council*	*Scottish Sports Council*	*Sports Council for Wales*[1]	*Sports Council for Northern Ireland*[1]
January 1995	9.3	291.5	173.0	[4]—	28.2	21.2	4.5	0.0	[3]—	2.8	48.8
February	99.1	256.0	230.0	—	5.3	18.8	4.5	875.3	—	2.8	12.9
March	214.3	256.7	[5]1,445.0	1,242.0	23.2	21.6	4.5	304.4	201.3	2.8	9.7
April	181.0	302.7	7.0	36.6	20.2	10.5	0.2	130.1	3.8	2.8	19.7
May	105.6	425.4	103.0	36.6	12.9	12.0	10.1	33.1	4.7	2.8	17.1
June	247.6	511.1	95.0	431.2	19.6	12.8	3.5	17.4	5.2	2.8	4.0
July	165.0	643.0	443.0	150.5	6.4	4.9	3.8	312.6	9.3	2.8	4.0
August	161.6	547.5	226.0	355.7	16.8	36.4	6.0	384.1	18.4	2.8	5.2
September	126.6	715.6	200.0	349.6	9.5	10.2	4.7	250.4	12.5	2.8	37.2
October	359.8	918.4	380.0	119.7	25.5	10.2	4.9	159.8	6.6	2.8	3.0
November	234.1	777.2	270.0	301.2	28.2	9.4	8.2	186.4	11.9	2.8	0.0
December	257.0	1,015.8	463.0	168.2	3.4	28.4	7.7	196.4	13.7	2.8	3.5
January 1996	270.7	743.3	367.0	[4]—	40.6	24.6	3.4	[4]—	19.2	2.8	[4]—
Total	2,431.7	7,404.2	4,402.0	3,191.3	239.8	221.0	66.0	2,850.0	306.6	36.4	165.1

1. The NHMF, the art councils and the sports councils were established to perform other activities prior to the national lottery. The figures shown for administration and wages, represent the charge to lottery funds of all full-time lottery staff, plus a proportion of the costs of other staff in the organisations, who spend only part of their time working on lottery activities.
2. Distributors began developing systems to carry out lottery duties in the autumn of 1994. Costs associated with this development were met from other sources (grant-in-aid) and recharged against lottery funds in the first few months of 1995.
[1] Administration costs and wages of the Arts Council of Northern Ireland, the Sports Council for Wales and the Sports Council for Northern Ireland are initially met by the main council and recharged to the lottery at a later date. This does not always take place on a monthly basis.
[2] Administration and wages costs of the Scottish Sports Council lottery unit for January, February and March 1995 were incurred by the main council on behalf of the lottery unit and recharged to the lottery in total, in March.
[3] Administration costs of the Arts Council of England's lottery unit are shown in total for January, February and March 1995.
[4] Figures not available.
[5] Administration costs for the Millennium Commission in March includes £1,119,000 for repayment of grant-in-aid.

£ thousand

Wages costs	*National Heritage Memorial Fund*	*National Lottery Charities Board*	*Millennium Commission*	*Arts Council of England*	*Scottish Arts Council*	*Arts Council of Wales*	*Arts Council of Northern Ireland*[1]	*Sports Council*	*Scottish Sports Council*	*Sports Council for Wales*[1]	*Sports Council for Northern Ireland*[1]
January 1995	20.3	31.4	25.0	[4]—	8.1	10.1	0.9	[2]158.9	[3]—	13.3	22.7
February	20.1	33.5	30.0	—	9.1	10.8	0.9	68.0	—	13.3	21.3
March	20.0	33.1	114.0	169.0	10.4	11.0	0.9	67.9	83.6	13.3	11.7
April	20.0	50.6	60.0	31.9	9.3	11.0	0.0	63.3	10.1	13.3	10.0
May	20.0	119.0	72.0	31.9	8.5	11.0	5.9	61.9	11.5	13.3	10.0
June	20.0	226.3	65.0	32.7	9.5	12.7	7.1	60.1	6.6	13.3	10.0
July	25.0	255.2	71.0	40.4	9.5	11.2	2.1	63.6	20.0	13.3	10.0
August	26.3	220.4	80.0	47.7	9.5	11.2	6.6	64.1	15.1	13.3	10.0
September	24.4	180.1	80.0	40.6	10.0	11.2	0.0	61.2	18.5	13.3	40.0
October	25.2	224.7	89.0	43.7	11.5	11.9	3.3	66.2	20.1	13.3	0.0
November	30.9	393.5	93.0	49.5	11.9	12.0	3.3	75.6	18.3	13.3	0.0
December	32.0	372.0	92.0	56.3	12.7	13.2	5.3	71.0	13.5	13.3	0.0

£ thousand

Wages costs	National Heritage Memorial Fund	National Lottery Charities Board	Millennium Commission	Arts Council of England	Scottish Arts Council	Arts Council of Wales	Arts Council of Northern Ireland[4]	Sports Council	Scottish Sports Council	Sports Council for Wales[3]	Sports Council for Northern Ireland[3]
January 1996	29.3	392.7	126.0	[5]—	15.1	12.1	5.3	[5]—	13.9	13.3	[5]—
Total	313.5	2,532.5	997.0	543.7	135.1	149.4	41.6	881.8	231.2	169.9	142.7

1. The NHMF, the art councils and the sports councils were established to perform other activities prior to the national lottery. The figures shown for administration and wages, represent the charge to lottery funds of all full-time lottery staff, plus a proportion of the costs of other staff in the organisations, who spend only part of their time working on lottery activities.
2. Distributors began developing systems to carry out lottery duties in the autumn of 1994. Costs associated with this development were met from other sources (grant-in-aid) and recharged against lottery funds in the first few months of 1995.
[1] Administration costs and wages of the Arts Council of Northern Ireland, the Sports Council for Wales and the Sports Council for Northern Ireland are initially met by the main council and recharged to the lottery at a later date. This does not always take place on a monthly basis.
[2] The Sports Council's salary costs for January 1995 include the costs of the council's planning team for the period to 31 December 1994, which were later recharged by the council to the lottery unit.
[3] Administration and wages costs of the Scottish Sports Council lottery unit for January, February and March 1995 were incurred by the main council on behalf of the lottery unit and recharged to the lottery in total, in March.
[4] Administration costs of the Arts Council of England's lottery unit are shown in total for January, February and March 1995.
[5] Figures not available.

Ms Eagle: To ask the Secretary of State for National Heritage if she will publish a list of those agencies charged with distributing national lottery funding detailing the size of budget, the number of staff and the remuneration of each agency head for the year *(a)* before and *(b)* after their duties in respect of the lottery were allocated. [15096]

Mr. Sproat: The table shows expected administration costs to be incurred by each of the 11 lottery distributors for the 12 months ending 31 March 1996, the number of staff required by those bodies for lottery duties and the salaries of the most senior officials of each body for 1994–95 and 1995–96.

Distributor	Estimated outturn of lottery administration costs—1995–96 £000	Number of lottery staff[2]	Chief executive remuneration 1994–95[4] £	Chief executive remuneration 1995–96[4] £
National Heritage Memorial Fund	3,546	[5]27	45,000–49,999	[1]70,000–74,999
National Lottery Charities Board	11,145	[7]148	n/a	[8]80,000–84,999
Millennium Commission	5,000	43	[2]40,000–44,999	[8]80,000–84,999
Arts Council of England	3,192	23	55,000–59,999	60,000–64,999
Scottish Arts Council	376	8	40,000–44,999	[6]40,000–44,999
Arts Council of Wales	480	9	50,000–54,999	50,000–54,999
Arts Council of Northern Ireland	137	4	40,000–44,999	40,000–44,999
Sports Council	3,140	33	60,000–64,999	60,000–64,999
Scottish Sports Council	253	6	55,000–59,999	55,000–59,999
Sports Council for Wales	354	4	50,000–54,999	50,000–54,999
Sports Council for Northern Ireland	300	6	35,000–39,999	40,000–44,999
Total	27,923	311	—	—

[1] The NHMF appointed a new director in December 1995.
[2] The post of chief executive of the Millennium Commission was filled on a temporary basis until 1 March 1995.
[3] The figures for staff exclude any allowance for those officers of the NHMF, the arts councils and the sports councils who, though not assigned lottery staff, do spent a proportion of their time on lottery distribution activities.
[4] With the exception of the National Lottery Charities Board and the Millennium Commission, salaries of chief executives are not fully charged against lottery funds.
[5] The NHMF now has a staffing complement of 44 for its lottery distribution activities, the additional posts are expected to be filled in the near future.
[6] The salary of the chief executive of the Scottish Arts Council is currently under review.
[7] The staff complement of the NLCB has been agreed at 148. Some 30 temporary staff are also currently employed.
[8] The chief executives of the NLCB and the Millennium Commission are also paid an allowance of 15 per cent. of their salaries, with which to make their own pension provisions.

Mrs. Clwyd: To ask the Secretary of State for National Heritage what representations she has received concerning the establishment of free-standing lottery distribution bodies for Wales and Scotland; and if she will make a statement. [16411]

Mr. Sproat: I have received no such representations.

English Heritage Sites (Cleaning Contracts)

Mr. Sheerman: To ask the Secretary of State for National Heritage (1) how many British companies tendered for the contract to clean British Heritage sites; [15891]

(2) what criteria were used in deciding which company should be awarded the contract for cleaning British Heritage sites; [15892]

(3) what is her Department's policy in respect of awarding contracts to foreign companies; [15894]

(4) to what extent the decision to award the contract to clean British Heritage sites to a French company was based on price considerations. [15890]

Mr. Sproat: The hon. Member's questions appear to refer to the sale by English Heritage of its direct labour conservation and maintenance organisation, Historic Property Restoration—HPR. The proposal to privatise HPR was set out in the forward strategy published by English Heritage in 1992. This proposal to privatise was prompted by changes in the geographic pattern of HPR's workload. Direct employment cannot provide the required flexibility. In accordance with our obligations as a member of the European Union, the sale of HPR was advertised in the *Official Journal* of the European Communities. Five shortlisted companies were invited to tender. Only two did so—one British owned, one French owned. The tender submitted by the British-owned company was significantly less financially favourable than the tender from the French-owned company.

HPR has a work force skilled in building conservation which, in the private sector, will be able to bid for work from which it is statutorily excluded as a part of English Heritage. This will give the work force improved employment prospects. It is the intention to transfer staff under Transfer of Undertakings (Protection of Employment) Regulations 1981 provisions.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for National Heritage if she will list the officials in her Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if she will establish a central register of officials' interests. [16893]

Mr. Sproat: Officials in this Department faced with a conflict of interest must declare their interest to senior management so that senior management can determine how best to proceed. This requirement is set out in departmental rules. Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and the Department. There are currently no plans to establish a central register of officials' interests for this Department.

Royal Parks

Mr. Raynsford: To ask the Secretary of State for National Heritage if she will publish figures for planned public expenditure on *(a)* all the royal parks and *(b)* Greenwich park for the years 1995–96 to 1998–99 on the same basis as those published in (i) table 1 on page 60 and (ii) table 2 on page 61 of the report of the royal parks review group on Greenwich park, presented in March 1995. [16391]

Mr. Sproat: Responsibility for the subject of this question has been delegated to the Royal Parks under its chief executive, Mr. David Welch. I have asked him to arrange for a reply to be given.

Letter from David Welch to Mr. Nick Raynsford, dated 29 February 1996:

I have been asked by Iain Sproat, Minister of State for National Heritage, to reply to your Parliamentary Question asking the Secretary of State to publish figures for planned expenditure on all the Royal Parks and on Greenwich Park because these are the areas for which I am responsible.

I attach tables showing planned total expenditure in all the Royal Parks and in Greenwich until 1998/99. These figures are based on the Agency's 1995 Corporate Plan as we have not finalised our Plan for the period 1996–99.

Total expenditure in all Royal Parks (1995–96 prices)

£ million

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Capital Grounds Maintenance Works	3.72	2.29	3.85	5.31	5.42	2.65	1.76	1.69
Maintenance Other Operating Costs	4.92	6.83	7.14	6.75	7.25	6.73	6.75	6.44
Running Costs	6.26	5.58	4.85	3.97	4.69	4.08	4.48	4.84
Redundancy Costs	3.09	2.11	2.32	2.31	2.26	2.52	2.48	3.32
Total	2.62	2.68	2.89	3.11	3.26	2.97	2.87	3.01
	2.78	0.57	0.12	0.10	0.10	0.07	0.05	0.03
	23.39	20.07	21.17	21.56	22.98	19.02	18.39	19.34

Total expenditure in Greenwich Park (1995–96 prices)

£ million

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Capital	0.27	0.36	0.07	0.42	0.31	0.14	0.06	0.11
Grounds maintenance	0.65	0.86	0.87	0.79	0.67	0.73	0.74	0.74
Works maintenance	0.34	0.24	0.30	0.39	0.46	0.46	0.60	0.36

Total expenditure in Greenwich Park (1995–96 prices)

£ million

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Other operating costs	0.31	0.18	0.15	0.17	0.16	0.20	0.20	0.19
Running costs	0.11	0.23	0.22	0.21	0.18	0.18	0.17	0.17
Total	1.68	1.87	1.61	1.98	1.78	1.71	1.77	1.57

Patents (British Library)

Mr. Campbell-Savours: To ask the Secretary of State for National Heritage what is the present location of original documents held by the British library concerning *(a)* Rathbone and Burges' patent AD 1617 No. 1, *(b)* Jeremy Buck's patent of 1651 for the smelting of iron with coal, *(c)* Il Codice Atlantico by Leonardo da Vinci and *(d)* Aeronautica Illustrata by C. J. Norman. [17157]

Mr. Sproat: A copy of Rathbone and Burges' patent AD 1617 No. 1 is held by the British library and may be consulted at the science reference and information service's reading room at 25 Southampton buildings, London WC2A 1AW. The library does not hold a copy of Jeremy Buck's patent of 1651 for the smelting of iron with coal. I understand that official copies of most letters patent were enrolled on the Chancery patent rolls which are held by the Public Record Office. Information about such copies can be obtained from the Keeper of Public Records at the Public Record Office, Chancery lane, London WC2A 1LR. I understand that the Codex Atlanticus is held by the Ambrosian library in Milan. A copy of the Aeronautica Illustrata by C. J. Norman is held by the British library's science reference and information service and may be consulted at the library's reading room at 9 Kean street, London WC2B 4AT.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for National Heritage what steps her Department is taking to collect statistics broken down by gender where relevant. [17694]

Mr. Sproat: Statistics concerning staff employed in my Department are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender.

Party Political Broadcasts

Sir Teddy Taylor: To ask the Secretary of State for National Heritage if he will make a statement on the current rules which permit political parties to have an entitlement to broadcasting time on television on the basis of the numbers of candidates fielded; what plans he has to review the procedures; and what parliamentary procedures would be needed to implement these proposals. [17094]

Mr. Sproat *[holding answer 26 February 1996]:* Decisions about the provision of airtime for party election broadcasts are matters for the BBC, the Independent Television Commission and the Radio Authority. By convention, proposals are put to the major political parties represented at Westminster with a view to reaching consensus.

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

13. **Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food if he will raise at the next meeting of the Agriculture Council the size of the CAP budget for 1996. [16109]

Mr. Baldry: The CAP budget situation forms part of the Council's current considerations of the 1996–97 price fixing proposals.

15. **Mr. David Shaw:** To ask the Minister of Agriculture, Fisheries and Food what progress is being made on making the operation of the common agricultural policy more effective and more efficient. [16111]

Mr. Baldry: The European Commission has now accepted our view that the CAP must change. But neither it nor the majority of member states are yet convinced of the need for the fundamental reform for which we are pressing.

Live Animal Transport

14. **Mr. Corbyn:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received concerning the transport of live animals; and if he will make a statement. [16110]

Mrs. Browning: We are conducting an extensive consultation on implementation of the EU rules on the welfare of animals in transit. The first stage of that is complete—we have had a high level of positive and proactive responses. We will be consulting widely again before any final decisions are taken.

27. **Mr. Nigel Griffiths:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the welfare of animals during export. [16124]

Mr. Hall: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the welfare of farm animals during export. [16120]

Mrs. Browning: We are consulting extensively on implementation of the EU rules on the welfare of animals in transit. The first stage is complete—we are grateful for the positive and proactive responses of those affected. We shall consult further before putting forward any proposals for legislation.

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food what plans he has *(a)* to introduce new and *(b)* to revise existing regulations governing the transport of domestic animals to (i) EU and (ii) other overseas destinations. [17042]

Mrs. Browning: We are currently consulting extensively on implementation in this country of new EU rules on the transport of animals. The details of these provisions are aimed primarily at farmed livestock but the general principles of safeguarding the welfare of animals in transit cover other animals as well. As part of the exercise we intend, as set out in our October 1995 consultation document, to consolidate existing legislation on animal welfare in transport into one instrument. Further consultation will take place before proposals for legislation are put forward.

Calves

16. **Mr. Heppell:** To ask the Minister of Agriculture, Fisheries and Food how many representations he has recently received concerning the welfare of calves. [16112]

Mrs. Browning: I refer the hon. Member to the answer that my right hon. Friend gave earlier to the hon. Member for Barnsley, West and Penistone (Mr. Clapham).

Milk Marque

17. **Mr. John Marshall:** To ask the Minister of Agriculture, Fisheries and Food what representations he has recently received about the operation of Milk Marque. [16113]

Mr. Baldry: My right hon. Friend and I continue to receive representations about Milk Marque's operating practices. Any complaints about these practices are a matter for the competition authorities.

Horticultural Imports

18. **Mr. Bellingham:** To ask the Minister of Agriculture, Fisheries and Food when he next expects to meet representatives of the horticultural industry to discuss the price of imports from eastern Europe. [16115]

Mr. Boswell: I frequently meet representatives of the horticulture industry. We discuss a variety of issues of concern to them including, where appropriate, imports from central and eastern Europe.

Integrated Administration and Control System

19. **Mr. Riddick:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made as to parity of enforcement of IACS payment by EU countries. [16116]

Mr. Baldry: All EU member states are required to implement IACS in accordance with the detailed rules laid down in Commission regulation 3887/92. Commission officials regularly visit all member states to check the way in which they operate the system. Full details of penalties applied are not available but information received suggests that the proportion of penalties applied in the UK is generally similar to those found in other member states.

Fisheries Council

20. **Mr. Jack Thompson:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the decisions made at the meeting of the Council of Fisheries Ministers in December 1995. [16117]

21. **Mr. William O'Brien:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the decisions made at the meeting of the Council of Fisheries Ministers in December 1995. [16118]

22. **Mr. Etherington:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the decisions made at the meeting of the Council of Fisheries Ministers in December 1995. [16119]

Mr. Baldry: I received a wide range of representations from Members of Parliament and members of the public both before and after the meeting of the Council of Fisheries Ministers on 21 and 22 December 1995.

Soya Milk

24. **Mrs. Gorman:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on Government policies in respect of the labelling of soya milk. [16121]

Mrs. Browning: Since the adoption in 1987 of Community legislation prohibiting the use of dairy terms on non-dairy products, the Government have pressed the European Commission, and other member states, to allow the continued use of the term "soya milk" in the UK.

However, we have now exhausted all possibilities for securing a change in the rules and have been obliged to take the action necessary to comply with the Community legislation.

I am in contact with the industry and enforcement authorities about changing the name of the product.

Peat (Container Plants)

25. **Mrs Golding:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to find an alternative to peat for use in raising container plants. [16122]

Mr. Boswell: The Ministry funds strategic research and development looking at the development of alternatives to peat as a growing medium. I will be pleased to write to the hon. Member with further details.

Conservation

26. **Mr. Robathan:** To ask the Minister of Agriculture, Fisheries and Food what action his Department is taking to improve environmental management and wildlife conservation on agricultural land. [16123]

Mr. Boswell: Over the past two years the Ministry has greatly expanded the range of incentives available to promote environmental management and wildlife conservation on farmland. We have launched six new environmentally sensitive areas, making 22 in total covering 10 per cent. of agricultural land in England, and 22 new nitrate sensitive areas, making 32 in all.

We have also introduced several entirely new schemes addressing major environmental priorities such as creating valuable wildlife habitats on farmland, promoting organic farming and improving the condition of heather moorland. In addition, we have announced plans for the future expansion and development of the countryside

stewardship scheme when it transfers from the Countryside Commission to MAFF in April at the end of its pilot period. Taken together, these measures represent a substantial commitment to conserving the countryside.

Common Fisheries Policy

28. **Mr. Steen:** To ask the Minister of Agriculture, Fisheries and Food what progress he has made towards renegotiating the common fisheries policy. [16126]

Mr. Baldry: The Government are pursuing a series of initiatives to achieve improvements in the way that the common fisheries policy operates.

Dogs (Export Licences)

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food how many licences were issued for the export of dogs from the United Kingdom in each of the last five years for which figures are available. [17041]

Mrs. Browning: Exports of dogs are not subject to licensing. Precise figures for dog exports from the United Kingdom are not available since information is not held centrally, but it is estimated that 6,200 official export health certificates relating to approximately 9,600 dogs were issued during 1995. Figures for earlier years could be obtained only at disproportionate cost.

Animal Welfare Directive

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what progress the Government have made on implementing the European directive on animal welfare. [16751]

Mrs. Browning: We are consulting extensively on implementation in this country of the new EU rules on the protection of animals during transport. The first stage of consultation is complete, and we shall be consulting further on our proposals for legislation, taking account of the comments we have received. The EU rules have to be implemented in the member states by 31 December 1996.

Veal Crates

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to persuade the European Commission to phase out veal crates earlier than the time scale provisionally set. [16833]

Mrs. Browning: The Commission presented its proposals for phasing out the close confinement veal crate to the Council of Agriculture Ministers earlier this week. We made it clear in the preliminary discussions that the 12-year lead-in period is too long and we will continue to press hard for an early end to the close confinement veal crate and its associated dietary regime throughout Europe.

Zoonoses Diseases

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food which other EU member states have implemented directive 92/117 for the harmonisation of rules governing the prevention of specified zoonoses diseases. [17182]

Mrs. Browning: Article 8 of directive 92/117 requires member states to submit to the Commission details of the measures they are taking to implement the requirements of the directive. We believe nine member states have so far submitted plans, but only Denmark's plan has been accepted as being fully compatible with the objectives of the directive while the others, including the United Kingdom's, have been rejected.

The Commission's main objection to the United Kingdom's measures is our policy of offering alternatives to slaughter in respect of parent broiler breeder flocks found on investigation to be infected with salmonella enteritidis or salmonella typhimurium.

Farm Woodland Premium Scheme

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food what plans he has to simplify the procedure involved in the consideration of grants sought under the farm woodland premium scheme. [17413]

Mr. Boswell: The farm woodland premium scheme is currently being reviewed to enable decisions to be taken about its future operation after 31 March 1997. The simplification of application procedures is one of the issues being addressed. We expect to announce the outcome of the review this summer.

Mr. Hardy: To ask the Minister of Agriculture, Fisheries and Food what has been the cost of grants under the farm woodland premium scheme in each of the last seven years; and how, in each year, the sums paid out compared with the amounts budgeted. [17414]

Mr. Boswell: The farm woodland premium scheme was launched on 1 April 1992. The first annual payments were not made until October 1993. Expenditure details for England are as follows:

£000

Year	*Actual expenditure*	*PES provision*
1992–93	0	0
1993–94	645	1,022
1994–95	1,362	2,713
1995–96	[1]1,943	4,816

[1] Estimate.

Licensed Abattoirs

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food how many licensed abattoirs there were in *(a)* Wales, *(b)* England, *(c)* Scotland and *(d)* Northern Ireland at the end of 1995; and if he will make a statement. [17554]

Mrs. Browning: In respect of *(a)*, *(b)* and *(c)* the lists set out the number of slaughterhouses licensed at the end of 1995 under (i) the Fresh Meat (Hygiene and Inspection) Regulations 1995 and (ii) the Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995:

(i) The Fresh Meat (Hygiene and Inspection) Regulations 1995

Wales: 36

England: 402

Scotland: 48

(ii) The Poultry Meat, Farmed Game Bird Meat and Rabbit Meat (Hygiene and Inspection) Regulations 1995

Wales: 11

England: 144

Scotland: 8

In respect of *(d)* I refer the hon. Member to my right hon. and learned Friend the Secretary of State for Northern Ireland, who is responsible for the licensing of slaughterhouses in Northern Ireland.

Statistics (Gender Breakdown)

Ms. Jowell: To ask the Minister of Agriculture, Fisheries and Food what steps his Department is taking to collect statistics broken down by gender where relevant. [17678]

Mr. Boswell: Statistics concerning staff employed in the Department are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender.

The Department also collects the following information broken down by gender:

(i) employment on agricultural holdings

(ii) earnings and hours on agricultural holdings

(iii) food consumption and expenditure.

Rabies

Mr. Tim Smith: To ask the Minister of Agriculture, Fisheries and Food if he will commission an independent study and full economic audit of all the available options for managing the risk of rabies to Great Britain. [14786]

Mrs. Browning *[holding answer 14 February 1996]:* The Government gave this matter careful consideration following recommendations made by the Agriculture Select Committee in its report in late 1994 for certain changes to the current quarantine arrangements. Ministers also receive regular advice from officials on all aspects of rabies control. I therefore see no need to commission a further study at this time.

Mr. Smith: To ask the Minister of Agriculture, Fisheries and Food when he expects to receive from his Chief Veterinary Officer the new rabies risk assessment; and if he will place a copy of the report in the Library. [14787]

Mrs. Browning *[holding answer 14 February 1996]:* Ministers receive regular advice from officials on all aspects of rabies control including the risk of introduction of the disease. However, advice from officials to Ministers is confidential and is not normally divulged.

Mr. Smith: To ask the Minister of Agriculture, Fisheries and Food if he will ensure that veterinary surgeons have immediate unrestricted access to the inactivated rabies vaccines already approved by his Department for use of in animals in their care. [14788]

Mrs. Browning *[holding answer 14 February 1996]:* No. The British isles is an internationally recognised rabies-free zone and the use of rabies vaccine for any animals other than those going for export or those going into quarantine would be unnecessary and entirely inappropriate.

Food and Drink Industry

Mrs. Roe: To ask the Minister of Agriculture, Fisheries and Food how he intends to help improve export opportunities for the United Kingdom's food and drink industry. [16125]

Mrs. Browning: We continue, through Food from Britain, to provide active support, practical help and advice, to an increasing number of companies. Its recently opened new representative office in Copenhagen will help our exporters to reach even wider markets.

SCOTLAND

District Court Trials

Mr. McFall: To ask the Secretary of State for Scotland (1) what was the total number of trials in the district courts during 1995; [16734]

(2) what was the total number of adjournments of trials in the district courts and the reason for these adjournments during 1995; and whether they were at the instance of the prosecution or the defence. [16735]

Lord James Douglas-Hamilton: I refer the hon. Member to the answer given to him by the chief executive of the Scottish Court Service on 27 February 1996, *Official Report*, column *531*.

Lord Advocate

Mr. McFall: To ask the Secretary of State for Scotland how many Bills the Lord Advocate has introduced into the House of Lords in each of the past five years; and on what dates they were introduced. [16736]

Lord James Douglas-Hamilton: The information is as follows:

1991:

None.

1992:

None.

1993:

Crofters (Scotland) Bill (25 May 1993)

Scottish Land Court Bill (25 May 1993)

Local Government (Wales) Bill (30 November 1993).

1994:

Value Added Tax Bill (16 May 1994)

(Lord Advocate Rodger on behalf of the Lord Chancellor)

Criminal Justice (Scotland) Bill (17 November 1994)

(Lord Advocate Rodger on behalf of the Lord Fraser of Carmyllie).

1995:

Criminal Procedure (Scotland) Bill (8 June 1995)

Proceeds of Crime (Scotland) Bill (8 June 1995)

Criminal Law (Consolidation) (Scotland) Bill (8 June 1995)

Criminal Procedure (Consequential Provisions)(Scotland) Bill (8 June 1995).

My noble and learned Friend the Lord Advocate is currently a spokesman for legal affairs, Scotland, Home Office and Wales in the House of Lords and would normally be involved in later stages of Bills rather than on introduction.

Housing

Mrs. Ray Michie: To ask the Secretary of State for Scotland how many private sector leasing arrangements were established in the last year with local authorities in Argyll and Bute for the purpose of housing people on housing benefit and income support; and if he will make a statement. [17104]

Mr. Raymond S. Robertson: Information in the form requested is not held centrally. However, we understand from Argyll and Bute district council that since 1 April 1995 it has accommodated 643 people in receipt of income support and housing benefit in privately leased accommodation in the district.

Police

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the annual budget for each of the Scottish police constabularies for each of the last five years. [17430]

Lord James Douglas-Hamilton: The budget estimates provided to the Scottish Office by local authorities are set out in the table.

Budget estimates for Scottish Police Forces for the last five years

£000

	Central	*Dumfries and Galloway*	*Fife*	*Grampian*	*Lothian and Borders*	*Northern*	*Strathclyde*	*Tayside*	*Total*
1991—92									
Net expenditure	20,928	12,962	25,670	40,354	87,749	24,521	226,473	37,096	475,753
Loan charges	934	511	814	1,585	2,904	2,764	7,230	1,495	18,237
Total	21,862	13,473	26,484	41,939	90,653	27,285	233,703	38,591	493,990
1992–93									
Net expenditure	22,457	14,077	28,783	43,026	94,535	26,560	249,428	39,483	518,349
Loan charges	956	675	908	1,450	3,046	2,425	6,260	1,709	17,429
Total	23,413	14,752	29,691	44,476	97,581	28,985	255,688	41,192	535,778
1993–94									
Net expenditure	24,115	14,652	29,978	46,246	96,360	27,200	261,068	41,281	540,900
Loan charges	927	1,172	1,097	1,461	2,968	2,502	7,528	1,761	19,416
Total	25,042	15,824	31,075	47,707	99,328	29,702	268,596	43,042	560,316
1994–95									
Net expenditure	24,904	15,241	30,203	47,028	99,394	28,495	270,600	42,734	558,599
Loan charges	980	927	1,449	1,513	2,995	2,299	8,529	1,520	20,212
Total	25,884	16,168	31,652	48,541	102,389	30,794	279,129	44,254	578,811
1995–96									
Net expenditure	25,621	16,361	32,174	51,334	104,177	30,095	288,555	44,334	592,651
Loan charges	826	804	1,644	2,099	2,845	2,513	7,854	1,659	20,244
Total	26,447	17,165	33,818	53,433	107,022	32,608	296,409	45,993	612,895

Loan charges include leasing payments.

Ms Cunningham: To ask the Secretary of State for Scotland if he will list the total number of staff for each of the Scottish police constabularies indicating *(a)* uniformed and *(b)* civilian employees for each of the last five years. [17431]

Lord James Douglas-Hamilton: The information requested is set out in the table.

	31 December 1991		31 December 1992		31 December 1993		31 December 1994		31 December 1995	
	Police strength[1]	Civilian strength[2]	Police strength[1]	Civilian strength[2]	Police strength[1]	Civilian strength[2]	Police strength[1]	Civilian strength[2]	Police strength[1]	Civilian strength[2]
Central	636	164.5	649	166.5	657	174.5	654	184.5	659	187.5
Dumfries and Galloway	370	108.5	387	116	386	141	390	147	392	147
Fife	775	227	786	231.5	786	242.5	789	229	791	254
Grampian	1,150	414.5	1,194	435	1,193	430	1,191	434.5	1,181	432.5
Lothian and Borders	2,522	886.5	2,561	926	2,558	961.5	2,556	988.5	2,536	988
Northern	633	275	636	291	658	307	643	316	648	323
Strathclyde	6,790	1,372.5	6,797	1,454.5	6,823	1,513	7,003	1,606.5	7,156	1,629
Tayside	1,031	313	1,084	338	1,078	360.5	1,087	367.5	1,116	398.5
Total	13,907	3,761.5	14,094	3,958.5	14,139	4,130	14,313	4,273.50	14,479	4,359.5

[1] Includes officers on secondment.
[2] Includes traffic wardens, clerical and technical staff, domestics, cleaners, cadets and part-time staff (shown as whole-time equivalent).

Confiscation Unit

Mr. Steinberg: To ask the Secretary of State for Scotland how many staff there are in the confiscation unit of the Scottish Prosecution Service. [17144]

Lord James Douglas-Hamilton: There is no dedicated confiscation unit in the Scottish Prosecution Service. Confiscation proceedings are dealt with as part of the duties of the fraud and specialist services unit at the Crown Office. Each of the four legal staff in that unit carry, as part of their workload, confiscation cases. The full resources of the procurator fiscal service are available to assist in necessary investigation in such cases.

Water and Sewerage (Grants)

Mr. David Nicholson: To ask the Secretary of State for Scotland what grants he has made since April 1995 to reduce or stabilise water and sewerage bills in Scotland; what is the estimated annual cost of such grants; and if he will make a statement on the revision for such grants. [17510]

Mr. Kynoch: No such grants have been made by my right hon. Friend since April 1995. For the financial year 1996–97, I refer my hon. Friend to the reply given on 29 November 1995 to my right hon. Friend the Member for Dumfries (Sir H. Monro), *Official Report*, column 704.

Eye Tests

Mr. Home Robertson: To ask the Secretary of State for Scotland what payments his Department made to optometrists in Scotland in respect of free or subsidised eye tests in 1978–79 and in the most recent year for which figures are available. [17517]

Lord James Douglas-Hamilton: Sight tests may be carried out by ophthalmic opticians—optometrists—or ophthalmic medical practitioners. From April 1989 eligibility to NHS sight tests was restricted to certain groups of the population. The information requested is set out in the table.

Scotland: NHS sight test fees paid to ophthalmic opticians and ophthalmic medical practitioners

£ thousand

	1978–79	[1]1994–95
Sight tests[2]		
Ophthalmic medical practitioners	168	192
Ophthalmic opticians	2,500	7,792
Domiciliary visits[3]		
Ophthalmic medical practitioners	n/a	117
Ophthalmic opticians	n/a	175
Total Scotland	2,668	8,276

[1] Provisional figures.
[2] Including NHS contributions under the NHS Low Income Scheme to the cost of private sight tests.
[3] Since June 1990 practitioners may claim a visit fee when they carry out a sight test at a patient's home.

Companies (Financial Assistance)

Mr. Hicks: To ask the Secretary of State for Scotland what was *(a)* the number of applications that have been made by companies for financial assistance, *(b)* the number approved, *(c)* the total financial value of the approved applications and *(d)* the average time taken to process and approve these applications in the last three years for which figures are available for (i) the Scottish Development Agency and (ii) the Highlands and Islands development board. [16979]

Mr. Kynoch: The Scottish Development Agency and the Highlands and Islands development board were replaced by, respectively, Scottish Enterprise and Highlands and Islands Enterprise on 1 April 1991. As the information requested concerns the operational activities of these organisations, I have asked their chairman to write to my hon. Friend.

Farm Woodland Premium Scheme

Mr. Hardy: To ask the Secretary of State for Scotland if he will revise the regulatory arrangements to make farmers who are not engaged in full-time agricultural activity or farmers wishing to retire to take up support under the farm woodland premium scheme. [17212]

Mr. Raymond S. Robertson: Under the existing statutory rules, entry to the farm woodland premium scheme is not restricted to full-time farmers, although retired farmers are ineligible. The scheme is currently being reviewed to enable decisions to be taken about its future operation after 31 March 1997. The eligibility rules

are among the various issues under consideration. It is too early to predict the outcome of the review but an announcement is expected during the summer.

Forestry

Mr. Hardy: To ask the Secretary of State for Scotland what study he has undertaken of schemes for the encouragement of forestry in *(a)* the United Kingdom and *(b)* Ireland; and what has been the contribution made to the increase in forestry in Ireland from EC funds. [17415]

Mr. Kynoch: The Forestry Commission undertook a comprehensive review of the incentives for forestry investment in Britain in 1994. The EC reimburses up to 75 per cent. of the cost of planting grants in objective 1 areas. My right hon. Friend, however, has no responsibility for forestry in the Republic of Ireland.

Mr. Hardy: To ask the Secretary of State for Scotland what has been the net change in afforested areas in *(a)* England and Ireland and *(b)* Scotland in each of the last 10 years. [17416]

Mr. Kynoch: The areas afforested in England and Scotland in each of the last 10 years are as follows. My right hon. Friend, however, has no responsibility for forestry in the Republic of Ireland. The area of woodland converted to other land uses each year is not recorded.

Thousands hectares

	England	*Scotland*
1986	1.3	21.5
1987	1.4	22.4
1988	2.0	25.8
1989	2.0	26.4
1990	3.7	15.3
1991	4.4	14.1
1992	4.2	12.6
1993	5.3	12.1
1994	6.2	10.5
1995	5.1	13.4

Mr. Hardy: To ask the Secretary of State for Scotland by what proportion the areas devoted to forestry has changed in *(a)* the United Kingdom as a whole, *(b)* Northern Ireland *(c)* in Ireland over the last 10 years. [17417]

Mr. Kynoch: The area devoted to forestry in the United Kingdom has increased by 10 per cent. in the last 10 years. My right hon. Friend, however, has no responsibility for forestry in Northern Ireland or the Republic of Ireland.

Prison Service

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list the total number employed within the Scottish Prison Service; if he will provide a breakdown *(a)* for (i) uniformed and (ii) civilian employees and *(b)* for each institution, in each of the last five years. [17837]

Lord James Douglas-Hamilton: The subject of the question relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive to arrange for a reply to be given.

Letter from E. W. Frizzell to Ms Roseanna Cunningham, dated 29 February 1996:

Lord James Douglas-Hamilton has asked me to reply to your question about the total number employed within the Scottish Prison Service with a breakdown (a) for (i) uniformed and (ii) civilian employees and (b) for each institution in each of the last five years.

I attach a table which gives the information which I think you are seeking. It is in 2 parts. First, the number of uniformed and civilian staff on 31 March each year from 1991 to 1995. In this table, civilian staff means civilian instructors in the SPS workshops, and civilian staff in typing grades in prisons, and in some prison maintenance jobs, as well as administrative staff in the Scottish Prison Service Headquarters. Uniformed staff include all prison officers, senior officers and principal officers, as well as prison governors (although the latter do not in fact wear a uniform).

On 1 April 1995, however, the Scottish Prison Service moved to a New Staffing Structure, which abolished the previous grades and incorporated the HQ staff into the SPS Staffing Structure. In addition, a number of posts which were previously filled by uniformed staff are now filled by civilian staff, such as professional nurses or administrative staff in offices or maintenance staff dealing with the prison estate. The most recent figures available as at 1 February 1996 are in Table 2. These distinguish between operational management and staff, and other staff.

I hope this provides the information which you are seeking.

Table 1: SPS staffing as at 31 March each year 1991–1995

	1991		*1992*		*1993*		*1994*		*1995*	
Establishment	*Uniformed*	*Civilian*	*Uniformed*	*Civilian*	*Uniformed*	*Civilian*	*Uniformed*	*Civilian*	*Uniformed*	*Civilian*
Aberdeen	122	13	124	11	137	10	131	6	114	8
Barlinnie	519	18	538	22	558	17	513	15	452	21
Castle Huntly	69	3	78	4	82	6	73	6	70	3
Cornton Vale	181	9	180	9	191	13	184	15	166	11
Dumfries	129	12	150	12	147	14	145	15	133	13
Dungavel	64	5	69	7	75	7	73	6	67	10
Edinburgh	373	10	385	10	424	8	411	8	381	11
Friarton	48	2	52	3	54	2	49	2	40	3
Glenochil	406	18	417	19	441	17	430	23	388	28
Greenock	149	0	154	3	168	5	164	7	145	8
Inverness	89	7	83	6	95	6	90	7	64	5
Longriggend	153	4	163	7	170	7	163	7	149	8
Low Moss	131	6	141	7	165	5	150	6	146	12
Noranside	62	5	72	5	71	6	72	6	61	7
Penninghame	33	1	35	4	36	5	36	7	28	7
Perth	353	11	383	13	395	15	391	13	373	14
Peterhead	268	4	244	7	260	5	244	8	225	8
Polmont	267	16	295	18	312	14	301	18	283	17

Table 1: SPS staffing as at 31 March each year 1991–1995

Establishment	1991		1992		1993		1994		1995	
	Uniformed	Civilian	Uniformed	Civilian	Uniformed	Civilian	Uniformed	Civilian	Uniformed	Civilian
Shotts	377	10	423	13	423	13	418	13	387	16
SPS College	32	7	27	12	30	13	30	10	38	17
Stores	—	23	—	22	—	22	—	13	—	15
Headquarters	28	179	28	179	27	179	33	192	33	202
Total	3,851	363	4,039	393	4,249	388	4,101	403	3,763	444

Uniformed staff: governors, officers, senior officers and principal officers.
Civilian staff: administrative grades in SPS HQ, typing staff in prisons, civilian maintenance staff and drivers.
Shotts unit and barlinnie special unit included in main establishments.

Table 2: SPS staffing as at 1 February 1996

Establishment	1996	
	Operational management and staff	Other staff[1]
Aberdeen	123	20
Barlinnie	454	59
Castle Huntly	56	10
Cornton Vale	157	32
Dumfries	143	23
Dungavel	57	15
Edinburgh	376	67
Friarton	42	4
Glenochil	370	61
Greenock	141	18
Inverness	89	11
Longriggend	148	26
Low Moss	139	22
NIC	37	1
Noranside	60	10
Penninghame	28	10
Perth	355	69
Peterhead	204	39
Peterhead Unit	18	1
Polmont	271	50
Shotts	330	65
Shotts Unit	24	1
SPS College	33	27
SPS Central Stores		14
SPS Headquarters	24	190
Total	3,679	846

[1] 'Other Staff' includes administrative, nursing, maintenance and other staff.

Ms Cunningham: To ask the Secretary of State for Scotland if he will list the total expenditure on the Scottish Prison Service and the component allocated to private security firms; and if he will provide a breakdown by institution in each of the last five years. [17836]

Lord James Douglas-Hamilton: The subject of the question relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive to arrange for a reply to be given.

Letter from E. W. Frizzell to Ms Roseanna Cunningham, dated 29 February 1996:

Lord James Douglas-Hamilton has asked me to reply to your question about the total expenditure on the Scottish Prison Service and the component allocated to private security firms with a breakdown by institution in the last five years.

The total expenditure on the Scottish Prison Service in the last five years, as shown in the Annual Reports is listed below, no part of which was allocated to private security firms.

Financial year	Total expenditure (£000)
1990–91	125,908
1991–92	136,763
1992–93	150,027
1993–94	154,343
1994–95	164,283

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Scotland what steps his Department is taking to collect statistics broken down by gender where relevant. [17689]

Mr. Michael Forsyth: The role of the statistical services in the Scottish Office is to collect and analyse statistics on most aspects of Scottish life. Where relevant, this involves the collection and publication of statistics broken down by gender. As a result, gender is distinguished in a wide range of statistical information handled by the Department.

Local Government Reorganisation

Mr. Bill Walker: To ask the Secretary of State for Scotland if he will make a statement about sheriffdom and sheriff court district boundaries following reorganisation of local government. [18601]

Mr. Michael Forsyth: My Department issued a consultation document on 29 December 1995, copies of which have been placed in the Library. As a result of the responses to the consultation paper, I propose to make only minor adjustments to five sheriff court district boundaries as described. As a consequence of these changes, there would be minor changes to the boundaries of the sheriffdoms of Glasgow and Strathkelvin and South Strathclyde, Dumfries and Galloway respectively. My proposals will be brought before the House for approval shortly.

Sheriff Court District	Proposed Changes
Airdrie	Airdrie will retain its current jurisdiction with the addition of part of Strathclyde Electoral Division 46 (Chryston)
Arbroath	Arbroath will retain its current jurisdiction and absorb Tayside Electoral Division 30 (Monifieth)
Forfar	Forfar will retain its current jurisdiction and assume responsibility for that part of Tayside Electoral Division 31 (Sidlaw) which is now contained within the Angus Council district.

Sheriff Court District	*Proposed Changes*
Glasgow	The only part of Strathkelvin which is not to be absorbed into the new East Dunbartonshire Council is part of Strathclyde Electoral Division 46 (Chryston). This will be transferred from Glasgow to Airdrie Sheriff Court district.
Perth	Perth will retain its current jurisdiction with the addition of part of Tayside Electoral Division 31 (Sidlaw).

Ministry of Defence Joint Working Group

Mr. Welsh: To ask the Secretary of State for Scotland, pursuant to his answer 5 February, *Official Report*, column *90*, how many of the meetings of the Ministry of Defence joint working group have been attended by his Department's officials, and what level of officials and which section. [17408]

Mr. Kynoch *[holding answer 27 February 1996]:* Scottish Office officials have attended all three meetings of the Ministry of Defence joint working group held to date. One meeting was attended by an official at grade 7 from the area regeneration division of the Scottish Office development department and two by officials at grade 5 and grade 7 from the same division.

Water Authorities

Mr. Donohoe: To ask the Secretary of State for Scotland how many posts within the East, West and North of Scotland water authorities have salary levels above £42,000 per annum; and if he will list these posts and the salary and grading levels for each of these posts. [17574]

Mr. Kynoch *[holding answer 28 February 1996]:* Thirty-six posts in the three new water authorities carry salaries in excess of £42,000 per annum. These are as listed.

West of Scotland Water Authority:
- Chief Executive
- Operations Director
- Finance Director
- Engineering Services Director
- Human Resources Director
- Support Services Director
- Scientific Services Director
- Customer Services Director
- Special Projects Director
- Business Planning Director
- External Services Manager
- Operations Support Manager.

North of Scotland Water Authority:
- Chief Executive
- Managing Director Finance
- Managing Direct Water Services
- Director of Human Resources
- Director of Corporate Services
- Group Finance Controller
- Head of Information Technology
- Finance Planning Controller
- Director Capital Procurement
- Legal Adviser
- Regional Director, Grampian
- Regional Director, Tayside
- Regional Director, Highlands
- Regional Director, Islands.

East of Scotland Water Authority:
- Chief Executive
- Director of Operations
- Director of Water Quality
- Director of Corporate Services
- Director of Finance
- Director of Human Resources
- Head of Legal Services
- Head of Information Technology
- Human Resource Manager
- Group Financial Controller.

Detailed information about individuals' salaries and gradings is not held centrally as these are operational matters for the water authorities. Information on posts carrying salaries of £42,000 per annum or more has been collected and is set out in salary bands in the following table:

Salary band	*West of Scotland Water authority*	*North of Scotland Water authority*	*East of Scotland Water authority*
£42,001–50,000	4	6	4
£50,001–60,000	5	5	3
£60,001–70,000	2	2	2
£70,001–80,000	1	1	1

Mr. Donohoe: To ask the Secretary of State for Scotland how many posts the East, West and North of Scotland water authorities each expect to have within their organisations when they become operational on 1 April; and if he will provide a further breakdown of these figures to indicate the nature and number of the posts within these organisations' overall structures. [17575]

Mr. Kynoch *[holding answer 28 February 1996]:* The information contained in the following table is based on present estimates of staffing levels at 1 April and will be subject to revision. The information is broken down by the functional groupings established within each authority.

Function	*Estimated number of employees*
West of Scotland Water Authority	
Operations	2,240
Engineering Services	240
Support Services	160
Scientific Services	140
Finance	80
Special Projects	80
Personnel Services	50
Business Planning	20
Customer Services	10
Total	3,020
North of Scotland Water Authority	
Water Services	1,952
Finance/Information Technology	50
Human Resources	19
Corporate Affairs	13
Chief Executive and support	2
Total	2,036

Function	Estimated number of employees
East of Scotland Water Authority	
Operations	1,605
Development	160
Water Quality	140
Corporate Services	100
Finance	90
Human Resources	40
Total	2,135

Mr. Donohoe: To ask the Secretary of State for Scotland what have been for each of the East, West and North of Scotland water authorities the amounts so far claimed in expenses and remuneration made to each of the members of the boards of these bodies. [17577]

Mr. Kynoch *[holding answer 28 February 1996]:* The information is set out in the table and relates to payments made until the end of January 1996.

	Remuneration £	Expenses £
West of Scotland Water Authority		
John Jameson, Chairman	20,653	2,198
Ernie Chambers, Chief Executive	40,868	—
Norman Berry	3,098	53
Mungo Bryson	3,098	—
Sir Robert Easton	3,098	218
John Goodwin	3,098	288
David Gray	3,098	—
Peter Kennedy	3,098	—
Billy Petrie	3,098	—
Robert Reid	3,098	307
Leslie Rosin	3,098	—
Ian Young	3,098	—
North of Scotland Water Authority		
John Robertson, Chairman	21,746	4,414
Alastair Findlay, Chief Executive	31,761	4,427
Denis Addly	3,242	693
Raymond Bisset	3,242	399
Joan Easten	3,242	2,528
Nigel Graham	3,242	274
Andrew Lewis	3,242	886
Alasdair MacCallum	3,242	918
Olwyn Macdonald	3,242	1,080
Nicolas McAndrew	3,242	106
Donald Nicholson	3,242	2,372
David Paton	3,242	921
East of Scotland Water Authority		
Ian Preston, Chairman	12,968	1,246
Rod Rennet, Chief Executive	40,000	870
Disney Barlow	3,242	—
Robin Bell	3,242	10
Ian Berry	3,242	103
Ann Dickson	1,984	109
Ian Galloway	3,242	180
Harry O'Hanlon	3,242	52
Tom Kerr	3,242	125
Pat McCafferty	3,242	76
Sir Francis McWilliams	3,242	892
Roy Summers	3,242	200

Mr. Donohoe: To ask the Secretary of State for Scotland what are the budgets for each of the East, West and North of Scotland water authorities in the financial year 1996–97. [17573]

Mr. Kynoch *[holding answer 28 February 1996]:* Budget setting is a matter for each of the new water authorities. Among the principal determinants will be the external financing limits which have already been announced and the charges schemes which have yet to be approved.

SOCIAL SECURITY

Incapacity Benefit

Mr. Chris Smith: To ask the Secretary of State for Social Security what training Benefits Agency staff and Benefits Agency medical services doctors receive in mental health problems in assessing applications for incapacity benefit. [15868]

Mr. Burt: The administration of incapacity benefit is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Chris Smith, dated 28 February 1996:

The Secretary of State has asked me reply to your recent Parliamentary Question asking what training Benefits Agency staff and Benefit Agency Medical Services (BAMS) doctors receive in mental health problems in assessing applications for Incapacity Benefit (IB).

BA staff receive training in handling claims from persons suffering from mental health conditions as part of a general IB training course. This course provides instruction in dealing with all aspects of claims to IB, including guidance on identifying when customers may be suffering from mental health conditions; and the appropriate action to take to obtain sufficient information to enable the adjudication officer to give a decision on the appropriate test of incapacity.

All doctors, full time, contract and sessional, employed by BAMS to carry out assessments for IB have undergone specific training to carry out the mental health assessment. All BAMS doctors attend a four day training course which includes a module designed specifically to cover the assessment of mental health problems.

In addition all full-time and short term contract doctors attend a two-day medical education conference during which there is a session devoted specifically to the assessment of mental health problems, this session is led by a consultant psychiatrist.

I hope you find this reply helpful.

Mr. Steinberg: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of extending the linking rule for periods of incapacity for work or interruption of employment from eight weeks to *(a)* 13 weeks, *(b)* 26 weeks, *(c)* one year and *(d)* two years. [18229]

Mr. Burt: There is insufficient information available on which to base estimates.

Contributions Agency

Mr. Morgan: To ask the Secretary of State for Social Security what assessment he has made of the effect of the proposed restructuring of the Contributions Agency on levels of service to customers and expected response times to inquiries and complaints; what savings he expects the restructuring to achieve; and what will be the effect on jobs in Wales within the Contributions Agency. [17829]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Rhodri Morgan, dated 28 February 1996:

As Chief Executive of the Contributions Agency, I have responsibility for answering questions about the operational matters relating to the Agency.

I have been asked to reply to your enquiry regarding the assessment of the proposed restructuring of the Contributions Agency and the affect on jobs in Wales within the Agency.

The proposed reorganisation of the Contributions Agency Field Operations has been the subject of a feasibility study and an extensive trial period in both rural and urban areas. Information from customer satisfaction surveys has also been taken into account to inform on the development, to ensure that the Agency continues to maintain the commitment to serve delivery outlined in its Contributor and Employer Charters.

Precise details of savings cannot be determined during the planning and development stage of the reorganisation. However it is estimated that there will be significant savings in management costs. Savings in accommodation and related costs will be captured as the reorganisation is implemented.

In line with the Governments White Paper "Continuity and Change in the Civil Service" the emphasis is to achieve increased efficiency with reduced costs. The new organisation will inevitably operate with a reduced resource allocation. In Wales that will result in a reduction in staffing levels of 14%.

I hope you will find the reply helpful, if you require anything further please let me know.

Income Support

Mr. Morgan: To ask the Secretary of State for Social Security how many pensioners were in receipt of income support in Wales at the latest available date; what estimate he has made of the numbers of pensioners eligible for income support but not claiming it; and if he will make a statement. [17581]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Rhodri Morgan, dated 28 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many pensioners were in receipt of Income Support (IS) in Wales at the latest available date; what estimate he has made of the numbers of pensioners eligible for IS but not claiming it; and if he will make a statement.

The number of pensioners receiving IS in Wales in November 1995 was 92,339. This is the latest available figure. It is provisional and may be subject to change.

The figures for the numbers of pensioners eligible for IS but not claiming in Great Britain are contained in the publication Income Related Benefits Estimates of Take-Up in 1993/94, copies of which have been placed in the library. A separate figure for Wales is unavailable because the sample size would be too small to give statistically reliable results.

I hope you find this reply helpful.

Mortgage Interest Payment Assistance

Mr. Steinberg: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of extending the assistance with mortgage interest payments currently available under income support to people in work whose incomes would qualify them for housing benefit if they were in rented accommodation. [18230]

Mr. Roger Evans: Entitlement to housing benefit is dependent not only on income but on eligible rent. Without information equivalent to eligible rents for the owner-occupied sector it is not possible to make such an estimate. The necessary information could be obtained only at disproportionate cost.

Attendance Allowance

Mr. Morgan: To ask the Secretary of State for Social Security if he will list the annual number of applications for attendance allowance in Wales for each of the last five years indicating the proportion *(a)* approved, *(b)* withdrawn and *(c)* rejected. [17579]

Mr. Andrew Mitchell: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Rhodri Morgan, dated 28 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if he will list the annual number of applications for Attendance Allowance (AA) in Wales for each of the last five years indicating the proportion (a) approved, (b) withdrawn and (c) rejected.

Claims for AA in Wales are processed at the Cardiff Disability Benefits Centre. The information requested is shown in the following table:

	1991–92	*1992–93*	*1993–94*	*1994–95*
Claims received	38,067	34,301	30,732	32,981
Decisions made:				
Awards	20,934	24,867	20,946	23,344
Withdrawn	n/a	403	340	272
Refusals	10,497	11,601	8,421	8,468

Figures are provisional and subject to change. The difference between the number of claims received and decisions made are the claims that are waiting for adjudication decisions and carried forward in to the next year. The figures requested for the years 1990–91 are not available.

I hope you find this reply helpful.

Benefits Agency

Mr. Hutton: To ask the Secretary of State for Social Security (1) what is his estimate of the value, in cash terms, of the savings to the Benefits Agency which have resulted from the contract awarded to BET to provide accommodation and office services to the Benefits Agency; [17754]

(2) which consultants were employed by the Benefits Agency to review the operation of the contract awarded to BET to provide accommodation and office services to the Benefits Agency; what was the value of that contract; and if he will place a copy of the consultant's report in the Library. [17704]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Hutton, dated 28 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what is his estimate of the value, in cash terms, of the savings to the Benefits Agency (BA) which have resulted from the contract awarded to BET to provide accommodation and office services to the BA; and which consultants were employed by the BA to review the operation of the contract awarded to BET to provide accommodation and office services to the BA; what was the value of that contract; and if he will place a copy of the consultants's report in the Library.

The BA has seven contracts with BET for accommodation and office services and the cash savings to the BA resulting from these contracts are estimated as £4.87 million per year.

The BA keeps all contracts under internal review by monitoring their effectiveness in delivering services while maintaining value for money. The Agency employs a number of consultants to provide technical and contracting advice in support of the Department of Social Security's Competing for Quality programme. The consultants advise on draft contracts and contract variations, the contractual implications of policy and procedural changes and on the best contract practice to secure contained value for money. Although consultants may also be asked to give advice on contracts as they are reviewed, it is not possible to identify a proportion of consultants' costs attributable solely to work relating to the contracts BA has with BET. This is because most of the consultants work concerns issues of general relevance to all the contracts relating to the Competing for Quality Programme.

Internal consultants have carried out a specific study relating to one BET contract. The approximate cost of this study was £2,500. This study contains commercial information which has been given in confidence, therefore a copy will not be placed in the library.

I hope you find this reply helpful.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Social Security what steps his Department is taking to collect statistics broken down by gender where relevant. [17688]

Mr. Burt: Statistics concerning staff employed in this Department are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender.

Information is available by gender for all benefits administered by the Department.

Jobseeker's Allowance

Mr. Morley: To ask the Secretary of State for Social Security if he will estimate the cost in 1996–97 and 1997–98 of extending entitlement to non-means-tested jobseeker's allowance from six months to one year. [18236]

Mr. Roger Evans: Extending entitlement to contributory jobseeker's allowance from six months to one year would be equivalent to restoring the reduction in entitlement to contribution-based benefit from 12 months to six resulting from the replacement of unemployment benefit with jobseeker's allowance in October 1996. The current estimates for the savings from this reduction are £30 million in 1996–97 and £145 million in 1997–98. These figures are lower than previous estimates due to revised forecasts of unemployment and changes to the transitional arrangement for those in receipt of unemployment benefit when jobseeker's allowance is introduced.

Notes:

1. Estimates assume 2.1 million unemployed claimants (GB) and 405,000 unemployment benefit claimants in the absence of jobseeker's allowance.
2. Savings are estimated using 1991–92–93 FES data and 1994 unemployment benefit statistics.
3. Savings are rounded to the nearest £5 million.
4. 1996–97 savings are in 1996–97 prices. 1997–98 savings are in 1997–98 prices.
5. Figures assume transitional protection in 1996–97.

Disability Working Allowance

Mr. Steinberg: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of raising the applicable amounts under disability working allowance by *(a)* £5, *(b)* £10 and *(c)* £25, giving figures separately for single claimants, couples and lone parents. [18243]

Mr. Andrew Mitchell: Information is not available in the format requested. Available information is given in the table. Costs are given in cash terms, and are net of income-related benefit offset savings.

£ million

Cash	*1996–97*	*1997–98*
(a) Raising applicable amount by £5	[1]—	[1]—
(b) Raising applicable amount by £10	5	5
(c) Raising applicable amount by £25	10	15

[1] Represents a figure less than £2.5 million.

Notes:

1. Estimates rounded to nearest £5 million.
2. Information from the "Family Expenditure Survey" (1991, 1992 and 1993) is used to estimate the effects of these changes.
3. Estimates are based on sample data and should be used with extreme caution.

Source:

"Family Expenditure Survey".

Mr. Martlew: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of reducing the taper for the withdrawal of disability working allowance to *(a)* 65 per cent., *(b)* 60 per cent., *(c)* 55 per cent., and *(d)* 50 per cent., and what would be the effect on claimant numbers in each case. [18109]

Mr. Mitchell: The estimated effects of changes in the disability working allowance taper are given in the table. Estimates are expressed in cash terms and are net of income-related benefit offsetting savings.

Reduce DWA taper to:	*1996–97*	*1997–98*
(a) 65 per cent.		
Cost	[1]—	£5 million
Additional DWA recipients	1,000	1,000
(b) 60 per cent.		
Cost	£5 million	£5 million
Additional DWA recipients	2,000	2,000
(c) 55 per cent.		
Cost	£10 million	£10 million
Additional DWA recipients	3,000	4,000

Reduce DWA taper to:	*1996–97*	*1997–98*
(d) 50 per cent.		
Cost	£10 million	£15 million
Additional DWA recipients	6,000	7,000

[1] Represents a figure less than £2.5 million.

Notes:

1. Estimates are rounded to the nearest £55 million.
2. Estimates of additional DWA recipients rounded to the nearest 1,000.
3. Information from the family expenditure survey (1991, 1992 and 1993) is used to estimate the effects of these changes.
4. Estimates are based on sample data and should be used with extreme caution.

Source:

Family Expenditure Survey.

Mr. Bradley: To ask the Secretary of State for Social Security what statistics he collects about the range and averages of earnings and hours of work of people in receipt of disability working allowance. [18103]

Mr. Mitchell: Information about the range and averages of earnings can be found in the "Disability Working Allowance Statistics Quarterly Enquiry" (July 1995), a copy of which is in the Library.

No reliable information on hours worked is held.

Family Credit

Mr. Morley: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of replacing the child care disregard under family credit with a credit of the same cash value, up to a maximum of £42 to be added to the applicable amount of families with paid child care. [18237]

Mr. Roger Evans: The estimated cost of replacing the family credit child care disregard with a credit of the same cash value up to a maximum of £42 a week is £25 million for 1996–97 and 1997–98. This does not allow for behavioural effects.

Notes:

1. Estimates are based on family expenditure surveys, uprated at 1996–97 and 1997–98 levels of prices, earnings and benefit rates, adjusted using the 1993–94 family resources survey data on the use of childcare.
2. Estimates are rounded to the nearest £5 million.

Mr. Steinberg: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of extending entitlement to social fund *(a)* community care grants, *(b)* budgeting loans and *(c)* cold weather payments to families in receipt of family credit. [18244]

Mr. Evans: Since the discretionary social fund is cash limited, extending eligibility to community care grants and budgeting loans to families in receipt of family credit without increasing the cash limit would result in a higher rate of refusals but no extra cost, other than for the administration of any additional applications.

Alternatively, if the cash limit were increased in proportion to the number of families receiving family credit compared with those receiving income support, assuming the same level of demand is met and comparable eligibility conditions apply, we estimate that an increase would be required to *(a)* the community care grants budget and to *(b)* the net amount available for budgeting loans as shown in the table. However, in a discretionary scheme there would be no guarantee that additional expenditure would all go to family credit recipients.

It is not possible to estimate the additional cost of cold weather payments, since the number of payments, being dependent on the weather, varies hugely and unpredictably from year to year. However, we estimate that the total number of eligible people and administration costs would be increased by roughly 10 per cent.

£ million

	1996–97	*1997–98*	*Administration costs, yearly*
(a) Community care grants	10	10	2
(b) Budgeting loans	15	7	5

Mr. Bradley: To ask the Secretary of State for Social Security if he will list the current numbers and proportions of family credit recipients who are *(a)* lone parents, *(b)* one-earner couples and *(c)* two-earner couples. [18096]

Mr. Evans: The information is set out in the table:

	Number of cases	*Percentage*
All FC recipients	626,000	100
Lone parents	277,000	44.2
One earner couples	323,000	51.7
Two earner couples	27,000	4.2

Note:

1. Figures are rounded to the nearest thousand and percentages to one decimal place.

Source:

Family Credit Statistics Quarterly Enquiry July 1995.

Mr. Martlew: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of *(a)* ignoring a spouse's earnings entirely for the purpose of calculating entitlement to family credit and *(b)* aligning the treatment of a spouse's earnings for the purpose of calculating entitlement to family credit with the rules which apply to a spouse's earnings under the invalid care allowance. [18112]

Mr. Evans: The structure of family credit in effect provides a disregard of the first £73 of earned income in the household. The estimated cost of introducing a further complete disregard for spouses' earned income in family credit is £235 million for 1996–97 and £240 million for 1997–98.

Because of the different structures of invalid care allowance and family credit, it is not possible to estimate the costs of applying a disregard structure similar to that in invalid care allowance to family credit.

Notes:

1. Estimates are based on the family expenditure surveys of 1991, 1992 and 1993, and family credit quarterly enquiry statistics (July 1995) uprated to 1996–97 or 1997–98 prices and benefit levels.
2. Estimates of costs are rounded to the nearest £5 million.

Dyslexia

Mr. Alfred Morris: To ask the Secretary of State for Social Security what is his estimate of the percentage of the population with severe literacy problems caused by dyslexia; and if he will make it his policy to ensure that they are covered by regulations under the Disability Discrimination Act 1995. [17918]

Mr. Burt: Information is not held centrally about the percentage of the population with severe literacy problems caused by dyslexia.

The Disability Discrimination Act defines disability as a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. Anyone with dyslexia meeting this definition will be protected by the provisions of the legislation. Effects which are severe would satisfy the requirement that effects should be at least substantial.

Housing Benefit

Mr. Morley: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues and claimant numbers in 1996–97 and 1997–98 of reducing the taper for the withdrawal of housing benefit to *(a)* 60 per cent. and *(b)* 50 per cent. [18231]

Mr. Roger Evans: The information is set out in the table.

Estimated cost of reducing the housing benefit taper

	Cost (£ million)		*Increase in Housing Benefit caseload (000s)*	
Taper	*1996–97*	*1997–98*	*1996–97*	*1997–98*
60 per cent.	160	175	35	35
50 per cent.	550	595	160	160

1. Estimates based on the family expenditure surveys of 1991, 1992 and 1993, uprated to 1996–97 or 1997–98 prices and benefit levels.
2. Estimates of costs are rounded to the nearest £5 million.
3. Estimates of caseloads are rounded to the nearest 5,000.

Home Responsibilities Protection

Mr. Bradley: To ask the Secretary of State for Social Security if he will list the numbers of people in each of the last three years for which statistics are available who *(a)* were entitled to home responsibilities protection, *(b)* ceased to be entitled as a result of resuming to pay national insurance contributions, *(c)* ceased to be entitled as a result of claiming a retirement pension and *(d)* ceased to be entitled due to other changes in circumstances. [18110]

Mr. Heald: The information available is given in the table.

Thousands

	1990–91	*1991–92*	*1992–93*
Total with entitlement[1]	2,633	2,718	2,773
Number ceasing due to increased contributions	267	192	199
Number ceasing due to retirement pension	1	1	1
Number ceasing due to other reason	143	138	135

[1] Entitlement—HRP used where earnings or credits not sufficient for a real qualifying year for pension purposes.

Notes:

Figures are for UK.

1. Figures for 1992–93 are not complete as some employers tax returns may not have been received at the time of the extract.
2. Excludes women with a reduced rate option.
3. May exclude some people with HRP for child benefit where the award date was prior to July 1979.

Source:

1 per cent. sample of NIRS records taken at February 1994.

Earnings Disregard

Mr. Martlew: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of introducing a disregard of *(a)* £25 or *(b)* £50 to be set against a spouse's earnings in two-earner couples for the purpose of calculating entitlement to family credit. [18102]

Mr. Roger Evans: The structure of family credit in effect provides a disregard of the first £73 of earned income in the household. The estimated cost of introducing further disregards is set out in the table:

	£25 disregard		*£50 disregard*	
	1996–97	*1997–98*	*1996–97*	*1997–98*
Total cost (£ million)	40	45	90	95

1. Estimates are based on the family expenditure surveys of 1991, 1992 and 1993, and family credit quarterly enquiry statistics July 1995, uprated to 1996–97 or 1997–98 prices and benefit levels.
2. Estimates are rounded to the nearest £5 million.

Mr. Bradley: To ask the Secretary of State for Social Security what are currently the average numbers and proportions of income support recipients who have earnings set against an earnings disregard of *(a)* £5, *(b)* £10, *(c)* £15 and *(d)* £25, giving figures separately for (i) single people, (ii) married couples, (iii) second-earner spouses and (iv) lone parents. [18070]

Mr. Evans: The information is not available in the format requested. The available information is set out in the table. There is no £25 earnings disregard in income support. The £10 couple disregard will be introduced in October 1996 for income support and jobseeker's allowance.

Claimant group	*Amount of earnings disregarded £*	*Number of cases*	*Percentage of claimant group*
(i) Single claimants	0.01–5.00	32,000	0.7
	5.01–10.00	5,000	0.1
	10.01–15.00	66,000	1.4
	Total	103,000	2.2
Of which: Lone Parents	0.01–5.00	1,000	0.1
	5.01–10.00	4,000	0.4
	10.01–15.00	63,000	5.6
	Total	68,000	6.1

Claimant group	Amount of earnings disregarded £	Number of cases	Percentage of claimant group
(ii) Couples	0.01–5.00	31,000	3.2
	5.01–10.00	2,000	0.2
	10.01–15.00	23,000	2.4
	Total	56,000	5.8
Of which: second-earner partners	0.01–5.00	—	—
	5.01–10.00	—	—
	10.01—15.00	—	—
	Total	1,000	0.1
(iii) All cases	0.01–5.00	63,000	1.1
	5.01–10.00	7,000	0.1
	10.01—15.00	89,000	1.6
	Total	159,000	2.8

Notes:
1. All figures have been rounded to the nearest thousand. A dash represents numbers less than 500.
2. The amounts shown are the actual amounts disregarded. These may be less than the full amount of earnings disregard that the claimant is entitled to.
3. Self-employed earnings are not shown.
4. Couples include cohabitees and spouses.

Source:
Income Support Quarterly Enquiry. February 1995.

Free School Meals

Mr. Steinberg: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of extending entitlement to free school meals to families receiving family credit. [18242]

Mr. Morley: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of extending entitlement to free school meals to families receiving family credit. [18234]

Mr. Roger Evans: The estimated cost of extending entitlement to free school meals to families receiving family credit is £150 million in both 1996–97 and 1997–98.

Therapeutic Earnings

Mr. Bradley: To ask the Secretary of State for Social Security if he will estimate *(a)* the number and proportion of invalidity benefit claimants in 1994–95 with therapeutic earnings, *(b)* the current number and proportion of incapacity benefit claimants with therapeutic earnings which are still subject to the rules which applied before 13 April 1995 and *(c)* the current number and proportion of incapacity benefit claimants with therapeutic earnings. [18069]

Mr. Burt: Information on which to base estimates is not available, and could be obtained only at disproportionate cost.

Mr. Morley: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of abolishing *(a)* the 16 hours rule and *(b)* the earnings rule for therapeutic earnings under incapacity benefit. [18232]

Mr. Burt: There is insufficient information available on which to base estimates.

Invalid Care Allowance

Mr. Bradley: To ask the Secretary of State for Social Security if he will list the number of people in each of the last three years for which statistics are available who *(a)* were in receipt of invalid care allowance, *(b)* who ceased to be entitled to invalid care allowance as a result of earnings above the earnings limit, *(c)* who ceased to be entitled to invalid care benefit due to their age and *(d)* who ceased to be entitled due to other changes in circumstances. [18115]

Mr. Burt: The information requested is in the table[1]:

	1993	1994	1995
ICA Recipients,	230,313	273,901	316,353
Cessations due to earnings	2,524	3,119	4,688
Cessations due to age[2]	Nil	Nil	Nil
Other cessations	40,341	44,022	56,860

Notes:
[1] Figures are based on a 100 per cent. of cases as at 31 December.
[2] Once entitlement to ICA is established, there is no upper age limit.

Source:
Invalid care allowance quarterly statistical returns.

Mr. Bradley: To ask the Secretary of State for Social Security what are currently the range and average level of earnings of people in receipt of invalid care allowance and of their spouses, giving figures separately for each; and what are *(a)* the number and proportion of invalid care allowance claimants with earnings, *(b)* the number and proportion of married invalid care allowance claimants whose spouses are earning and *(c)* the number of invalid care allowance claimants who have lost additional payments for (1) one child, (2) two children and (3) three or more children as a result of the level of their spouses' earnings. [18114]

Mr. Burt: The information is not available in the format requested. Such information as is available is as follows:

As at 28 February 1996, the number of invalid care allowance claimants with earnings is 23,252, which represents 7.2 per cent. of the total number of recipients.

Note: figures are based on a 100 per cent. count of cases.

Source: scan of invalid care allowance database.

Social Fund

Mr. Martlew: To ask the Secretary of State for Social Security if he will estimate the effect on public revenues in 1996–97 and 1997–98 of extending entitlement to social fund *(a)* community care grants, *(b)* budgeting loans and *(c)* cold weather payments to families in receipt of family credit. [18105]

Mr. Roger Evans: Since the discretionary social fund is cash limited, extending eligibility to community care grants and budgeting loans to families in receipt of family credit without increasing the cash limit would result in a higher rate of refusals but no extra cost, other than for the administration of any additional applications.

Alternatively, if the cash limit was increased in proportion to the number of families receiving family credit compared with those receiving income support, assuming the same level of demand is met and

comparable eligibility conditions apply, we estimate that an increase would be required to *(a)* the community care grants budget and to *(b)* the net amount available for budgeting loans as shown in the table. However, in a discretionary scheme there would be no guarantee that additional expenditure would all go to family credit recipients.

It is not possible to estimate the additional cost of cold weather payments, since the number of payments, being dependent on the weather, varies hugely and unpredictably from year to year. However, we estimate that the total number of eligible people and administration costs would be increased by roughly 10 per cent.

£ million

	1996–97	*1997–98*	*Administration costs, yearly*
(a) Community care grants	10	10	2
(b) Budgeting loans	15	7	5

Prescription Charges

Mr. Jon Owen Jones: To ask the Secretary of State for Social Security (1) what estimate his Department has made of the amount of money which will be reclaimed under the new rules for prescription charges in respect of men aged between 60 and 65 years; [16945]

(2) how many pensioners have claimed refunds of prescription charges under the new rules affecting men aged between 60 and 65 years. [16944]

Mr. Malone: I have been asked to reply.

We do not hold figures on the number of men aged 60 to 65 who have paid prescription charges prior to the European Court of Justice ruling. Following our invitation to register a claim we have issued over 187,000 claim forms to men in the United Kingdom. At the close of business on 23 February 132,000—70 per cent.—had been returned.

To date the prescription claims processing unit has authorised payments totalling £2.6 million to 83,000—63 per cent.—men. At this stage it is not possible to forecast accurately the total cost of likely refunds but they are not expected to exceed £6 million. This does not include the cost of prepayment certificates refunded locally by family health services authorities. Administration costs will be additional.

WALES

Breast Cancer Services

Mrs. Clwyd: To ask the Secretary of State for Wales what were the numbers, grades, jobs designations and health authority area of full-time breast cancer staff working in the NHS in Wales for each year since 1990. [16625]

Mr. Richards: The information requested is not available centrally.

Chernobyl

Mrs. Clwyd: To ask the Secretary of State for Wales when he expects to revoke the various emergency restrictions imposed in response to the Chernobyl disaster. [17051]

Mrs. Gwilym Jones: Radiocaesium contamination from the Chernobyl accident continues to affect certain upland areas of sheep grazing in north Wales. Although there has been a general decline in the activity of the radiocaesium the actual rate of decline depends on the interaction of a number of factors such as soil type, vegetation, weather, drainage and sheep grazing preference. The variable interaction between these factors does not enable an accurate forecast to be made of the length of time sheep controls will be required.

Regular monitoring of radiocaesium levels in sheep, and other relevant information, enables suitable areas to be identified for a comprehensive survey and assessment to determine the prospects for removing controls. Following such work my right hon. Friend was able to lift controls from over 65 sq k in the Snowdon area on 17 January 1996. The area originally affected by sheep controls was approximately 4,100 sq k, but has now been reduced to approximately 580 sq k.

Mrs. Clwyd: To ask the Secretary of State for Wales what research he has commissioned to assess the long-term effects of the Chernobyl incident on *(a)* Welsh agriculture and *(b)* land use in the affected areas. [17052]

Mr. Jones: In Wales land affected by the Chernobyl accident is predominantly confined to certain upland areas of north Wales used for sheep grazing. Other than restrictions on the movement and slaughter of sheep from those areas there have been no long-term effects of Welsh agriculture or land use.

Research has identified ways to immobilise the transference of radioactivity through certain technical remedies and chemical land treatments. However, the potential adverse effect such land treatment could have on the natural environment of the area and the practical application of the other treatments are not necessarily appropriate to the area covered by restrictions. At present, the mark and release scheme remains the most satisfactory means of securing the protection of food chain safety and ensuring that normal sheep marketing practices within the restricted area continue with minimum disruption to farmers.

Mrs. Clwyd: To ask the Secretary of State for Wales what representations he has received concerning the revocation of the emergency restrictions imposed in response to the Chernobyl incident. [17053]

Mr. Jones: General inquiries are sometimes received about the length of time sheep restrictions will be required. Our policy of regularly informing farmers affected by restrictions and their unions of the current position is intended to provide them with a full understanding of the situation. This can be judged by the continued co-operation and patience farmers have shown in the need to retain restrictions and their help in maintaining confidence in the quality of Welsh lamb.

Departmental Officials (Interests)

Mr. Cohen: To ask the Secretary of State for Wales if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16884]

Mr. Hague: Staff in my Department faced with a potential conflict of interest must declare the position to senior management who can consider how best to proceed. This requirement is set out in the Welsh Office terms and conditions of service code.

Staff disclose relevant interests on the understanding that this, like all employment matters, is confidential between them and their employer.

Milford Haven Waterway

Mr. Ron Davies: To ask the Secretary of State for Wales what representations he has received concerning the designation of the Milford Haven waterway as a special area of conservation; and if he will make a statement. [17375]

Mr. Hague: Ministers and officials received nine responses following the public consultation exercise undertaken last year from organisations representing a range of interests. Some expressed concern about the socio-economic effects of the proposed designation, others supported it fully, some suggested that the site was not large enough, while others raised queries about the proposed boundaries. All responses received will be taken into account before a decision is made on whether or not to submit the site to the European Commission.

Mr. Davies: To ask the Secretary of State for Wales when he proposes to submit his plans for the designation of the Milford Haven waterway as a special area of conservation. [17374]

Mr. Hague: A public consultation exercise was undertaken last March on over 280 potential special areas of conservation in the United Kingdom. Two hundred and eleven of these sites—including 34 in Wales—have already been submitted to the European Commission as potential SACs. It is hoped that the remaining sites, which include the proposed Milford Haven and Pembrokeshire islands SAC, can be submitted in due course. No decision will be made until all points raised during the consultation have been fully considered.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for Wales if he will list those contracts his Department currently holds with EDS Ltd., indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17459]

Mr. Hague: My Department does not currently hold any contracts with EDS.

Grammar Schools

Mr. Barry Jones: To ask the Secretary of State for Wales what percentage of children of secondary school age attend a grammar school. [17500]

Mr. Richards: There are no grammar schools in Wales.

Inward Investment

Mr. Wigley: To ask the Secretary of State for Wales how many of the new overseas industrial inward investment projects secured by Wales over the past two years were introduced by Invest in Britain. [17229]

Mr. Hague: In the financial years 1993–94 and 1994–95 two new inward investment projects were introduced to Wales by the Invest in Britain Bureau.

Mr. Llwyd: To ask the Secretary of State for Wales how many inward investment projects have settled in Wales as a result of guidance given by the Invest in Britain Bureau over the past three years; and if he will make a statement. [17734]

Mr. Gwilym Jones: In 1992–93, the bureau was significantly involved in two of the 60 projects recorded by Wales; in 1993–94, the bureau was involved in one of the 64 projects recorded; and in 1994–95, the bureau was involved in three of the 51 projects recorded.

Grant-maintained Schools

Mr. Barry Jones: To ask the Secretary of State for Wales how many grant-maintained schools there are in each of the counties of Wales; and if he will make a statement. [17502]

Mr. Richards: The information requested is given in the following table.

Distribution of grant-maintained schools in Wales by county

County	*Number of Schools*		
	Primary	*Secondary*	*Total*
Clwyd	2	4	6
Dyfed	—	—	—
Gwent	1	3	4
Gwynedd	1	—	1
Mid Glamorgan	—	—	—
Powys	1	—	1
South Glamorgan	—	3	3
West Glamorgan	—	1	1
Wales	5	11	16

Wind Turbines

Mr. Barry Jones: To ask the Secretary of State for Wales how many wind turbines have been erected in Wales; and if he will make a statement. [17501]

Mr. Gwilym Jones: Some 224 wind turbines have been erected in Wales with the support of the non-fossil fuel obligation. A small number of turbines have also been constructed outside the NFFO framework; however, details are not held by this Department.

Drug and Substance Abuse

Mr. Barry Jones: To ask the Secretary of State for Wales what measures his Department has adopted to combat *(a)* drugs abuse and *(b)* substance abuse. [17379]

Mr. Richards: A Welsh office consultation paper "Forward Together" which sets out a strategy for tackling drug and alcohol misuse in Wales was launched on 16 October 1995. This paper sets out the measures to be adopted to combat the misuse of drugs and other substances in Wales including the establishment of a new Welsh drug and alcohol unit. The intention is to publish the final strategy document in spring 1996.

I have also announced our intention to reconstitute the Welsh Committee on Drug and Alcohol Misuse. Membership of the committee will be announced in the coming weeks.

Deprived Youths (Training)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will initiate training schemes for deprived youth in the Alyn and Deeside constituency. [17503]

Mr. Richards: The Welsh Office already guarantees a training place to all young people who are not in full-time education, training or employment through its youth credits and modern apprenticeships programmes. As part of its work in delivering this guarantee in the Alyn and Deeside constituency, the North East Wales training and enterprise council operates, as an integral part of its youth training provision, a bridge to work programme which specially caters for those young people who are disadvantaged in the labour market.

Homelessness

Mr. Llwyd: To ask the Secretary of State for Wales (1) if he will break down the number of people who were accepted as homeless in the county of Mid Glamorgan over the last five years by *(a)* sex and *(b)* age group; and if he will make a statement; [17511]

(2) if he will break down the number of people who were accepted as homeless in Dyfed over the last five years by *(a)* sex and *(b)* age group; and if he will make a statement. [17530]

Mr. Gwilym Jones: The information requested is not collected centrally.

A470 Extension

Mr. Llwyd: To ask the Secretary of State for Wales when the construction on the A470 extension of the Cardiff to Merthyr trunk road to the A465 Heads of the Valleys road to Cefn Coed is expected to be completed; and if he will make a statement. [17562]

Mr. Gwilym Jones: The Pentrebach to Cefn Coed scheme, which extends the improvement of the A470 to the A465, is expected to be completed in spring 1997.

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the construction companies currently working on the A470 extension of the Cardiff to Merthyr trunk road to the A465 Heads of the Valleys road at Cefn Coed. [17563]

Mr. Jones: The Pentrebach to Cefn Coed scheme, which extends the improvement of the A470 to the A465, comprises two contracts. The main contractors are:

Southern Section (Pentrebach to Swansea Road)—Taylor Woodrow Civil Engineering Ltd.

Northern Section (Swansea Road to Cefn Coed)—Christiani and Nielsen Ltd.

A465

Mr. Llwyd: To ask the Secretary of State for Wales when the construction on the A465 from Aberdulais to Glyn Neath will be completed; and if he will make a statement. [17566]

Mr. Gwilym Jones: Construction on the A465 between Aberdulais and Glynneath is expected to be completed in early 1997.

Mr. Llwyd: To ask the Secretary of State for Wales when he expects the engineering and statutory procedures will be completed on the rebuilding of the A465 Abergavenny to Hirwaun dual carriageway; and if he will make a statement. [17524]

Mr. Jones: Work is currently expected to start on this scheme in 1999, subject to satisfactory completion of design and statutory procedures, and the availability of finance.

Companies (Financial Assistance)

Mr. Hicks: To ask the Secretary of State for Wales how many applications have been received by the Welsh Development Agency for financial assistance for companies; and what is *(a)* the number approved, *(b)* the total financial value of the approved applications and *(c)* the average time taken to process and approve these applications in the last three years for which figures are available. [16980]

Mr. Hague: I will arrange for the chief executive of the agency to write to my hon. Friend and for a copy of his letter to be placed in the Library of the House.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Secretary of State for Wales what steps his Department is taking to collect statistics broken down by gender where relevant. [17692]

Mr. Hague: In conducting statistical surveys of, or about, individuals the Welsh Office collects information on gender where this is relevant to analysis of the survey data. Aggregated statistics about individuals are published by gender where appropriate.

Reservoirs

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 26 February, *Offical Report*, column *403*, on what date his officials were most recently informed by Dwr Cymru and the National Rivers Authority, Wales region, of reservoir levels; and if he will give the percentage level of the water in each of Dwr Cymru's principal reservoirs at the corresponding date. [18204]

Mr. Hague: My Department has received information from Dwr Cymru on reservoir levels in Wales most recently as at 26 February 1996. The information requested is shown in the following table.

Principal Welsh Reservoir Levels as at 26 February 1996

	Percentage full
North Wales	
Celyn	53
Brenig	86
Cefni	100
Cwymystradllyn	100
Alwen	58
Cynwch	65
South Western Wales	
Brianne	100
Cray	100
Llysyfran	100
Prescelly	100
Ystradfellte	100
Egnant	99
South Eastern Wales	
Usk	71
Talybont	100
Llandegfedd	99
Taf Fechan	99
Taf Fawr	100
Elan Valley	93

Waiting List Initiative Funds

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 16 February, *Official Report*, columns *732-33* what was the total amount of waiting list initiative funds granted to each family health services authority since 1 January. [18205]

Mr. Hague: In the financial year 1995–96, waiting times initiative funding was allocated on a district basis. Within each district, the health authority and family health services authority were asked to agree on the division of the funding. The amounts agreed for family health services authorities are as follows:

FHSA	*£*
Clwyd	nil
Dyfed	110,200
Gwent	50,000
Gwynedd	9,000
Mid Glamorgan	100,000
Powys	nil
South Glamorgan	250,000
West Glamorgan	520,000
Total	1,039,200

In addition, family health services authorities may receive a share of the residual funding of £125,000 recently notified to health authorities.

Sea Empress

Mr. Morley: To ask the Secretary of State for Wales what arrangements have been made for the long-term monitoring of the effects of the oil spill on the marine ecosystem around the Pembrokeshire coast. [17970]

Mr. Gwilym Jones: My right hon. Friend the Secretary of State for Wales has provided £250,000 to the Countryside Council for Wales to enable it to conduct a study of the entire marine environment, and initiate a long-term monitoring programme, in the area affected by the spill.

Mr. Tony Banks: To ask the Secretary of State for Wales what resources he has made available to the Royal Society for the Prevention of Cruelty to Animals and the Royal Society for the Protection of Birds to assist those organisations in their rescue of sea birds and other wildlife affected by oil from the Sea Empress. [18108]

Mr. Jones: Compensation for cost incurred and economic loss suffered as a result of the oil pollution damage from the Sea Empress, including the costs of reasonable measures taken to prevent or minimise the damage, are available from the ship owner's insurer and from the international oil compensation fund, which is funded by levies on the oil industry.

ATTORNEY-GENERAL

Scott Inquiry

Mr. Hain: To ask the Attorney-General (1) what further assessment he makes of Sir Richard Scott's conclusion in section G13.125, page 1996, in respect of his legal and constitutional responsibility to promote the public interst; and if he will make a statement; [16996]

(2) what assessment he has made of Sir Richard Scott's conclusions in G13.106 that the brief to Mr. Moses and his submissions to Judge Smedley were inconsistent with the Deputy Prime Minister's views; and if he will make a statement; [16994]

(3) what assessment he has made of Sir Richard Scott's conclusion in section G13.123 that he must bear responsibility for inadequate instructions to Mr. Moses. [16993]

The Attorney-General: The Treasury Solicitor's Department instructed prosecuting counsel in relation to public interest immunity on behalf of the Foreign and Commonwealth Office, the Department of Trade and Industry and the Ministry of Defence.

All the Ministers who signed PII certificates in the Matrix Churchill case, including my right hon. Friend the then President of the Board of Trade, were satisfied that there was, in principle, a public interest in non-disclosure of documents within the classes as formulated in the certificates, and that the documents in question fell within those classes.

Having regard to the law as it then stood, in the light of the President's concerns, I advised him on a specially drafted PII certificate which emphasised that he was doing no more than performing his duty to assert PII, and that it was for the court to decide which documents should be disclosed.

In the circumstances, as my evidence to the Scott inquiry made clear, the instructions to counsel in relation to the DTI were inadequate and counsel should have been shown my exchange of letters with the President, but these were not matters for my personal supervision.

Sir Richard Scott's comments on my role derive from the fact that he takes a fundamentally different view of the law and does not believe that the President was under any such duty. I am satisfied that the advice I gave was correct and that the decision on disclosure was for the court, not Ministers.

Prosecuting counsel, in line with the President's specially drafted PII certificate, emphasised to the court that Ministers were doing no more than performing their duty to assert PII, and that it was for the court to decide which documents should be disclosed. At counsel's invitation the judge read every document covered by all the PII certificates and duly decided which should be disclosed.

The law has now moved on. Following the decision in ex parte Wiley (1994), Ministers are now able to form their own judgment as to whether material should be disclosed. In the light of that decision, submissions to Ministers on PII are now fuller and take into account Ministers' expanded role.

Mr. Hain: To ask the Attorney-General what assessment he has made of Sir Richard Scott's conclusion in section G18.60 that Government are entitled to authorise the disclosure of its confidential or secret documents; and if he will make a statement. [17005]

The Attorney-General: Public interest immunity applies only to disclosure in the context of legal proceedings. Following the decision of the House of Lords in ex parte Wiley, a Minister is entitled to volunteer disclosure where he concludes that this is in the overall public interest. It has always been for Ministers to decide whether disclosure for purposes other than legal proceedings is in the public interest.

Mr. Hain: To ask the Attorney-General what assessment he has made of Sir Richard Scott's conclusion in section G18.58 in respect of Viscount Simon's judgement in Duncan *v.* Cammell Laird 1942; and if he will make a statement. [17004]

The Attorney-General: The decision in Duncan *v.* Cammell Laird (1942) was overtaken by the decision of the House of Lords in Conway *v.* Rimmer (1968), which effected a major change in the law as to the function of Ministers in claiming public interest immunity. The Government's approach to PII in the Matrix Churchill case was fully in accordance with the law as it then stood in the light of Conway *v.* Rimmer and the later authorities. With the House of Lords decision in ex parte Wiley (1994) there has been a further change.

Mr. Hain: To ask the Attorney-General (1) what assessment he has made of Sir Richard Scott's conclusion in sections G18.66 that his advice was without sound legal foundation; and if he will make a statement; [16998]

(2) what assessment he has made of Sir Richard Scott's conclusion in section G18.54 that his views on Ministers' legal duties to claim PII were based on a fundamental misconception of PII law; and if he will make a statement. [16997]

The Attorney-General: The advice I gave on PII at the time of the Matrix Churchill trial was entirely in accordance with the law as it then stood. It was based on careful, detailed advice from a team of distinguished independent practitioners, was fully supported by the case law and has been publicly endorsed by three of the defence counsel and a number of other eminent commentators including the Master of the Rolls.

Since the Matrix Churchill trial the decision of the House of Lords in ex parte Wiley (1994) has brought about a change in the law on PII.

For a full analysis I refer the hon. Member to the document entitled "Public interest immunity: Government response to the Scott Report", copies of which are in the Library.

Mr. Hain: To ask the Attorney-General what assessment he has made of Sir Richard Scott's conclusion in section G18.104 that the class claims made in the Matrix Churchill trial should have had no place in a criminal trial; and if he will make a statement. [16999]

The Attorney-General: The class claims made in the Matrix Churchill trial were of a kind which were well established and recognised by the courts. The trial judge held that they had been properly made. The application of PII to criminal cases has been confirmed by the higher courts. For example, the Court of Appeal upheld class claims for material relating to national security and communications with foreign Governments in Ordtec—R *v.* Blackledge and others—(1995).

As to the future, I have announced that the Government are considering carefully the recommendations in the Scott report in relation to PII and are seeking the views of interested parties.

Mr. Hain: To ask the Attorney-General what assessment he has made of Sir Richard Scott's conclusion in section G13.17 that the ability of the prosecution to introduce evidence within a public interest immunity class without making it available to the defence is one-sided. [17324]

The Attorney-General: Public interest immunity applies regardless of whether the prosecution or the defence seeks disclosure of the material in question. At the relevant time a Minister was under a duty to claim PII where it applied, except where it was clear that on any view the court was bound to order disclosure—the so-called Makanjuola exception. The Makanjuola exception was not expressly applied to the disclosure of the material referred to in paragraph G13.17 of the Scott report. It is accepted that the prior approval of the Secretary of State for disclosure should have been obtained. However, on the basis that disclosure could in the circumstances have been justified as falling within the scope of the Makanjuola exception, there was no inconsistency between that disclosure and the PII claims that were made in the case.

Mr. Winnick: To ask the Attorney-General when he first consulted with other Cabinet Ministers about the contents of the report of the Scott inquiry; and where and when such discussions took place and with whom. [16514]

The Attorney-General *[holding answer 22 February 1996]:* It is not the practice to give details of ministerial meetings.

Mr. Hain: To ask the Attorney-General, pursuant to his oral answer of 19 February, *Official Report*, column 17, (1) when he read the letter from the Deputy Prime Minister dated 11 September; [16990]

(2) pursuant to his oral answer of 19 February, *Official Report*, column 17, who in his Department read the Deputy Prime Minister's letter dated 11 September; on what date; and on what date their contents were communicated directly to him; [16989]

(3) pursuant to his oral answer of 19 February, *Official Report*, column 17, if the written comments submitted to Sir Richard Scott on his behalf on 6 November 1995 confirmed that he had not read the Deputy Prime Minister's letter of 11 September prior to commencement of the Matrix Churchill trial on 12 October 1992. [16991]

(4) if he will publish the written comments submitted on his behalf to Sir Richard Scott on 6 November 1995; [16992]

The Attorney-General: One of my officials read my right hon. Friend's letter when it was received on 14 September 1992 and immediately sent a copy to the Treasury Solicitor's Department, which was responsible for instructing prosecuting counsel. I was away from my office during the week when the letter arrived.

The letter was a brief one. Its purpose was to thank me for my advice and for the revised draft PII certificate which I had proposed, and which my right hon. Friend had duly signed. I already knew this. In the circumstances there is nothing at all surprising in the fact that, as the Scott inquiry was informed in written comments submitted on 6 November 1995, the letter was not brought to my attention before the Matrix Churchill trial. I have no plans to publish those comments. Sir Richard Scott intends to publish in due course copies of all documents which he considers relevant to the text of his report.

Mr. Hain: To ask the Attorney-General (1) what assessment he has made of Sir Richard Scott's conclusion in sections G13.113 and 115 that Ministers should inform the court if they have views on disclosure; and if he will make a statement; [17003]

(2) what assessment he has made of Sir Richard Scott's conclusion in section G18.101 that it is a waste of public time and money to place the issue of disclosure in respect of trivial documents before the trial judge; and if he will make a statement; [17001]

(3) what assessment he has made of Sir Richard Scott's conclusion in section G18.101 that judges may make mistakes; and if he will make a statement; [17002]

(4) what assessment he has made of Sir Richard Scott's conclusion in section G13.103 that Ministers were given insufficient guidance to come to a consistent view about the class of documents they were protecting; and if he will make a statement. [17323]

The Attorney-General: As the law on public interest immunity stood at the time of Matrix Churchill, it was for Ministers to advance a PII claim where they were satisfied that there was a public interest in not disclosing documents within the relevant classes, and that the documents fell within those classes. It was then the judge's function to weigh the public interest in non-disclosure against the public interest in disclosure for the purposes of doing justice. The judge was best placed to know the issues in the case and hence the degree of relevance of the documents in question.

Following the decision in ex parte Wiley (1994), Ministers can now weigh the competing interests for themselves and volunteer disclosure if they conclude that this is in the overall public interest. But where a Minister is not satisfied that disclosure should be made, the court remains the ultimate decision maker and must balance the competing public interests and rule on disclosure.

Departmental Officials (Interests)

Mr. Cohen: To ask the Attorney-General if he will list the officials in his Department who have declared a current interest; what requirements are placed on officials to declare relevant interests; in what form records of such declarations are kept; and if he will establish a central register of officials' interests. [16885]

The Attorney-General: Comprehensive records are not held centrally for civil servants in the departments and agency for which I am responsible. Civil servants faced with a conflict of interest must declare their interest to senior management in accordance with the staff handbook of each department and agency. Staff who disclose relevant interests do so on the understanding that the declaration, like other employment matters, is confidential between them and their employer. There are no plans to establish a central register of officials' interests.

Asil Nadir

Mr. Cox: To ask the Attorney-General what recent discussions he has held, and with whom, on the case of Mr. Asil Nadir. [17161]

The Attorney-General: Asil Nadir is the co-accused of Elizabeth Forsyth who is presently standing trial at the Central Criminal court. He has however left the jurisdiction and is the subject of an unexecuted warrant for his arrest. I have discussed the case from time to time with my officials and the director of the Serious Fraud Office.

EDS Ltd.

Ms Eagle: To ask the Attorney-General if he will list those contracts his Department currently holds with EDS, indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17450]

The Attorney-General: None of the departments or agency for which I am responsible has entered into any contract with EDS, Electronic Data Systems.

Serious Fraud Cases

Mr. Alex Carlile: To ask the Attorney-General what plans he has to change the procedures governing the investigation and prosecution of serious fraud cases; and if he will make a statement. [17389]

The Attorney-General: None. The Serious Fraud Office and the fraud division of the Crown Prosecution Service continue to implement the recommendations of the Davie report as set out in my statement to the House on 31 March 1995, *Official Report*, column 1309. Copies of the report were placed in the Library of the House.

Statistics (Gender Breakdown)

Ms Jowell: To ask the Attorney-General what steps his Department is taking to collect statistics broken down by gender where relevant. [17685]

The Attorney-General: Statistics concerning staff employed in the departments and agency for which I am responsible are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender.

Written Answers to Questions

Friday 1 March 1996

ENVIRONMENT

Secondary Liquid Fuels

Mrs. Anne Campbell: To ask the Secretary of State for the Environment if it is his Department's policy to permit the permanent use of secondary liquid fuels. [17912]

Mr. Clappison: Each application for the burning of secondary liquid fuels will be determined on its own merit and in accordance with the requirements of the Environmental Protection Act 1990. If the operator of the plant has demonstrated, by trials, that there is no net adverse effect on the environment, authorisation with strict conditions under the Act is likely to be granted.

Flags

Mr. John D. Taylor: To ask the Secretary of State for the Environment what planning permission provisions apply to the flying of flags of non-sovereign nations, with special reference to the City of Westminster; what is his policy on this matter; what payment has to be made with a planning application to fly such a flag; and if he will make a statement. [18082]

Sir Paul Beresford: Provisions in schedule 2 (class I) to the Town and Country Planning (Control of Advertisements) Regulations 1992 effectively enable the national flag of any country to be displayed in England and Wales, provided the flag is on a single, vertical flagstaff and there is no advertisement or subject matter additional to the flag's design. If these conditions are fulfilled, no application for planning permission or advertisement consent is required to fly a national flag. No special provisions apply in the City of Westminster.

My right hon. Friend has no proposals to amend these provisions.

Groundwater (London)

Mr. Chris Smith: To ask the Secretary of State for the Environment what discussions he has had with London local authorities, Thames Water and London Underground about rising levels of groundwater underneath London; and if he will make a statement. [18299]

Mr. Clappison: I refer the hon. Member to the reply given to the hon. Member for Woolwich (Mr. Austin-Walker) on Tuesday 27 February, *Official Report*, column *479–80*.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for the Environment which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18136]

Sir Paul Beresford: Four serving civil servants in my Department currently hold non-executive company directorships. No fees are payable under the Cabinet Office rules:

Name	*Company*	
Dr. Alan Apling	H. R. Wallingford Group	(ex officio)
Mr. Roger Courtney	Woods of Colchester	
Mr. William Rickett	Redland Tile Business	
Mr. John Stoker	Mersey Partnership	(ex officio)
	Hanson Brick	

Hare Krishna Temple, Hertsmere

Mr. Rendel: To ask the Secretary of State for the Environment what representations he has received in relation to the appeal over the Hare Krishna temple in Hertsmere, Hertfordshire; and when he expects to make a decision on it. [18505]

Sir Paul Beresford: A number of representations for and against the proposals were heard at least year's public inquiry into the planning appeal. We received the inspector's report in December, and we are considering his conclusions and recommendations very carefully. It is too early to say when the Secretary of State's decision will be issued.

Power Lines

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what plans he has to meet the chief medical officer to discuss the potential danger to health from power pylons and lines; and if he will make a statement. [17972]

Sir Paul Beresford *[holding answer 29 February 1996]:* My right hon. Friend has no such plans. The National Radiological Protection Board advises industry, local authorities and other regulators on these matters.

Mrs. Jackson: To ask the Secretary of State for the Environment what representations he has received from *(a)* housing organisations, *(b)* mortgage lenders, and *(c)* health organisations about the potential danger to health from power pylons and lines. [17971]

Sir Paul Beresford *[holding answer 29 February 1996]:* As far as is known, my right hon. Friend has received no direct representations from these bodies.

LORD CHANCELLOR'S DEPARTMENT

Civil Servants (Company Directors)

Mr. Byers: To ask the Parliamentary Secretary, Lord Chancellor's Department which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18141]

Mr. Jonathan Evans: No central register is kept in this Dapartment of company directorships held by serving civil servants. However, members of staff are required to declare to senior management any commercial interest they may have. This requirement is set out in the Department's personnel management manual. Senior officials are not aware of any such declarations having been made by current members of staff. More detailed research would involve the examination of individual personal files and could be obtained only at a disproportionate cost.

Scott Inquiry

Mr. Allen: To ask the Parliamentary Secretary, Lord Chancellor's Department what consultations he had with the secretary to the Cabinet concerning the Government's response to the Scott inquiry; and where and when such consultations took place. [16641]

Mr. Jonathan Evans: Successive Governments have not disclosed the nature or the specific sources of the advice they receive from the civil service.

NORTHERN IRELAND

Cultural Traditions Group

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what factors led the cultural traditions group to decline to utilise Ulster Scots in its logo; and what is its policy for ensuring a funding balance between Ulster's main cultural traditions and an appropriate input at policy level from each. [16748]

Mr. Ancram: The cultural traditions group continues to seek an appropriate expression of the Ulster Scots tradition for inclusion in its logo. The CTG's funding policy is to encourage respect for diversity by spreading knowledge of Northern Ireland's separate and shared traditions. It welcomes funding applications for projects reflecting any aspect of Northern Ireland's cultural heritage and considers each on its merits. Membership of the group and its sub-committees is representative of Northern Ireland's main cultural traditions and it welcomes policy submissions from any interested cultural organisation.

EDS Ltd.

Ms Eagle: To ask the Secretary of State for Northern Ireland if he will list those contracts his Department currently holds with EDS Ltd., indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17452]

Sir John Wheeler: One contract is currently held with EDS, the date of inception for which was 1 September 1995. This contract is due to last 19 months. I am unable to disclose the value of this contract as it is covered by commercial confidentiality.

Miss Rita O'Hare

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if the arrest of Miss Rita O'Hare is still sought; and what attempts have been made to extradite her from the Irish Republic. [17099]

Sir Patrick Mayhew: The arrest warrant for Ms O'Hare is still outstanding and has not been withdrawn.

The Royal Ulster Constabulary made a request to have Ms O'Hare extradited from the Republic of Ireland. However, she successfully relied on the political offence defence and won her case against extradition in the High Court in Dublin in March 1978.

Confiscation Unit

Mr. Steinberg: To ask the Secretary of State for Northern Ireland if he will review with the Director of Public Prosecutions in Northern Ireland the resources allocated to the confiscation unit. [17149]

Sir John Wheeler: The office of the Director of Public Prosecutions in Northern Ireland has in this financial year been allocated £7,089,000. The distribution and any reviews of this to specific parts of his office are matters for the director to decide.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for Northern Ireland which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18143]

Sir John Wheeler: Central records indicate that we have no staff in Northern Ireland civil service departments serving as directors of companies.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Northern Ireland, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17313]

Sir Patrick Mayhew *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns 589–604.

HOME DEPARTMENT

Prisoners (Transmissible Disease)

Mr. Gerrard: To ask the Secretary of State for the Home Department what steps are taken to ensure the confidentiality of medical checks on prisoners, including when a case of a transmissible disease is identified. [16703]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Neil Gerrard, dated 1 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the confidentiality of medical checks on prisoners.

All medical information on prisoners is held on the Inmate Medical Record (IMR) which is restricted to the medical team providing care to prisoners. The IMR accompanies transfer in a sealed package. Other communications regarding an inmate's medical status are made doctor to doctor.

It is Prison Service policy that medical confidentiality on inmates' medical information, including transmissible diseases is maintained.

All training of health care staff including Medical Officers, nurses, health care officers and counsellors, emphasises the importance of maintaining medical confidentiality.

Medical officers and nurses working in the Prison Service adhere to their professional codes of conduct concerning confidentiality of medical information. Other members of health care teams work under the supervision of the Medical Officer and adhere to that profession's code of conduct.

Ministerial Meetings (Immigration)

Mr. Vaz: To ask the Secretary of State for the Home Department how many meetings were held by Ministers in his Department to discuss immigration cases with hon. Members in each year since 1979. [17061]

Mr. Kirkhope: The information requested could be provided only at disproportionate cost. In 1995, over 60 such meetings with hon. Members were held at the Home Office.

Criminal Cases Review Authority

Mr. Mullin: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 February, *Official Report*, column *720*, if he will list the other sources from which candidates were drawn; and how many of the shortlisted candidates were applicants arising from *(a)* the advertisement and *(b)* other sources. [18156]

Mr. Kirkhope: The other sources from which candidates for the post of chairman of the Criminal Cases Review Commission were drawn were executive search, and lists of volunteers and nominees for public appointments drawn up in government. Of the six short-listed candidates, two responded to advertisements and four were found by executive search.

Gambling Controls

Mr. George: To ask the Secretary of State for the Home Department if the Gaming Board has endorsed the changes to the controls over gambling announced on 27 February. [18454]

Mr. Kirkhope: The proposals are those of the Government. Nonetheless the Gaming Board has told me that it welcomes the Government's initiative in considering to what extent the controls on casinos and bingo clubs in the Gaming Act 1968 continue to meet present day requirements and in making proposals where the Government believe that controls can be updated or relaxed. The board also welcomes the fact that the Government are putting out their proposals for wide public consultation.

There is much in the consultation paper published on 27 February with which the board agrees and it will be able to support many of the proposals. There are several significant matters which the board has been asked to discuss with the industries concerned before proposals are finalised; and there are issues on which the board will wish to consider carefully the stance it should adopt.

Mr. George: To ask the Secretary of State for the Home Department what discussions his Department has had with the Gaming Board over the relaxation of regulations on casinos and other locations for gambling. [18455]

Mr. Kirkhope: We have had regular contact with the Gaming Board during the drafting of the proposals in the consultation paper published on 27 February. In particular, the board provided professional advice and comment on the factual analysis underpinning the document and on the practicability of various options for change. Its comments were taken into account in preparing the final version.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for the Home Department which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18139]

Mr. Howard: Civil servants do not need permission to undertake and be paid for work outside normal working hours, provided there is no conflict of interest. There is no specific requirement for staff in the Home Office to report directorships held privately and no central record is kept. Any fees paid for such work would in any case be a matter of individual privacy. Only one official of the Home Office and its agencies, Dr. J. Thompson, has been given permission to become a non-executive director of KPMG, for developmental purposes; the appointment has yet to taken up. Under Cabinet Office guidance on developmental directorships, the individuals concerned do not receive payment from the companies concerned.

Scott Inquiry

Mr. Winnick: To ask the Secretary of State for the Home Department when he first consulted other Cabinet Ministers about the contents of the report of the Scott inquiry; and where and when such discussions took place and with whom. [16515]

Mr. Howard *[holding answer 22 February 1996]:* It is not the practice to give details of ministerial meetings.

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for the Home Department, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers." [17311]

Mr. Howard *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my hon. Friend the President of the Board of Trade on 26 February, *Official Report*, columns *589–604*.

TRANSPORT

Roads

Mr. Allen: To ask the Secretary of State for Transport if he will list *(a)* the number of kilometres of motorway renewed, *(b)* the number of kilometres of trunk road renewed, *(c)* the number of bridges assessed for structural capacity and *(d)* the number of bridges strengthened by his Department in each financial year since 1989–90, including plans for the current year. [18166]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Graham Allen, dated 1 March 1996:

As you know, the Minister for Railways and Roads, Mr. John Watts, has asked me to reply to your Parliamentary Question asking the Secretary of State for Transport if he will list (a) the number of kilometres of motorway renewed, (b) the number of kilometres of trunk road renewed, (c) the number of bridges assessed for structural capacity and (d) the number of bridges strengthened by his Department in each of the financial years since 1989–90 including plans for the current year.

The information requested for financial years 1989–90 to 1992–93 can be found in "Transport Report 1994—The Government's Expenditure Plans 1994–95 to 1996–97", Cm 2506, presented to Parliament in March 1994. For subsequent years the figures are as follows.

	1993–94 outturn	*1994–95 outturn*	*1995–96 plans*[1]
Motorway renewal (nlks[2])	234	277	110
Other trunk road renewal (nlks[2])	293	563	220
Bridges assessed	1,793	1,254	820
Bridges strengthened	46	164	77

[1] Revised plans announced to Parliament on 10 January 1996.
[2] Nearside lane kilometres.

Road Deaths

Mr. Allen: To ask the Secretary of State for Transport what percentage of road deaths in the last year was caused by inappropriate speeds, in respect of *(a)* urban and *(b)* rural roads. [18180]

Mr. Norris: Figures are not available for percentage of road deaths caused by inappropriate speed in the last year. Various sources show that inappropriate speed is a factor in a third of all road accidents.

Mr. Allen: To ask the Secretary of State for Transport what plans he has to include a section on walking in the next transport policies and programme circular. [18178]

Mr. Norris: I am currently considering the content of the next TPP circular. We will be consulting the local authority associations on this, and will take their views into account.

Mr. Allen: To ask the Secretary of State for Transport what steps are being taken to encourage journeys on foot within the context of transport policy. [18179]

Mr. Norris: I have had meetings with a number of interested organisations to investigate the scope for taking forward new initiatives to encourage journeys on foot. In the meantime, my Department encourages local authorities in the TPP guidance and related guidance notes to promote modal shift to walking, along with other alternatives to the car, and to take the needs of pedestrians into account in the devising of transport strategies and the design of schemes. It also issues technical advice on the design of facilities for pedestrians.

Walking and Traffic Calming

Mr. Allen: To ask the Secretary of State for Transport what proportion of the local transport settlement in December 1995 was spent on *(a)* measures to improve walking and *(b)* traffic calming measures. [18177]

Mr. Norris: This information is not available. Pedestrian and traffic calming schemes generally cost less than £2 million each. Local authorities have discretion to allocate resources to schemes costing less than £2 million according to their own priorities. It is therefore up to them to decide, in drawing up their plans for 1996–97, what proportions of the resources allocated to them in the December 1995 settlement should be allocated to pedestrian and traffic calming schemes.

Cones Hotline

Mr. Flynn: To ask the Secretary of State for Transport how many calls to the cones hotline *(a)* did and *(b)* did not result in remedial action; and what is the average cost per call, including his Department's internal costs. [18504]

Mr. Watts: In respect of the cones hotline, I refer the hon. Member to the reply given to the hon. Member for Gordon (Mr. Bruce) on 6 November 1995, *Official Report*, at column *759*, and to my reply to the hon. Member's earlier question on 10 July 1995, *Official Report*, at column *403*.

Since September 1995, the cones hotline has been replaced by the Highways Agency information line.

Tri-star Ambulance

Ms Harman: To ask the Secretary of State for Transport if he will place in the Library reports commissioned by the Department of Transport on the safety aspects and specifications of the General Motors Corporation Tri-star ambulance; and if he will make a statement on its road safety record. [18556]

Mr. Norris: We have not commissioned any reports on the safety of the GMC Tri-star ambulance. Two accidents involving the vehicle were, however, examined by the Department's vehicle inspectorate as part of its routine accident investigation activities. The conclusion in both cases was that the accidents were due primarily to lack of driver familiarisation with the vehicle.

Oil Pollution

Mr. Tony Banks: To ask the Secretary of State for Transport what elements of public expenditure will not be eligible for reimbursement from insurers of the Sea Empress or the international oil pollution compensation fund. [18359]

Mr. Norris: The international oil pollution compensation fund will not reimburse those elements of public expenditure which fall outside the definition of pollution damage under the relevant international conventions and the criteria for admissibility which have been agreed by its executive committee. The criteria for admissibility are described in the IOPC's claims manual, copies of which have been placed in the Library of the House.

Mr. Banks: To ask the Secretary of State for Transport if he will give details of the total amounts available within the international oil pollution compensation fund; and if he will list the contributors to the fund and the amount each has contributed. [18355]

Mr. Norris: The total amount of compensation available from the vessel's insurers and the international oil pollution compensation fund is 60 million special drawing rights, which is approximately equivalent to £57 million. The contributions to the fund are levied against major oil companies in each of the 67 member states of the fund. Information on individual contributors is not held by the Government.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for Transport which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18150]

Mr. Norris: There are two civil servants in the Department who are non-executive directors of companies. John Denning is a non-executive director of Lloyds Register Quality Assurance Ltd. and David McMillan is a non-executive director of the P & O European Transport Services. No payment is made to the civil servants.

Search and Rescue Helicopters

Mr. Ainger: To ask the Secretary of State for Transport when he plans to publish his consultation document on the distribution of search and rescue helicopters around the United Kingdom coast. [18459]

Mr. Norris: We hope to consult on the recommendations of the report of the interdepartmental helicopter review group shortly.

FOREIGN AND COMMONWEALTH AFFAIRS

China

Mr. MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government will make on the suppression of human rights in China at the forthcoming UN human rights conference in Geneva. [17959]

Mr. David Davis: We continue to be deeply concerned about the human rights situation in China. We and our European Union partners are at present discussing the possibility of co-sponsoring a resolution on human rights in China at the forthcoming UN Commission on Human Rights.

Wei Jingsheng

Mr. MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what inquiries about the health of the Chinese pro-democracy activist Wei Jingsheng have been made recently by Her Majesty's embassy in Beijing. [17963]

Mr. David Davis: My right hon. and learned Friend the Foreign Secretary expressed the Government's deep concern about this case during his talks with the Chinese Premier and Foreign Minister in Peking on 9 and 10 January. The case was also discussed during the second series of meetings under the EU/China human rights dialogue in Peking on 22 and 23 January.

We have urged the Chinese authorities to show clemency in this case, and to allow Mr. Wei's early release.

Hong Kong

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what severance pay will be paid to the present governor of Hong Kong on his retirement; and what proportion of that sum will be tax free. [18084]

Mr. David Davis: The term of employment applying to the present governor, and to others employed in the Hong Kong Government on contract terms including the governor's predecessors, provide for him to receive, upon the completion of the period of his appointment in Hong Kong, a gratuity of 25 per cent. of his total basic salary in lieu of pension. The governor's gratuity would be paid by the Hong Kong Government and would not be subject to tax.

Overseas Visits

Mr. Hall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17483]

Sir Nicholas Bonsor: The lists for the years 1992 to 1995 have been placed in the Libraries of the House. Recovery of data for the years 1990–92 would incur disproportionate costs. A list of standard delegations accompanying my right hon. and learned Friend, the Foreign Secretary or one of his Ministers is also placed in the Libraries of the House. The need for officials to accompany Ministers is reviewed periodically on a case-by-case basis. To provide further details of the composition of each delegation, its function and its cost would also incur a disproportionate expense of public funds.

Foreign Affairs Council

Mr. Garnier: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the Foreign Affairs Council on 26 and 27 February. [18508]

Mr. David Davis: The A points listed in document 5157/96, which will be deposited in the Libraries of the House as soon as it is available, were approved except item 15.

The Council took note of the European Parliament resolutions in documents 4306/96 and 4709/96, PE-RE 6 and PE-RE 9. Copies of these documents will be deposited in the Libraries of the House as soon as they are available.

The Council discussed former Yugoslavia and agreed conclusions on a regional approach, refugees and reconstruction. The Council invited the Commission to prepare, at the right time, negotiating directives for agreements with all the countries of the region which meet the necessary conditions and accept the regional approach.

The Council discussed preparations for the European Council in Turin and the practical organisation of the intergovernmental conference.

The Council discussed the proposed mandate for an EU/South Africa trade agreement but failed to reach a decision. The matter was referred to COREPER for further work. Her Majesty's Government continue to believe that it is essential that the EU fulfils its commitments to agree a mandate for a free trade agreement with South Africa as soon as possible.

The Council discussed a draft mandate for a new EU/Mexico agreement. The presidency gave a brief situation report on the preparations for the forthcoming Asia/Europe meeting on 1 and 2 March in Bangkok. The Council approved the appointment of a special envoy, Aldo Ajello, to the great lakes region for six months. The Council discussed Greece-Turkey relations.

The Council discussed EU policy towards the Baltic sea region. The Council agreed a one-off 5 m ecu contribution from the EU budget to the Korean Energy Development Organisation.

The Council discussed the own resources decision and noted that formal ratification by the Netherlands Parliament could follow shortly after approval by the First Chamber on 16 April. This would complete the national ratifications

In the margins of the Council, the EU/Morocco Euro-Mediterranean Association agreement and the EC/Morocco fisheries agreement were signed. Mr. Davis signed the association agreement on behalf of the UK. On 27 February there were association councils with Slovakia and Romania; and a joint meeting with the Foreign Ministers of the associated central European countries.

No votes were taken at this Council.

Departmental Meetings (Claude de Kemoularia)

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions representatives of his Department or employees of other Departments of Her Majesty's Government met Claude de Kemoularia of Banque Paribas during 1995 and 1996; and if he will make a statement. [18509]

Sir Nicholas Bonsor: Members of the Paris embassy have had occasional contact with Mr. de Kemoularia during the period in question. My right hon. and learned Friend the Foreign Secretary is not aware of any contacts he may have had with other Government Departments.

British Tourists

Mr. Hinchliffe: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidelines are given to British tour operators on the removal of British tourists from areas abroad where there is a reported threat to health or safety. [18309]

Mr. David Davis: Tour operators have access to FCO travel advice on threats to personal safety arising from political unrest, lawlessness, violence, natural disasters and epidemics. When the safety of British tourists overseas is threatened, British consular staff liaise closely with tour operators to ensure that effective action is taken.

If the local security situation is serious enough for evacuation of British nationals to be considered, consuls advise tour operators to withdraw their tourists as soon as possible. The Department of Health takes the lead on threats to the health of British travellers abroad, liaising as necessary with the Federation of Tour Operators, the Association of British Travel Agents and British consular staff.

HEALTH

EDS Ltd.

Ms Eagle: To ask the Secretary of State for Health if he will list those contracts his Department currently holds with EDS indicating for each the *(a)* date of inception, *(b)* value and *(c)* duration. [17444]

Mr. Horam: The Department has no contracts with EDS.

Carers (Recognition and Services) Act 1995

Mr. Wicks: To ask the Secretary of State for Health (1) what extra resources he is making available to social services departments towards the implementation of the Carers (Recognition and Services) Act 1995; [17546]

(2) what estimates he has made of the cost in 1996–97 of *(a)* carers' assessments and *(b)* consequential extra support services under the provisions of the Carers (Recognition and Services) Act 1995. [17548]

Mr. Bowis: The Act should not involve significant extra costs. It enshrines in statute many of the principles of good practice which we had recommended local authorities follow.

NHS Superannuation Scheme

Mr. Cousins: To ask the Secretary of State for Health if he will list the employing authorities whose payments represent the additional receipts to the NHS superannuation scheme accounts in respect of early retirements. [17804]

Mr. Malone: Responsibility for this matter has been delegated to the NHS Pensions Agency under its chief executive, Mr. A. F. Cowan. I have asked him to reply to the hon. Member.

Letter from A. F. Cowan to Mr. Jim Cousins, dated 1 March 1996:

The Secretary of State has asked me to reply to your recent Parliamentary Question as it falls within my area of responsibility.

The employing authorities whose payments represent the additional receipts to the NHS Superannuation Scheme accounts in respect of early retirements are as follows:

Addenbrookes NHS Trust
Airedale Health Authority
Airedale NHS Trust
Anglia Harbours NHS Trust
Avon and Gloucestershire College of Health
Aylesbury Vale Community Healthcare NHS Trust
Barnet Health Authority
Bedfordshire and Hertfordshire Ambulance Services NHS Trust
Bedfordshire and Shires Health and Care NHS Trust
Birmingham and Solihull College of Nursing and Midwifery
Bradford Health Authority
Brent and Harrow Health Authority
Brighton Health Care NHS Trust
Bromley Health Authority
Cambridge Health Authority
Cambridgeshire Family Health Services Authority
Canterbury and Thanet Community Health Care NHS Trust
Cleveland Ambulance Service NHS Trust
Croydon Health Authority
Dental Practices Board
Devon and Exeter Health Authority
Devon Family Health Services Authority
Dorset Healthcare NHS Trust
Dudley Priority Health NHS Trust
East Berkshire Trust for People with Learning Disabilities
East Kent Health Authority
East Norfolk Health Authority
Eastbourne Health Authority
Essex Rivers Healthcare NHS Trust
Greenwich Health Authority
Hammersmith Hospitals NHS Trust
Haringey Healthcare NHS Trust
Hartlepool and Peterlee Hospitals NHS Trust
Hastings and Rother NHS Trust
Hereford and Worcester Ambulance Service NHS Trust
Huddersfield NHS Trust
Humberside Ambulance Service NHS Trust
Kent and Sussex Weald NHS Trust
Kingston and Richmond Health Authority
Lambeth, Southwark and Lewisham Family Health Services Authority
Lancaster Priority Services NHS Trust
Leeds Community and Mental Health Services Teaching NHS Trust
Leeds Health Authority
Leicester Royal Infirmary NHS Trust
Luton and Dunstable Hospital NHS Trust
Maidstone Health Authority
Medway NHS Trust
Merton, Sutton and Wandsworth Health Authority
Milton Keynes Community Health Services NHS Trust
National Hospital for Nervous Diseases
Newcastle City Health NHS Trust
NHS Supplies Authority
Norfolk Mental Healthcare NHS Trust
North Lincolnshire Health
North Manchester Health NHS Trust
North Staffordshire Combined Healthcare NHS Trust
North Thames Regional Healthcare Authority
North West London Mental Health NHS Trust
North West Regional Health Authority
Northern Regional Health Authority
Northgate and Purdoe NHS Trust
Pathfinder Mental Health Services
Pilgrim Health NHS Trust
Portsmouth and South East Hampshire Health Authority
Premier Health NHS Trust (Staffs)
Preston Acute Hospitals NHS Trust
Salisbury Health Care NHS Trust
Sandwell Healthcare NHS Trust
Selca
Shropshire Health Authority
Shropshire Community Health Service NHS Trust
Somerset Family Health Services Authority
Somerset Health Authority
South and West Regional Health Authority
South Birmingham Mental Health NHS Trust
South Buckinghamshire NHS Trust
South Devon Health Care NHS Trust
South Downs Health NHS Trust
South Tees Community and Mental Health NHS Trust
South Thames Regional Health Authority
South Warwickshire Mental Health Services NHS Trust
South West Surrey District Headquarters.
Southampton Community Health Services NHS Trust
Southampton University Hospitals NHS Trust
St. Georges Healthcare NHS Trust
Staffordshire Ambulance Service NHS Trust
Tameside and Glossop Acute Services NHS Trust
Taunton and Somerset NHS Trust
The Avalon, Somerset NHS Trust
The Cardiothoracic Centre Liverpool NHS Trust
The Royal Devon and Exeter NHS Trust
Tor and South West College of Health
Trent Regional Health Authority
United Bristol Health Care NHS Trust
Wakefield District Health Authority
West Cheshire NHS Trust
West Midlands Blood Transfusion
West Surrey and North East Hampshire Health Authority
West Suffolk Hospital NHS Trust
West Yorkshire Health Authority
Weston Area Health NHS Trust
Wiltshire Ambulance Service NHS Trust
York Health Services NHS Trust.

NHS Administration

Mr. Gordon Prentice: To ask the Secretary of State for Health how many senior managers in the NHS have either resigned after being requested to do so or had their contracts terminated and were appointed to another post within the NHS within *(a)* five years, *(b)* three years, *(c)* two years and *(d)* 12 months. [17544]

Mr. Malone: This information is not available centrally.

Bristol Oncology Centre

Mr. Redmond: To ask the Secretary of State for Health what plans he has to ensure that patients turned away from the Bristol oncology centre due to its financial circumstances are promptly readmitted and receive the necessary care. [17943]

Mr. Horam: Patients are not being refused treatment. All emergency and urgent treatments are continuing as normal, and curative treatment is not affected. Patients requiring palliative care for non-curable conditions will be treated in the community by general practitioners, district nurses and St. Peters hospice. Help and advice will be provided from the palliative care team at the oncology centre.

Ms Harman: To ask the Secretary of State for Health what priorities govern the treatment of patients form *(a)* Avon, *(b)* Somerset, *(c)* Dorset and *(d)* Gloucester at the Bristol oncology centre. [17889]

Mr. Horam: Decisions regarding what priorities govern the treatment of patients at the Bristol oncology centre are the responsibility of the clinicians managing their care.

Ms Harman: To ask the Secretary of State for Health if he will make a statement on the current work of the Bristol oncology centre in respect of treating cancer patients with chemotherapy and radiotherapy. [18062]

Mr. Horam: This is a mater for Avon Health Commission and the United Bristol Health Care national health service trust. The hon. Member may wish to contact the respective chairmen, Mrs. Martha Perriam and Mr. Robert McKinlay for more information.

Kirby-Harris Libel Case

Mr. Redmond: To ask the Secretary of State for Health, pursuant to his answer of 9 February, *Official Report*, column 25, if the non-executive members of Cornwall Health Care trust sought legal advice from *(a)* the regional health authority and *(b)* the Department of Health before releasing the statements which resulted in the Kirby-Harris libel case. [18081]

Mr. Malone: It is not the function of the regional health authority or the Department of Health to provide legal advice to national health service trusts or their directors. Mrs. Kirby-Harris has accepted that the publication of the statement was not authorised by the non-executives.

Bogus Doctors

Mr. Redmond: To ask the Secretary of State for Health what plans he has to issue guidance to NHS employers on how to prevent the employment of bogus doctors. [17953]

Mr. Malone: Guidance was issued in June 1987, PM(87)7, and updated in November 1992, EL(92)84. We are committed to reviewing the guidance in June 1996.

Public Bodies (Women Appointees)

Mrs. Lait: To ask the Secretary of State for Health what advice he gives to health authorities and health trusts on the number of women appointees as non-executive directors. [18304]

Mr. Malone: An equal opportunities policy is adopted in the selection process for appointments. Under the Opportunity 2000 women in the national health service initiative we have set a goal to increase the number of women appointed to health authorities and NHS trusts to 43 per cent. by 30 September 1998. Currently the national percentages of women non-executive appointments is 41.62 per cent. for NHS trusts, 51.45 per cent. for district health authorities and 36.6 per cent. for family health services authorities.

Overseas Visits

Mr. Hall: To ask the Secretary of State for Health if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of the non-ministerial members of each delegation and the capacity in which each was present. [17491]

Mr. Horam: I refer the hon. Member to the reply my right hon. Friend the Member for Peterborough (Dr. Mawhinney), then Minister for Health, gave the hon. Member for Newport, East (Mr. Hughes) on 3 November 1993 at columns *222–24* for information covering the period April 1992 to mid-October 1993.

Information on the dates, destinations and purpose of visits made by my right hon. Friend and ministerial colleagues since mid-October 1993 is shown in the tables. The total cost of overseas travel by Ministers and private secretaries in each financial year is also shown.

Information on visits between 1990 and 9 April 1992 and full information on officials accompanying Ministers could be provided only at disproportionate cost.

Financial year April 1993 to March 1994

	Destination	*Purpose*
Minister of State for Health–Dr. Mawhinney		
7–15 November 1993	USA	Fact finding visit in connection with Ministerial responsibilities
13 December 1993	Brussels	EC Health Council
Total spend for 7 November to March 1994		£4,643

Financial year April 1994 to March 1995

	Destination	*Purpose*
Secretary of State for Health—Mrs. Bottomley		
17–18 November 1994	Brussels	To address OECD High Level Conference of National Experts on Health Reform
1 December 1994	Paris	Worlds Aids Summit
21–22 December 1994	Brussels	EC Health Council
13–17 March 1995	Japan	Trade Mission to promote inward investment (Prescribe UK)
Minister of State for Health—Dr Mawhinney		
4 March 1994	Dublin	Meeting with Irish Health Minister
30 March 1994	Brussels	EC Health Council—bovine spongiform encephalopathy (BSE) meeting
19 June 1994	Helsinki	European Conference on environmental health
Parliamentary Under Secretary of State—Mr. Bowis OBE		
3 February 1994	Strasburg	European Council Meeting on Drugs
13 May 1994	Rhodes (Greece)	EC Health Council Informal
2 June 1994	Luxembourg	EC Health Council
30 June 1994	Amsterdam	European Social Services Conference
15 September 1994	Berlin	Informal Meeting of Ministers Responsible for Family Affairs
18–24 September 1994	Netherlands. Germany and Hungary	Fact finding visit on child care, drug abuse and AIDS. Signing Health Cooperation Agreement in Hungary
3–8 January 1995	Lebanon	Bilateral visit to Health Ministers and Lebanese Government and All Party Parliamentary Group visit arranged by the Council for the Advancement of Arab-British Understanding
Parliamentary Under Secretary of State—Baroness Cumberlege CBE		
3–4 May 1994	Geneva	World Health Assembly
17–18 June 1994	Paris	AIDS Summit
Total annual spend		*£30,507*

Financial year April 1995 to date

	Destination	*Purpose*
Secretary of State for Health—Mrs. Bottomley		
2–3 May 1995	Geneva	World Health Assembly
29 May—2 June 1995	USA	Fact finding visit in connection with Ministerial responsibilities
Minister of State for Health—Mr. Malone		
11–14 September 1995	Singapore	Accompanied a Trade Delegation to promote International Trade and other health related issues.
14–16 September 1995	Thailand	Accompanied a Trade Delegation to promote International Trade and other health related issues.
18–20 September 1995	Malaysia	Accompanied a Trade Delegation to promote International Trade and other health related issues.
Parliamentary Under Secretary of State—Mr. Sackville		
25–28 April 1995	Hamburg	Trade Mission to promote health exports.
	Hanover and Dresden	
13–16 November 1995	Colombia	To promote British Health exports and expertise.
Parliamentary Under Secretary of State—Mr. Bowis OBE		
1–2 June 1995	Luxembourg	EC Health Council
22 June 1995	Copenhagen	European Social Services Conference
30–31 November 1995	Brussels	EC Health Council
14 December 1995	Paris	WHO Conference on alcohol
Parliamentary Under Secretary of State—Baroness Cumberlege CBE		
2–5 December 1995	South Africa	Commonwealth Health Ministers Conference
Total spend to end January 1996		£37,950

Deaths (Drugs)

Mr. Flynn: To ask the Secretary of State for Health, pursuant to his answer of 19 February, *Official Report*, column *34*, in how many cases of deaths in which Ecstasy was involved, Ecstasy was identified as the main cause of death; and what other legal or illegal drugs were involved. [17844]

Mr. Bowis: The table shows the number of deaths registered in England and Wales from 1990 to 1994 from drug poisoning where Ecstasy was the only drug mentioned.

Year	*Deaths*
1990	1
1991	6
1992	5
1993	12
1994	10

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for Health which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18138]

Mr. Horam: Civil servants are permitted to undertake and be paid for work outside official time, for example, directorships, if there is no conflict of interest. Staff who disclose relevant interests to their managers do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer. We do not hold central records of these declarations.

British Tourists

Mr. Hinchliffe: To ask the Secretary of State for health what structures are in place to ensure that when *(a)* the Association of British Travel Agents or *(b)* the Federation of Tour Operators are advised of possible health and safety hazards to tourists at a resort overseas, customers are informed. [18306]

Mr. Horam: I refer the hon. Member to the reply I gave him on 11 December 1995, *Official Report*, at column *529*, which gave details of the Department of Health's agreement with the Association of British Travel Agents about notifying it of outbreaks of disease. The Department now has a similar agreement with the Federation of Tour Operators. Once in receipt of the information, it is for the travel industry to decide when it is appropriate to inform customers.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what steps he is taking to ensure that British tour operators' staff working abroad have training in control procedures concerning legionnaires and other infectious diseases; [18311]

(2) what plans he has to review communications concerning outbreaks of serious diseases, between the United Kingdom Government, British tour operators and holiday resort hotels used by United Kingdom tourists; [18312]

(3) what discussions he has had with United Kingdom tour operators in respect of the factors underlying the delay in informing British tourists of the occurrence of legionnaires disease in the Hotel Imbat, Kusadasi, Turkey. [18313]

Mr. Horam: Officials from the Department of Health and the Public Health Laboratory Service are liaising with the Association of British Travel agents and the Federation of Tour Operators to review communications between organisations and clarify what action needs to be taken in response to future reports of travel-related legionnaires disease.

Mr. Hinchliffe: To ask the Secretary of State for Health if he will initiate an inquiry into the role of *(a)* ABTA and *(b)* the Federation of Tour Operators in allowing customers to travel to the Hotel Imbat, Kusadasi, Turkey in September 1995. [18314]

Mr. Horam: The Department of Health will follow the recommendations of the Public Health Laboratory Service's report, copies of which are available in the Library, into the recommendations into the outbreak of legionnaires disease at the Hotel Imbat, and will review, with United Kingdom tour operators, the exchange of information on outbreaks associated with tourist hotels abroad.

Mr. Hinchliffe: To ask the Secretary of State for Health (1) what action he is taking to monitor whether Public Health Laboratory Service recommendations relating to the Hotel Imbat, Kusadasi, Turkey, in 1995 are carried out by the Turkish authorities; and if he will make a statement; [18307]

(2) what steps he is taking to ensure that the results of recommendations made by the Public Health Laboratory Service in its report dealing with an outbreak of legionnaires disease at the Hotel Imbat, Kusadasi, Turkey, in 1995 are relayed to potential British visitors. [18308]

Mr. Horam: The Public Health Laboratory Service's report, copies of which are available in the Library, into the outbreak has been sent to the travel industry. The PHLS is in contact with the Turkish authorities through the European working group for legionalla infection to monitor that the recommendations are being followed up. A member of the PHLS investigation team is planning to revisit the Hotel Imbat to monitor that all of the recommendations relating to the hotel itself are carried out. It is for those tour operators who have contracts with the Hotel Imbat to ensure that the hotel has taken the relevant steps to safeguard the health of tourists.

ATTORNEY-GENERAL

Civil Servants (Company Directors)

Mr. Byers: To ask the Attorney-General which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and (c) above £10,000. [18140]

The Attorney-General: There is no requirement, in the Departments and agency for which I am responsible, for civil servants to report privately held company directorships. However, civil servants faced with a conflict of interest must declare their interest to senior management in accordance with the staff handbook of each Department and agency. Staff who disclose relevant interests do so on the understanding that the declaration, like other employment matters, is confidential between them and their employer. There are no civil servants in the Departments and agency for which I am responsible who hold directorships of companies for developmental reasons or on an ex officio basis.

DEFENCE

Married Quarters Discounted Sale Scheme

Mr. Luff: To ask the Secretary of State for Defence what plans he has to replace the married quarters discounted sale scheme for regular members of Her Majesty's armed forces; and if he will make a statement. [19077]

Mr. Arbuthnot: The purpose of the married quarters discounted sale scheme has been to assist service personnel into home ownership. It has been popular, but has over the years necessarily helped a relatively modest number of personnel. This, combined with the proposed sale of the married quarters estate, has resulted in consideration of a replacement scheme.

We now intend to replace the MQDSS with an interest-free advance of pay for house purchase which is based on the current scheme available in the Royal Navy. The replacement scheme will come into effect on 1 August 1996.

The scheme will allow us to target resources more effectively to assist retention. It will be available to all regular Army and RAF personnel aged 35 and over, on pensionable engagements or commissions. The advance will be a maximum of £8,500 and will be repayable over 10 years of service. The qualifying age for the Royal Navy scheme will reduce from 25 to 23 years.

Overseas Visits

Mr. Hall: To ask the Secretary of State for Defence if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17490]

Mr. Arbuthnot: Yes. A list is being prepared and will be placed in the Library shortly.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for Defence which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18134]

Mr. Arbuthnot: There are five MOD civil servants who hold non-executive directorships arranged by the Department for career developmental reasons. These directorships are with the following companies:

Northern British Newsprint

Rank Organisation

Marks and Spencer Subsidiary Board

Avery Berkel

Thorn Security.

These appointments are unpaid, although in accordance with Cabinet Office guidelines, individuals may accept payment of expenses incurred while carrying out the duties of the directorship.

Other staff may have privately held non-executive directorships, for example, the board of a family company. If there is no conflict of interest and the duties are performed outside official time there would normally be no bar to an individual holding a directorship and being paid accordingly.

Greenham Common

Mr. Rendel: To ask the Secretary of State for Defence what decision has been made with regard to the sale of Greenham Common to the Greenham Common Management Company Ltd. [18310]

Mr. Soames: No decision has yet been reached on the sale of Greenham Common.

Dartmoor National Park

Mr. Steen: To ask the Secretary of State for Defence what was the advertised usage in days of *(a)* Okehampton, *(b)* Merrivale and *(c)* Willsworthy ranges in Dartmoor national park for live firing in the year ended December 1995; and how many days firing took place. [18350]

Mr. Soames: The advertised usage in days for the ranges in question was 78 days for Okehampton, 118 days for Merrivale and 145 days at Willsworthy. The following actual firing days took place: 53 at Okehampton, 93 at Merrivale and 107 at Willsworthy.

Scott Inquiry

Mr. Allen: To ask the Secretary of State for Defence what consultations he had with the secretary to the Cabinet concerning the Government's response to the Scott inquiry; and where and when such consultations took place. [16604]

Mr. Arbuthnot *[holding answer 22 February]:* Successive Governments have not disclosed the nature or the specific sources of the advice they receive from the civil service.

Kentigern House, Glasgow

Mr. Alfred Morris: To ask the Secretary of State for Defence what representations his Department has received in relation to arrangements, in the case of fire, for disabled employees at Kentigern house in Glasgow not to be evacuated but to go to facilities described as fire-proof; what reply has been made; what action he will be taking; and if he will make a statement. [17916]

Mr. Arbuthnot *[holding answer 29 February 1996]:* At local health and safety and Whitley committees, the trades unions have asked what arrangements are available for staff in wheelchairs in the event of fire and the arrangements have been explained to them. The provision of fire protection areas, which can serve as refuges for disabled people including those injured in the incident itself, is in accordance with regulations and standards which apply equally to the Ministry of Defence, other Government Departments and the private sector.

The trades unions are content with both existing and proposed arrangements. Action will continue, in consultation with the trades unions, to improve emergency evacuation procedures and to ensure that planned building re-development meets current building regulations and British standards.

SOCIAL SECURITY

Cold Weather Payments

Mrs. Fyfe: To ask the Secretary of State for Social Security how many cold weather payments were made in the winter of 1994–95; and what was the total amount paid. [17538]

Mr. Roger Evans: During the period 1 November 1994 to 31 March 1995, 10,969 cold weather payments were made totalling £76,786.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for Social Security which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18148]

Mr. Burt: Under the rules set out in the civil service management code, a copy of which is held in the Library, staff must report business interests, including directorships, which might conflict with their work in the Department. Any such details are treated as confidential and no central record is kept.

In-work Benefit Project (Newcastle)

Mr. Steinberg: To ask the Secretary of State for Social Security what was, for each year since the project's inception, the cost of the in-work benefit project in Newcastle, breaking down costs separately for the Benefits Agency and each other agency involved. [18240]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Gerry Steinberg, dated 29 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what was, for each year since the project's inception, the cost of the in-work benefit project in Newcastle, breaking down costs separately for the Benefits Agency (BA) and each other agency involved.

The costs incurred by the BA's Newcastle office for their involvement in the In Work Benefit Project are as follows:

1992/93: £15057.00

1993/94: £15208.00

1994/95: £15520.00.

Salary costs for one Executive Officer on full time secondment to City Challenge (sponsors of the In Work Benefit Project).

Due to the success of the project the need for advice and information has diminished and the post is now on a part time basis. Therefore, from April 1995 to date the cost is approximately £7500.

During 1993/94 a high level evaluation of the Project was carried out at a cost of £32,000. This cost was shared equally between Employment Service, Benefits Agency and Newcastle City Council.

I hope you find this reply helpful.

Child Benefit

Mr. Bradley: To ask the Secretary of State for Social Security if he will estimate in 1996–97 and 1997–98 *(a)* the cost of producing and posting the child benefit statement sent to recipients each year showing the general increase in benefit rates payable as a result of the benefit uprating, and *(b)* the cost of new notifications of entitlement. [18099]

Mr. Andrew Mitchell: This is a matter for Peter Mathison, chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Keith Bradley, dated 29 February 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary question asking if he will estimate in 1996–97 and 1997–98 (a) the cost of producing and posting the child benefit statement sent to recipients each year showing the general increase in benefit rates payable as a result if the benefit uprating, and (b) the cost of new notifications of entitlement.

The estimated costs in 1996–97 and 1997–98 for producing and posting Child Benefit statements as a result of a benefit uprating are £546,185 and £556,562 respectively.

The estimated costs in 1996–97 and 1997–98 of producing and posting new notifications of entitlement are £227,200 and £226,404 respectively.

These estimated costs are based on current day prices.

I hope you find this reply helpful.

DUCHY OF LANCASTER

Scott Inquiry

Mr. Hain: to ask the Chancellor of the Duchy of Lancaster what steps he intends to take in respect of Sir Richard Scott's conclusion in section K8.16 that Ministers have an obligation to provide information to Parliament; and if he will make a statement. [16949]

Mr. Freeman: I refer the hon. Member to the speeches made by my right hon. Friend the President of the Board of Trade and myself on 26 February.

Compliance Cost Assessments

Mr. Gordon Prentice: To ask the Chancellor of the Duchy of Lancaster what is the cost in each case to businesses and others of complying with the regulations set out in "Compliance Cost Assessments: 1 January 1995 to 30 June 1995". [17954]

Mr. Freeman: The compliance cost assessment procedure requires Departments to show a number of different costs including recurring and non-recurring costs for a typical business and for all businesses affected by the proposed regulation. Details for the period 1 January 1995 to 30 June 1995 can be found in the individual compliance cost assessments, copies of which are available in the House Libraries.

Special Advisers

Dr. Goodson-Wickes: To ask the Deputy Prime Minister what account is taken of Ministers' pay in relation to the pay of special advisers. [18503]

Mr. Willets: No account is taken of Ministers' pay in determining the pay of special advisers.

Deregulation

Mr. Steen: To ask the Chancellor of the Duchy of Lancaster how many responses he has received to the Cabinet Office news release on 28 December 1995—Office of Public Service 315/95—from *(a)* members of the public, *(b)* the self-employed, *(c)* small business men and *(d)* company directors; and which rules and regulations they each identified as suitable for deregulation. [18351]

Mr. Freeman: I have received 60 responses to the news release and a further 420 responses from members of the Federation of Small Businesses in response to my invitation to write to me about regulations which are hampering their business. The 60 responses are mostly from small business people and members of the public. In the majority of cases the responses do not identify specific rules or regulations but the main issues raised were planning and building; metrication; health and safety; various licensing issues; and VAT. I shall reply to each letter individually.

Overseas Visits

Mr. Hall: To ask the Chancellor of the Duchy of Lancaster if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of the delegation and *(d)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17496]

Mr. Freeman: Details of the information requested for the Chancellor of the Duchy of Lancaster and Parliamentary Secretary have been placed in the Library of the House. The information covers the Office of Public Service and Science—April 1992 to July 1995—and the Office of Public Service from July 1995.

The Deputy Prime Minister has made no overseas visits.

Civil Service (Employment Law)

Mr. David Nicholson: To ask the Chancellor of the Duchy of Lancaster what anomalies remain since United Kingdom law relating to employment in the civil service was brought into line with EC law in 1991. [19076]

Mr. Freeman: The European Communities (Employment in the Civil Service) Order 1991 brought United Kingdom law into line with European Community requirements by permitting nationals of other member states to apply for certain civil service posts, but a number of anomalies remain. One of these is that citizens of the Republic of Ireland—and of Commonwealth countries—are currently eligible for recruitment to a wide range of posts in the home civil service, including those which constitute

"employment in the public service"

in EC treaty terms, whereas nationals of other European Economic Area countries are eligible only for those posts which do not constitute such employment.

It is clear that we need to amend the current rules. Recruitment schemes with closing dates for the receipt of applications on or after 1 June 1996 for posts which constitute

"employment in the public service"

will therefore be reserved for United Kingdom nationals and will not be open to Irish or Commonwealth citizens. Applications from citizens of these countries will from 1 June be treated on the same basis as those from citizens from other European Economic Area countries.

The change will not affect the position of citizens of the Republic of Ireland and of Commonwealth countries already in post on 31 May 1996. Neither will it affect the position of candidates from those countries for recruitment schemes with a closing date for the receipt of applications before 1 June 1996.

My right hon. and learned Friend the Secretary of State for Northern Ireland is making arrangements for changes to the rules for entry to the Northern Ireland civil service which will achieve the same position there in the same timescale.

Seconded Staff

Mr. Caborn: To ask the Deputy Prime Minister if he will list the individuals, by name and company, who are engaged on temporary secondments in the Cabinet Office and Office of Public Service; and if he will list the type and nature of the secondment. [14675]

Mr. Willetts *[pursuant to his reply, 16 February 1996, c. 728]:* I regret that the list of staff seconded into the Cabinet Office, Office of Public Service, from industry and commerce was incorrect. It should have included Ms R. Haddow. The correct list is as follows:

Name	*Company*
Mr. M. Blessing	PA Consulting
Mr. S. Culhane	Lloyds Bank
Mr. M. B. De Ferranti	GEC/Marconi Ltd.
Mrs. L Emin	Cable and Wireless plc
Ms M. Guiot	British Telecom
Mr. S. Greenstreet	Coopers and Lybrand
Ms R. Haddow	Binder Hamlyn
Mr. A. Harris	Clifton Corporate Services Ltd.
Mr. S. Hoffman Womersley	Shandwick Communications Ltd.

TRADE AND INDUSTRY

Electricity Generation

Mr. Clapham: To ask the President of the Board of Trade what estimate he has made of gas-fired electricity generation in the United Kingdom currently; and what the estimated capacity is likely to be based on section 36 consents by *(a)* the end of 1998 and *(b)* 2000. [17198]

Mr. Page: At present, combined cycle gas turbines—CCGT—provide 9.5 GW of electricity generating capacity. Another 5.7 GW of CCGT capacity is currently under construction and should be completed by 1998. A further 7.6 GW of CCGT capacity has received section 36 consent and applications totalling 2.8 GW of CCGT capacity are currently under consideration. The decisions on whether to proceed with construction and its timing are matters for the companies concerned.

The Department does not prepare forecasts of electricity capacity, but in the scenarios produced to assess energy related emissions of CO_2—published in Energy Paper 65—it was assumed that, in the year 2000, CCGT capacity would be in the range 16 to 18 GW.

Mr. Clapham: To ask the President of the Board of Trade what action he is taking under section 36 of the Electricity Act 1990 to ensure diversity of supply in the electricity generating industry. [17199]

Mr. Page: In considering an application for consent under section 36 of the Electricity Act 1990, my right hon. Friend the President of the Board of Trade would as a general rule treat matters such as the choice of fuel to be used and type of plant as commercial matters for the applicant concerned.

Fireworks

Mr. Chris Davies: To ask the President of the Board of Trade how many people were killed or injured as a result of accidents involving fireworks in each year since 1990. [18298]

Mr. John M. Taylor: The number of people killed or who attended an accident and emergency department as a result of accidents involving fireworks in the last five years in Great Britain are as follows:

Year	*Injuries*	*Fatalities*
1990	805	0
1991	723	0
1992	942	0
1993	1,058	0
1994	1,574	2
1995	[1]—	[1]—

[1] Figures not yet available.

North Sea

Mrs. Ewing: To ask the President of the Board of Trade how much was spent by *(a)* the previous Department of Energy and *(b)* the Department of Trade and Industry on research work into the decommissioning of fixed installations in the North sea in the past five years. [17840]

Mr. Eggar: Research into the decommissioning of offshore oil and gas installations on the UK continental shelf is funded primarily by industry. In the past five years neither the Department of Energy nor the Department of Trade and Industry has commissioned research related directly to decommissioning. My Department is currently considering the scope of a generic study relating to the best practicable environmental option for the decommissioning of installations in the southern sector of the North sea.

Mrs. Ewing: To ask the President of the Board of Trade when he expects to publish new guidelines pertaining to decommissioning of North sea installations in the oil and gas sector; and what estimate has been made of the number of fixed installations requiring to be decommissioned up to 2005. [17839]

Mr. Eggar: I expect to publish guidance notes for industry on the decommissioning of offshore installations after I have had the opportunity to consider the report of the House of Lords Science and Technology sub-committee II on the subject.

Depending upon field performance and economic factors at the time, current estimates indicate that some 40 fixed offshore installations on the UK continental shelf could be decommissioned by 2005.

Mrs. Ewing: To ask the President of the Board of Trade how much his Department intends to spend on research into the removal of drill workings in the North sea. [17838]

Mr. Eggar: A study has recently been commissioned to assess the environmental implications of the presence of drilling cuttings piles. The cost of this study will be shared by Government and industry. Future research into the removal of drill cuttings in the North sea will be influenced by the findings of the study and funds will be made available as required. The Government do not expect to incur high expenditure as the research should be primarily funded by industry.

German Construction Sector

Mr. MacShane: To ask the President of the Board of Trade what estimate he has made of the impact on the employment of British construction firms and workers in Germany of the recent decision by the German Government to enforce common pay and conditions on all workers in the German construction sector. [17962]

Mr. John M. Taylor: It is too early to assess the likely impact of the new law but I shall continue to monitor the situation carefully.

Minimum Wage

Mr. Meacher: To ask the President of the Board of Trade what proportion of the work force is covered by the minimum wage in each EU state according to the latest available evidence. [16282]

Mr. John M. Taylor: The following table shows the latest available evidence on the proportions of the work force covered by the minimum wage in a number of countries in the form requested:

Country	*Coverage of national minimum wage*
Netherlands	All employees
Luxembourg	All employees
Spain	All employees except civil servants and local government officers
France	All employees
Greece	45–65 per cent.
Portugal	All employees over 18

Petroleum Coke

Mr. Redmond: To ask the President of the Board of Trade what action is being taken to ensure householders are warned of the dangers of the storage and use of pet coke. [17945]

Mr. John M. Taylor: I am not aware of a particular hazard associated with the storage of petroleum coke. Suppliers of this material have been advised, in fulfilling their obligations under the General Products Safety Regulations 1994, to provide clear written instructions to anyone buying petroleum coke for domestic use.

Public Bodies

Dr. Wright: To ask the President of the Board of Trade which of the executive non-departmental public bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16817]

Mr. John M. Taylor *[holding answer 27 February 1996]:* I will ascertain the information requested and write to the hon. Gentleman as soon as possible.

Statistics (Gender Breakdown)

Ms Jowell: To ask the President of the Board of Trade what steps his Department is taking to collect statistics broken down by gender where relevant. [17690]

Mr. John M. Taylor *[holding answer 29 February 1996]:* Statistics concerning staff employed in my Department are normally based on pay and personnel records which include information on gender. Statistical information about personnel can therefore usually be broken down by gender.

The regular statistical surveys run by the DTI are business surveys, where questions on gender are not relevant. In addition, statistics on individual insolvencies are collected from official receivers' offices. There are no plans to break these statistics down by gender. The home accident and European home leisure accident surveillance systems collect gender statistics on home and leisure accidents.

Small Businesses

Mr. Morgan: To ask the President of the Board of Trade what representations he has received from small business organisations concerning companies purporting to offer advisory services about Government and European grants available to small businesses; what proposals he has to regulate the activities of such companies; and if he will make a statement. [18130]

Mr. Page *[holding answer 29 February 1996]:* I have received representations from a number of hon. Members and from one small business organisation concerning companies offering advisory services about Government and European grants available to small businesses.

There are many reputable private sector providers of grant information in addition to organisations such as local business links in England, business connect in Wales, together with local enterprise companies and business shops in Scotland, which offer easy access to such information. However, I remain concerned about the activities of some grant consultants and the DTI is doing what it can to stop such practices.

Misleading claims made by sales people are a trading standards matter, and my Department is assisting trading standards departments in taking forward their inquiries. This is leading to direct action. For example, trading standards officers in Birmingham are pursuing inquiries under the Trade Descriptions Act 1968 against a company known as Business Grants Advisory Group Ltd, operating in their area. My Department has also recently issued a press notice advising companies how to avoid being taken in by so called grant "cowboys" and how to find a reputable consultant.

I do not believe further regulation is necessary or desirable.

TREASURY

Customs and Excise Management Act

Mrs. Clwyd: To ask the Chancellor of the Exchequer if he will carry out a review of the Customs and Excise Management Act 1979. [17223]

Mr. Heathcoat-Amory: On 15 June, *Official Report*, column 627, I announced in the House that Customs and Excise had set up a three-year wide-ranging review of the various Customs enactments as part of the Government's wider deregulation drive and this review is in progress. Part of this review is to rationalise and simplify both existing and new Customs provisions into consolidation Acts, including a replacement for the Customs and Excise Management Act 1979.

Furthermore, on 26 February 1996, *Official Report* columns 596-97, my right hon. Friend the President of the Board of Trade announced in the House that the Government largely accept the recommendations of the Scott report in relation to Customs legislation and have asked for these recommendations to be implemented subject only to further consideration of some detailed technical legal matters.

Tax Reliefs

Mr. MacShane: To ask the Chancellor of the Exchequer what was the total tax relief, expressed in terms of revenue lost to public funds in each of the last three years benefiting *(a)* partners and *(b)* closed company men. [18174]

Mr. Jack: No special reliefs are available to individuals in partnerships or to directors or participators in close companies. Information is not available about the total value of reliefs given to these two groups of taxpayers.

Mr. MacShane: To ask the Chancellor of the Exchequer how many individuals declared themselves as partners for the purposes of tax relief in each of the last three years. [18173]

Mr. Jack: According to the latest information available from the "Survey of Personal Incomes", the number of individuals regarded as partners for tax purposes was about 1.3 million in 1993–94 and in each of the previous two years. Individuals who carry on business in partnership are not entitled to any tax reliefs other than those they would be entitled to if they were in business on their own account.

Written-off Debts

Ms Short: To ask the Chancellor of the Exchequer what has been the value of debt to Government written off in each privatisation since 1979. [18487]

Mr. Jack: I refer the hon. Member to the answer given by my predecessor to the hon. Member for North-West Durham (Ms Armstrong) on 23 March 1995, *Official Report*, columns *286–88*.

Profit-related Pay

Mr. Sutcliffe: To ask the Chancellor of the Exchequer what is the cost to the Treasury of profit-related pay schemes in lost public revenues. [18315]

Mr. Jack: Estimates of the cost of income tax relief for profit-related pay schemes in 1994–95 and 1995–96 are published in table 1.6 of "Inland Revenue Statistics 1995", a copy of which is in the Library.

Tax Law

Mr. Tim Smith: To ask the Chancellor of the Exchequer what progress HM Customs and Excise is making on simplification of tax law. [19022]

Mr. Heathcoat-Amory: Inland Revenue produced a report on tax simplification in December 1995 under Section 160 of the Finance Act 1995 entitled "The Path to Tax Simplification". HM Customs and Excise (Customs) shares with the Inland Revenue the objective of seeking to simplify legislation and reduce burdens on business.

The two departments have already started working closely together wherever possible to reduce burdens, particularly on small and new businesses. Early benefits include, for new businesses, a joint leaflet, "Starting Your Own Business" to help them assimilate information on VAT, income tax and national insurance; the provision of a joint notification form for business start-up and the availability of joint seminars. Other developments include

the provision of each other's leaflets at inquiry points and the extension last year of the Inland Revenue independent adjudicator's role to cover complaints against Customs. A trial is also taking place in Scotland to assess the value to business of a single low-cost telephone number for inquiries about taxation issues.

However, because of significant differences in their role, Customs is following a different approach to simplification. Like the Revenue, Customs collects taxes for the UK Government: VAT and excise duties—oils, tobacco and alcohol; insurance premium tax; and, in due course, landfill tax. Unlike the Revenue, however, Customs also has other obligations. Customs collects customs duties for the EC; operates a range of duty relief and suspension regimes; protects society and UK trade by operating import and export prohibitions and restrictions; and collects trade statistics.

The separate legislation—either UK or EC or both—for each of the taxes operated by Customs creates complexity for business through the different requirements for similar activities, such as registration. Many of Customs' legal requirements also apply to non-fiscal regimes such as the collection of trade statistics or licensing. Altogether, Customs legislation encompasses over 40 Acts of Parliament and more than 500 statutory instruments, together with over 200 Community instruments.

Customs recognises that these different legal requirements impose costs on business, and the importance of removing or reducing them, wherever possible, across nearly 50 duty and suspension regimes it operates. In some cases, complexities are created by exemptions and special rules introduced to meet the needs of businesses. Where appropriate, existing reliefs will need to be retained. but keeping tax legislation simple may well mean resisting the introduction of new reliefs.

Customs is working through a rigorous deregulation programme, which has already included repealing a number of unnecessary or redundant provisions. Clause 20 of the Finance Bill is an example of a current proposal here. Likewise, legal consolidation contributes to deregulation, for example The Value Added Tax Regulations 1995, where 62 sets of existing regulations were brought together into a single document.

As a Government we have encouraged the EC to deregulate. Some EC law, such as the Community customs code, is directly applicable and wherever opportunities are identified, Customs presses the Commission to simplify regulations. In co-operation with UK trade representatives, Customs has contributed significantly to a review of inward processing relief which, subject to agreement by a majority of member states, should result in simplification.

Similarly, we have to have regard to existing Community obligations in relation to a number of fiscal regimes. Nevertheless, there have also been a number of recent simplification initiatives. The measure to simplify the EC VAT system is one which the UK has actively encouraged. Another is the relaxation in the financial security requirements for excise warehousekeepers achieved following UK representations.

As I announced in June 1995, Customs has started a project, known as LEGIS, with two goals. The first is to converge and simplify common procedures and rationalise individual enactments. The second is to simplify the structure of the law by consolidating the revised legal provisions. This will reduce burdens for businesses which have dealings with Customs on more than one tax or relief regime and result in a more coherent body of law for the benefit of taxpayers, practitioners and revenue officers alike.

Customs has identified the main processes which it needs to review in order to assess the scope for rationalising policies, procedures and legislation across all the tax and other regimes. These are: registration and authorisation, declaration, payment and repayment, reviews and appeals, compliance assurance, debt management, civil penalties, and offence procedures.

The reviews are under way. I expect most of them to be completed by the end of the year and the remainder to be completed early in 1997. Customs will consult business on emerging findings later in the year and I expect to introduce simplification and deregulatory measures flowing from the project as soon as is practicable thereafter.

Press Gallery Writing Rooms

Mrs. Jane Kennedy: To ask the Chancellor of the Exchequer which Ministers in his Department entered the writing rooms of the Press Gallery on 15 February. [16471]

Mr. Kenneth Clarke *[holding answer 1 February 1996]:* None.

BSA Tools

Mr. Fatchett: To ask the Chancellor of the Exchequer if access has been granted to Iraqi assets frozen in the United Kingdom in pursuance of a legal action against the Birmingham-based company BSA Tools. [16505]

Mr. Heathcoat-Amory *[holding answer 26 February 1996]:* The Bank of England advises that Iraqi funds were released on application to pay expenses incurred in pursuance of a legal action against BSA Tools, which was eventually settled out of court. This is in accordance with long established policy, where sanctions have been imposed, of allowing access to frozen funds to pay the cost of legal representation.

SCOTLAND

Special Protection Areas

Mr. Galbraith: To ask the Secretary of State for Scotland when he expects to complete the designation of special protection areas under article 4 of EU directive 79/409. [16268]

Mr. Kynoch: An accelerated classification programme for Scotland is now in place. On current estimates the UK's special protection area network should be virtually completed in the year 2000.

Mr. Galbraith: To ask the Secretary of State for Scotland (1) what guidance he *(a)* has issued and *(b)* plans to issue to planning authorities to ensure that current or

proposed developments are consistent with the requirements of EU directives on the conservation of birds (79/409) and natural habitats (82/43); [16269]

(2) what guidance he has given to the skiing industry and local authorities on his policy towards protecting mountain areas from environmentally inappropriate development and the requirements under international obligations to protect the flora and fauna of such areas. [16270]

Mr. Kynoch: Comprehensive guidance on the implementation of the habitats and birds directives is contained in circular No. 6/1995 which was issued to Scottish regional, island and district councils by the Scottish Office environment department in March 1995. A draft national planning policy guideline for skiing developments in Scotland was issued by the Scottish Office for consultation on 19 February 1996. When finalised the NPPG will supersede existing guidelines published in 1984. The draft NPPG reflects the Government's policies for both the environment and skiing interests.

Nursery Voucher Scheme

Mrs. Fyfe: To ask the Secretary of State for Scotland what assessment he has made of the expansion of provision for pre-fives within the voluntary sector that will arise from the voucher initiative. [17537]

Mr. Raymond S. Robertson: In the voluntary sector, as elsewhere, the expansion of provision will follow demand.

Grants (Voluntary Bodies)

Sir Wyn Roberts: To ask the Secretary of State for Scotland if he has reached a decision on the allocation to voluntary bodies of grants under the special grants (environmental) programme in 1996–97. [19145]

Mr. Michael Forsyth: I am pleased to have been able to offer 53 individual grants totalling £450,000 to 46 voluntary bodies in Scotland to assist them in carrying out their valuable environmental conservation, improvement and education work. The sums available in the special grants (environmental) programme in 1996–97 match those available in 1995–96. This continued level of support reflects the Government's commitment to the voluntary sector, and its role in carrying out the Government's environmental objectives.

Organisation	*Grant £*
Association of Deer Management Groups	3,000
Association for the Protection of Rural Scotland	3,000
Biological Recording in Scotland Campaign	4,000
Buchan Countryside Group	2,000
Centre for Environment and Business in Scotland (CEBIS)	8,000
Council for Scottish Archaeology	16,000
CSV Scotland	17,000
Easter Ross Rights of Way Society	800
Education for Sustainability Development Group	10,000
Friends of the Earth Scotland	36,300
Game Conservancy Limited	4,000
Game Conservancy Trust	4,000
Garden History Society	3,000
Glasgow Building Preservation Trust	8,000
Heatwise Glasgow	4,000
Heather Trust	7,000
Highland and Islands Forum	18,000
Kilmartin House Trust	8,000
Lothian and Edinburgh Environmental Partnership	4,000
National Society for Clean Air	4,400
Planning Aid for Scotland	17,000
Plantlife	3,000
Recycling Advisory Group Scotland	8,000
Royal Society for the Protection of Birds	20,000
Rural Forum Scotland	24,000
Scottish Conservation Projects Trust	27,000
Scottish Ecological Design Association	6,000
Scottish Environmental Education Council	37,000
Scottish Environmental Forum	7,000
Scottish Farm and Countryside Educational Trust	4,000
Scottish Historic Buildings Trust	11,700
Scottish Native Woods Campaign	5,000
Scottish Redundant Churches Trust	2,300
Scottish Rights of Way Society	7,000
Scottish Wildlife and Countryside Link	12,000
Scottish Wildlife Trust	38,500
Strathclyde Greenbelt Trust	8,000
Sustrans (Sustainable Transport Scotland)	8,000
Treewise	5,000
Venture Scotland	3,000
Vision 21	3,000
West Galloway Fisheries Trust	3,000
West Sutherland Fisheries Trust	5,000
Woodland Trust	4,000
World Wide Fund for Nature	9,000
Youth Clubs Scotland	8,000
Total	450,000

Ministerial Accountability

Mrs. Clwyd: To ask the Secretary of State for Scotland, pursuant to paragraph K8.1 of the Scott report relating to ministerial accountability, what additional measures he proposes to ensure his Department's compliance with paragraph 27 of "Questions of Procedure for Ministers". [17316]

Mr. Michael Forsyth *[holding answer 26 February 1996]:* I refer the hon. Member to the speech made by my right hon. Friend the President of the Board of Trade on 26 February 1996, *Official Report,* columns 589–604.

Forestry Commission Land

Mr. Tipping: To ask the Secretary of State for Scotland (1) how many hectares and what proportion of Forestry Commission land in Scotland is *(a)* leased, *(b)* held in dominion directum and *(c)* held in vassal; [17381]

(2) how many hectares and what proportion of Forestry Commission land in England is *(a)* leasehold and *(b)* freehold; [17382]

(3) how many hectares and what proportion of Forestry Commission land in Wales is *(a)* leasehold and *(b)* freehold. [17383]

Mr. Kynoch *[holding answer 28 February 1996]:* The information is as follows:

Scotland

	Hectares	*Proportion per cent.*
Leasehold	5,829	1
Held in dominion directum (freehold)	560,460	81
Held in vassal (feu)	121,912	18

England and Wales

	England		*Wales*	
	Hectares	*Proportion per cent.*	*Hectares*	*Proportion per cent.*
Leasehold	73,958	28	24,905	19
Freehold	192,956	72	108,962	81

EDUCATION AND EMPLOYMENT

Sex Education

Dame Jill Knight: To ask the Secretary of State for Education and Employment in what circumstances parents have the right to withdraw their children from classes in maintained schools in which sexually explicit materials are used. [16749]

Mr. Paice: Parents can withdraw their children from all or part of sex education provided beyond the requirements of national curriculum science. The parental right of withdrawal applies to all pupils attending maintained schools.

Young People (Formal Qualification)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many people aged 16 to 24 years in *(a)* Coventry and *(b)* the west midlands have no formal qualification. [17200]

Mr. Paice: Estimates from the summer 1995 labour force survey show that 21 per cent. of people aged 16 to 24 years in the west midlands metropolitan area reported that they had no formal qualifications. Data for Coventry are not available.

Woodland Management

Mr. Hinchliffe: To ask the Secretary of State for Scotland if he will take steps further to encourage coppice management. [16810]

Mr. Kynoch *[holding answer 28 February 1996]:* We have recently taken steps to encourage coppice management, particularly by helping to develop markets for coppice timber. The Forestry Commission has, for example, launched a sales magazine in partnership with East Sussex council, organised seminars, and appointed a market development officer.

Mr. Hinchliffe: To ask the Secretary of State for Scotland if he will make a statement on Government policy towards woodlands management and woodland conservation. [16811]

Mr. Kynoch *[holding answer 28 February 1996]:* One of the key aims of the Government's forestry policy is the sustainable management of our existing woods and forests. Our policy is set out in detail in "Forestry Policy for Great Britain" and "Sustainable Forestry: The UK Programme", copies of which are in the Library.

Nuclear Reprocessing

Mr. Macdonald: To ask the Secretary of State for Scotland what powers the United Kingdom Atomic Energy Authority has to enter into binding agreements for fuel reprocessing at Dounreay in advance of a new authorisation by the chief inspector of Her Majesty's inspectorate of pollution. [17709]

Mr. Richard Page: I have been asked to reply.

The UKAEA has powers to enter into binding arrangements under the provisions of the Atomic Energy Authority Act 1954. The UKAEA enters into binding agreements only for fuel reprocessing at Doureay which it can carry out under current regulatory authorisation.

Tertiary Education Teachers, Northamptonshire

Mr. William Powell: To ask the Secretary of State for Education and Employment how many full-time equivalent teachers were employed in tertiary education in Northamptonshire in each year since 1979. [17553]

Mr. Robin Squire: The available information on full-time equivalent staff in further and higher education is shown in the table:

Academic years	*Further education FTES*	*Higher education FTES*
1987–88[1]	646.8	182.1
1988–89	621.4	183.0
1989–90	693.0	187.3
1990–91	652.3	224.8
1991–92[2]	695.4	246.9
1992–93	694.5	312.9
1993–94	695.4	381.3

[1] Figures prior to 1987–88 are incomplete.
[2] HE colleges transferred from LEA control to the Polytechnics and Colleges Funding Council.

Academic year	*FTE providing teaching and learning (Provisional)*	*Higher education FTES*
1994–95	[3]621.3	n/a

[3] From 1994–95 onwards, data are being collected by different systems, and the figure does not include as high a proportion of teacher time as the former measure.

Nursery Voucher Scheme, Westminster

Mr. MacShane: To ask the Secretary of State for Education and Employment if the refusal of a child's parents to participate in the nursery voucher experimental pilot scheme in Westminster will lead to the exclusion of that child from a local education authority nursery school. [17956]

Mr. Robin Squire: A valid nursery education voucher will be necessary for a school to claim grant. It is therefore in the interests both of the parent and the school that all eligible parents apply for vouchers. In the most exceptional cases where a parent does not apply for a voucher, and subject to certain conditions, the headteacher will be able to do so on their behalf. The admissions policies local education authority maintained schools will remain the responsibility for the LEA or the governing body as the case may be.

Employment Agencies (Insurance)

Mr. Meacher: To ask the Secretary of State for Education and Employment what statutory provisions cover the requirement for persons supplied by employment agencies to clients under contracts for service to possess adequate insurance in the event of claims for liability incurred in the execution of such contracts; and if she will make a statement. [17353]

Sir Paul Beresford *[holding answer 27 February 1996]:* I have been asked to reply.

There are no statutory requirements for insurance in the circumstance described where the contract is for service. However, if the contract is one of service, an employer is required to insure against liability for personal injury or disease sustained in the course of employment.

WALES

Bridges

Mr. Wigley: To ask the Secretary of State for Wales what is his estimate of the number of *(a)* bridges on trunk roads and *(b)* bridges on country roads which require strengthening to carry 40-tonne lorries; and what is his estimate of the total cost of undertaking this for *(a)* and *(b)*. [17227]

Mr. Hague: It is estimated that 160 trunk road—including the M4 motorway—bridges will require strengthening. This work is estimated to cost £20 million of which £6 million has been expended to date.

Local authorities are responsible for bridges on non-trunk roads.

Vandalism

Mr. Barry Jones: To ask the Secretary of State for Wales what measures his Department has adopted to combat vandalism; and if he will make a statement. [17378]

Mr. Gwilym Jones: The Welsh Office has adopted a number of measures to combat vandalism. In 1994 we published a good practice guide with the safe neighbourhoods unit. We have urged housing authorities to fill empty properties as quickly as possible, to reduce potential for vandalism. The estate partnership programme provides an opportunity for authorities to introduce anti-vandalism measures, and the Welsh Office has approved strategic development scheme grants totalling over £3 million for some 40 crime prevention-related schemes in 1995–96 and 1996–97. The current Housing Bill also contains proposals which are designed to combat the problem.

Mostyn Docks

Mr. Hanson: To ask the Secretary of State for Wales when the planning application for the development at Mostyn docks, Mostyn, Clwyd was *(a)* first presented to Delyn borough council, *(b)* called in by his Department, *(c)* considered by the public inquiry and *(d)* completed at public inquiry; when the report was presented to his Department; and when he plans to announce his decision. [17046]

Mr. Gwilym Jones: The application currently before the Secretaries of State for Wales and for Transport was received by Delyn borough council on 16 December 1994 and called in on 7 March 1995. The public local inquiry was held between 6 July and 8 August 1995 and the inspector's report was received by the Department on 7 November 1995. A decision will be issued as soon as possible.

Chungwha Picture Tubes

Mr. Llwyd: To ask the Secretary of State for Wales what was the total cost of the package offered by his Department to Chungwha Picture Tubes; and if he will make a statement. [17733]

Mr. Gwilym Jones: The potential package of support discussed with the company, the detail of which must remain confidential, was the best that could be made available for the location in Wales considered by the company.

Mr. Llwyd: To ask the Secretary of State for Wales when his Department was informed that Chungwha Picture Tubes would not be investing in Wales; and if he will make a statement. [17740]

Mr. Jones: The company's position became clear at the end of August last year. Whilst the project will not be going ahead in Wales, I am delighted that the United Kingdom, rather than one of our other competitors for inward investment, will benefit from this investment.

Employment (Overseas Companies)

Mr. Llwyd: To ask the Secretary of State for Wales how many people are employed by companies from *(a)* Canada and *(b)* Australia in Wales; and if he will make a statement. [17525]

Mr. Gwilym Jones: Canadian owned manufacturing companies employ 2,870 people in Wales and Australian owned manufacturing companies employ 670 people in Wales. They form a small but important part of Wales' inward investment success.

Siemens and Samsung

Mr. Llwyd: To ask the Secretary of State for Wales what representations were made by his Department to the Invest in Britain Bureau concerning recent projects with special reference to Siemens and Samsung; and if he will make a statement. [17730]

Mr. Hague: My Department and the Welsh Development Agency are in regular contact with the Invest in Britain Bureau. Siemens and Samsung chose locations elsewhere in the United Kingdom which met their particular requirements.

A465

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the construction companies currently working on the A465 Aberdulais to Glynneath project. [17565]

Mr. Gwilym Jones: The main contractor on the A465 Aberdulais to Glynneath scheme is Alfred McAlpine Construction Ltd.

Welsh Language

Mr. Ron Davies: To ask the Secretary of State for Wales, pursuant to his answer of 19 February, *Official Report*, column *56*, if he will publish the views expressed to him by the Welsh Language Board. [17769]

Mr. Hague: The views of the Chairman of the Welsh Language Board on the European charter for regional or minority languages were made public in a press release dated 29 April 1995. Views expressed by Welsh Language Board officials in discussion with my officials were consistent those expressed by Lord Elis Thomas.

Inward Investment

Mr. Llwyd: To ask the Secretary of State for Wales what representation Wales has on the Invest in Britain Bureau; and if he will make a statement. [17808]

Mr. Hague: The Welsh Development Agency is represented on the Committee on Overseas Promotion. There is also regular dialogue and contact with the bureau by both my Department and the Welsh Development Agency.

Employment

Mr. Llwyd: To ask the Secretary of State for Wales (1) if he will list his Department's estimates of *(a)* full-time and *(b)* part-time, (i) males and (ii) females in employment in agriculture, forestry and fishing in (1) 1995, (2) 1992 and (3) 1990 within the areas covered by the valleys initiative; and if he will make a statement; [16750]

(2) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time females in employment in construction in (i) 1995, (ii) 1994 and (iii) 1993 within the area covered by the valleys initiative; and if he will make a statement; [16755]

(3) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time, (i) males and (ii) females in employment in metal manufacture and chemicals in (1) 1995, (2) 1990 and (3) 1985 within the areas covered by the valleys initiative; and if he will make a statement; [16763]

(4) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time, (i) males and (ii) females in employment in manufacturing industries in (1) 1995, (2) 1993 and (3) 1991 within areas covered by the valleys initiative; and what percentage change in each category level occurred in 1995 against 1993 and 1991; [16761]

(5) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time males in employment in construction in (i) 1995, (ii) 1994 and (iii) 1992 within the areas covered by the valleys initiative; and if he will make a statement; [16765]

(6) if he will list the latest estimates of *(a)* full-time and *(b)* part-time, (i) males and (ii) females in employment in transport and communications in (1) 1990, (2) 1987 and (3) 1984 within the areas covered by the valleys initiative; and what percentage change in each category level occurred in 1990 against *(x)* 1987 and *(y)* 1984; [16764]

(7) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time males in employment in banking, insurance and finance in (i) 1995, (ii) 1990 and (iii) 1985 within the areas covered by the valleys initiative; and what percentage change in each category level occurred in 1995 against (1) 1990 and (2) 1985; [16754]

(8) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time, (i) males and (ii) females in employment in service industries in (1) 1995, (2) 1990, (3) 1985 and (4) 1980 within the areas covered by the valleys initiative; and if he will make a statement; [16762]

(9) if he will list his Department's latest estimates of *(a)* full-time and *(b)* part-time, (i) males and (ii) females in employment in metal goods, engineering and vehicles in (1) 1995, (2) 1992 and (3) 1990 within the areas covered by the valleys initiative; and what percentage change in each category level occurred in *(x)* 1992 and *(y)* 1990. [16766]

Mr. Gwilym Jones: Information on the number of full-time and part-time employees by gender and industry at ward level is available from the 1981, 1984, 1987, 1991 and 1993 censuses of employment. The programme for the valleys area can be approximated by 1981 and 1991 wards as detailed in annex 1 and annex 2 of the Welsh Office report "Programme for the Valleys, A Statistical Profile, 1993". The report is available in the Library of the House. Census of employment data are available from the NOMIS database which can be accessed by the staff of the Library of the House. It may not be possible to release all the data due to confidentiality restrictions.

Overseas Visits

Mr. Hall: To ask the Secretary of State for Wales if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-Ministerial members of each delegation and the capacity in which each was present. [17493]

Mr. Hague: I have arranged for a list containing appropriate details of overseas visits made by Ministers of my Department since 1990, to be placed in the Library of the House. However, information on costs is not readily available and could be provided only at disproportionate cost.

Civil Servants (Company Directors)

Mr. Byers: To ask the Secretary of State for Wales which serving civil servants in his Department are presently directors of companies; and if he will indicate for each *(a)* the name of the company concerned and *(b)* if the annual remuneration was (i) £1 to £5,000, (ii) £5,000 to £10,000 and *(c)* above £10,000. [18152]

Mr. Hague: Staff in my Department are required to declare an interest if they are a director of a company or companies. This requirement is set out in the Welsh Office terms and conditions of service code. Staff who disclose relevant interests do so on the understanding that the declaration, like all employment matters, is confidential between them and their employer.

Oil Pollution

Mr. Tony Banks: To ask the Secretary of State for Wales what estimate he has made of the threat to migrating birds in those areas affected by oil from the Sea Empress. [18357]

Mr. Gwilym Jones: The Countryside Council for Wales is collating data on dead and affected birds and it is too early to assess the full effect of the incident on any species. Particular concern has been expressed about the wintering Common Scoter population in Carmarthen bay, where up to 700 dead and over 1,000 oiled birds have been recovered by the RSPCA.

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INDEX TO THE HOUSE OF COMMONS PARLIAMENTARY DEBATES

(HANSARD)

SESSION 1995–96

19th February—1st March 1996

This index replaces that which is bound with Volume 272. Please do not use the index in the bound volume as it has been found to contain a number of errors.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 272**

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

Other contributions by Speaker and deputies appear under the heading Speaker.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

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Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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